Planning and Strategic Housing

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WEST OXFORDSHIRE DISTRICT COUNCIL

Draft Relevant Representation – Botley West Solar Farm EN010147

Introduction

1. West Oxfordshire District Council (WODC) welcome the opportunity to make this relevant representation. There are a number of matters that WODC consider should be brought to the attention of the Examining Authority in determining the application for development consent, which will require detailed consideration through the examination process.

2. WODC support the development of renewable energy schemes in West Oxfordshire. The West Oxfordshire Local Plan 2031 supports the delivery of such schemes in accordance with a series of criteria based policies, ensuring that the need for renewable energy is balanced with the protection of the environment and the characteristics of the local area that make West Oxfordshire distinctive and special place.

3. WODC announced a climate and ecological emergency in 2019 and has identified measures required to achieve its goals of net zero carbon in the district by 2050 or earlier. A number of large scale, standalone renewable energy projects have been approved in the district in recent years in accordance with local policy.

4. It is within this context that this Relevant Representation is made.

Development Plan context

5. The development plan for West Oxfordshire comprises the West Oxfordshire Local Plan 2031 (WOLP), emerging Area Action Plan for Salt Cross Garden Village, Cassington Neighbourhood Plan, Eynsham Neighbourhood Plan, Woodstock Neighbourhood Plan.

6. The WOLP sets the spatial strategy and strategic policies to deliver sustainable development in West Oxfordshire to 2031. The overall strategy of the WOLP 2031 is to direct the majority of development to the Main Service Centre, Rural Service Centres and villages of the district.

7. All development is expected to be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality.

8. WODC supports in principle the development of renewable and low carbon energy developments in the district, provided they are located and designed to minimise any adverse impacts, with particular regard to conserving the District's high valued landscape and historic environment. In assessing proposals, the council has regard to the following local issues which will need to be considered and satisfactorily addressed:

- Impacts on landscape, biodiversity, historic environment, agricultural land, residential amenity, aviation activities, highway safety and fuel/energy security, including their cumulative and visual impacts;
- Environmental enhancements, in addition to those required to mitigate and compensate any adverse impacts, will be sought, especially where they will contribute to Conservation Target Areas and Nature Improvement Areas;
- potential benefits to host communities (including job creation and income generation).

9. Any proposals for a solar farm involving best and most versatile agricultural land would need to be justified by the most compelling evidence which demonstrates why poorer quality land has not been used in preference to best and most versatile agricultural land.

10. All these local issues are relevant to the consideration of the Botley West Solar Farm DCO application and West Oxfordshire District Council wishes to ensure that issues are considered in detail at examination.

Environmental Statement

11. The applicant has gone to significant lengths to assess the quality and condition of the host environment and to explain to the Examining Authority, the potential for significant effects to arise from the project.

12. The nature of the project including its siting, scale and design, ensures that there is potential for significant and widespread positive and negative impacts to arise over prolonged period.

13. WODC wish to ensure that such impacts are given due consideration through the examination and that consideration should extend to all matters covered by the applicant's Environmental Statement. Although the Council is satisfied that the Environmental Statement covers all matters that are relevant to the application for development consent, we don't agree with all the conclusions that the applicant draws in relation to the significance of impacts, particularly negative impacts arising from the scheme.

14. The applicant has not responded adequately to the concerns and suggestions made by the council through pre application consultation and it is considered by the Council, that there is still potential for significant harmful impacts to arise from the project. Although there have been some iterative design changes between pre-application consultation and submission of the DCO application, such changes to the design, layout and scale of the development do not address the Council's previously expressed concerns.

15. The main impacts that WODC wish to highlight are landscape and visual impacts, heritage impacts, loss of best and most versatile agricultural land, public rights of way and ecology. The absence of comment at this stage on any other topics should not be taken as WODC's agreement on those matters and we reserve the right to comment on those areas through the Local Impact Report and during the Examination.

16. WODC wish to emphasise that in considering the proposal, the project should not be considered as temporary when considering the significance of impacts. The applicant's assertion that the project is temporary and fully reversible has a bearing on the applicant's assessment, and this should be borne in mind, particularly when considering impacts on the Green Belt.

17. In addition, when considering the significance of impacts and whether moderate or less constitutes a significant impact in EIA terms, regard should be had to the accumulation of moderate negative impacts and whether these add up to a significant impact overall. A holistic

view should be taken as to the impacts over the whole scheme, rather than considering localised impacts in isolation. This is particularly relevant to the landscape and visual impacts from the Public Right of Way Network, where the applicant draws conclusions about impacts from specific viewpoints, but not necessarily in terms of moving through the landscape.

Site selection, alternatives considered and existing baseline.

18. National Policy Statements make it clear that applicants should provide a description of the reasonable alternatives studied, which are relevant to the proposed development and its specific characteristics, giving an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects. Applicants are obliged to include information about the reasonable alternatives they have studied in their Environmental Statement, including an indication of the main reasons for the choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility.

19. The applicant describes the process of site selection including reasons for focusing on the South East, the identification of grid connection opportunities and the availability of land. Having been offered sufficient land to meet their initial requirement for 250Ha of land 15km from the proposed connection to the NGET substation, a decision was made to include a significantly larger area of land for the project, defined now as the northern, central and southern areas. An iterative design process was then undertaken to identify final scheme.

20. The applicant explains that the site has been selected on basis that planning and environmental constraints can be avoided or minimised, including impacts on landscape, heritage and cultural assets, that permanent adverse effects upon best and most versatile agricultural land can be avoided, that significant biodiversity gains can be secured and that the site is located beyond key landscape and environmental designations. The applicant makes reference to a high level constraints plan used to understand site sensitivities in planning and environmental terms, which provided an opportunity to identify mitigation measures, such as the planting of native species to enhance existing habitat and ability to enhance the landscape and provide screening for the project.

21. To this extent, West Oxfordshire District Council consider that the design and location of the proposal has been constraints led, rather than being shaped by an understanding and appreciation of the local topography and features of the landscape. The layout of the proposal avoids sites designated for their historic and ecological value and imposes buffer zones in an effort to protect the integrity and setting of important landscape, ecology and heritage features, but then seeks to maximise the extent of the development throughout the remaining landscape with little explanation of the iterative design approach beyond the narrow view of the mitigation hierarchy.

22. West Oxfordshire District Council consider the proposed location to be particularly sensitive due to the character and quality of landscape, the concentration of significant heritage assets, the value of soil resources and the presence of important ecological resources. There are opportunities to enhance landscape, ecology and heritage assets within the project area but it is not clear how an iterative design approach recognises such opportunities, other than where interventions are proposed to mitigate the visual impacts of the proposal and to screen it from view.

23. A significant proportion of the development site is located within the Oxford Green Belt. When considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for development. The applicant indicates that harm caused by reason of

inappropriateness of the Project has been assessed and whilst the applicant identifies conflicts between the proposal and the purposes of the Green Belt, on balance these are considered by the applicant to be limited. Impact upon openness of the Green Belt has also been assessed, but the applicant considers the impacts are limited and reversible.

24. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – Any suggestion about the temporary nature of the scheme should be considered in this context. The proposed development is stated to be for a period of 37.5 years. This is a substantial length of time which during which the openness of the Green Belt would be compromised, thus undermining the permanence for a significant amount of time.

25. Applicant considers that on balance the harm to Green Belt is outweighed by the Very Special Circumstances (VSC) for the proposal, including the temporary nature of the development, the significant and necessary contribution to renewable energy targets, increased access to land within the Green Belt, careful landscape screening, and permanent and significant beneficial effects to the landscape and biodiversity net gain.

Green Belt Very Special Circumstances (VSC)

26. WODC questions the VSC case for development in the Green Belt. The applicant considers the development to be unrestricted, temporary and reversible and that such factors should be considered as part of the VSC for the solar farm development.

27. The Green Belt serves a number of purposes including to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns from merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

28. The Green Belt in West Oxfordshire performs an important role and performs effectively against the purposes of the Green Belt[1]

29. In addition, the Green Belt in West Oxfordshire provides a degree of policy protection for the outstanding universal value of the Blenheim Palace World Heritage Site. Previous consideration as to whether to impose a buffer for the Blenheim Palace WHS have been discounted due to the additional policy protection provided by the Oxford Green Belt.

30. Cumulative development within the setting of the Blenheim WHS has brought into focus once more whether a buffer should be imposed to protect the setting of the WHS. It is not clear whether the applicant has considered these implications in defining the VSC for Green Belt development[2].

31. The effect upon the openness of Green Belt has been assessed by the applicant, concluding that whilst spatially the effect is large, the actual or perceived visual effects are limited, as a result of careful layout and design and the landscaping measures embedded as part of the Project. WODC do not agree with this conclusion. The proposed development will be perceived from multiple individual locations within the Green Belt as well as by anybody moving through the Green Belt via the transport or PROW network. There will be changes to the way in which the openness of the Green Belt is perceived pre and post development and this will also be affected by the proposed landscape mitigation measures, primarily comprised of screening, which will not only block views of the solar farm but also the wider countryside.

Historic Environment

[1] Introduce Oxford Green Belt Study by LUC
[2] ICOMOS Technical Review and Historic England letter.

32. A core objective for planning in West Oxfordshire is to conserve and enhance the character and significance of West Oxfordshire's high quality natural, historic and cultural environment – including its geodiversity, landscape, biodiversity, heritage and arts – recognising and promoting their wider contribution to people's quality of life and social and economic well-being both within the District and beyond.

33. The project area is rich in cultural and heritage value with an array of heritage assets of varying significance distributed throughout the rural landscape. The rural landscape of the area contributes to the setting of these heritage assets. WODC have a duty to ensure that the significance of heritage assets is not affected by inappropriate development including within the setting of such assets.

34. The applicant's assessment of effects in relation to the historic environment confirms that no significant effects in respect of any aspect of the historic environment have been identified within the Environmental Statement. The effects on designated heritage assets, including the Blenheim Palace WHS, as a result of change within their setting have been assessed by the applicant as not significant. The effects on buried archaeological remains resulting from physical impacts have also been assessed by the applicant as being not significant. The cumulative effects assessment examined likely impacts on designated heritage assets as a result of change within their setting and the impacts on the character of the historic landscape. The applicant concludes that there are no significant cumulative effects from the Project alongside other projects/plans.

35. WODC question the validity of these conclusions and consider that the applicant has played down the likely significance of impacts arising from the proposed development.

36. NPS EN1 states that in determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development)

37. WODC consider that the applicant has identified the relevant heritage assets within and in proximity to the scheme that could be impacted by the development. The applicant also adequately explains the significance of the heritage assets that could be impacted by the proposal.

38. Notwithstanding the conclusions that the applicant makes through their own assessment, it is the view of WODC that there are harmful impacts that are likely to arise from the project on heritage assets that are of international and national importance and that these impacts should be regarded as significant.

39. This includes the impact on the settings of the heritage assets including Blenheim Palace World Heritage Site, Grade I Listed Buildings at Church Hanborough and Cassington, Scheduled Monuments at Sansom's Platt and Bladon Heath, Conservation Areas at Church Hanborough and Bladon and buried archaeology throughout the site.

40. The maintenance of the Outstanding Universal Value of Blenheim Palace World Heritage Site and its setting is a key objective and therefore needs to be given due consideration through the examination of the solar farm proposals.

41. WODC sit on the Blenheim Palace World Heritage Site Steering Group and contributed to the preparation of the Blenheim Palace World Heritage Site Management Plan which was updated in 2017[3]. WODC identify the Blenheim Palace WHS Management Plan as a material consideration in assessing development proposals in West Oxfordshire. Regard should be had through Examination as to whether the proposal would affect the setting of the World Heritage Site,

[3] https://www.westoxon.gov.uk/media/b0rbyz1g/blenheim-whs-management-plan-2017.pdf

particularly whether allowing development in the Green Belt would undermine the additional policy protection meant to conserve the setting of the Blenheim Palace WHS.

Landscape and Visual Impact Assessment

42. The applicant's assessment of effects in relation to the landscape and visual impacts concludes that there are no significant adverse effects (either temporary and permanent) on the local landscape character arising from construction and operation of the Project. Twelve significant adverse temporary and permanent effects on the views experienced by users of public rights of way (PRoW) and road users have been identified, but these significant effects are for winter Year 1 only, i.e. before mitigation has been established. The applicant concludes that there are no significant effects once the mitigation matures. No residual significant effects, at summer Year 15, have been identified by the applicant.

43. The applicant considers that significant impacts identified at year 1 will be mitigated through the establishment of screen planting which will have been established by year 15. Although additional planting and vegetation cover is to be welcomed for the multiple benefits that they can deliver, consideration should be given to whether additional planting, proposed to screen the development and mitigate the landscape and visual impacts could result in detrimental changes to landscape and visual resources in proximity to the scheme.

44. WODC highlighted a number of areas through the PEIR consultation[4], where the scale, extent and design of the proposed solar farm could be amended to reduce negative landscape and visual impacts of the proposal.

45. It is not clear when viewing the submitted proposals that comments at the PEIR stage have influenced the design of the proposal with regard to landscape impacts, although the applicant states in their Environmental Statement that the concerns were noted. These concerns therefore remain extant and the council considers that they should be considered further at examination.

46. The landscape character of the area proposed for development is attractive rural countryside that is sensitive to change. WODC considers that the proposed solar farm would result in a fundamental change to the landscape character of the area which would be contrary to our objectives for planning development in West Oxfordshire.

47. It is not clear from the submission documents how the project has been adjusted to take account of representations made at the PEIR stage and how ongoing assessment work since 2022 has influenced the design of the proposal, including where significant impacts have been identified.

48. WODC has previously identified parts of the proposal that should be excluded from the project in order to protect the landscape setting of villages and heritage assets and to reduce the landscape and visual impact of the proposals by responding to the local topography.

49. These suggestions are not repeated for this Relevant Representation, but the Examining Authority should have regard to pre-application consultation responses made by WODC and other stakeholders to understand the extent to which iterative design of the project has been undertaken in order to minimise impacts.

50. Further consideration of the constraints and opportunities and site topography in relation to the project area, should guide further revisions to the design and layout of the proposed

[4] EN010147-000374-EN010147_APP_6.3 - ES Chapter 8 - Landscape and Visual Impact Assessment.pdf (Table 8.6)

development. Such revisions could result in a reduced scale of project, but would help to minimise the magnitude and significance of effects on a sensitive environment.

Ecology and Nature Conservation

51. Where the development is subject to EIA, the applicant should ensure that the Environmental Statement clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.

52. A core objective for planning in West Oxfordshire is to conserve and enhance the character and significance of West Oxfordshire's high quality natural, historic and cultural environment – including its geodiversity, landscape, biodiversity, heritage and arts – recognising and promoting their wider contribution to people's quality of life and social and economic well-being both within the District and beyond.

53. The applicant's assessment of effects in relation to ecology and nature conservation concludes that after the application of mitigation, the majority of potential impacts resulting from the Project on the majority of Important Ecological Features (IEFs) are considered not significant. This includes with respect to habitat loss, disturbance, habitat severance, pollution events, dust generation and the spread of Invasive Non-Native Species.

54. Significant adverse effects have been identified on the wintering bird assemblage as a result of habitat loss, primarily the loss of arable fields during construction. The applicant anticipates that the creation of new habitats during the Project will mitigate this to some extent during the operational period of the project.

55. The applicant predicts that the creation of new habitat within the Project will result in significant beneficial effects on a range of IEFs including national sites, local sites, hedgerows, water bodies, breeding birds, great crested newts, bats and dormice.

56. The Council welcomes the commitment to deliver Biodiversity Net Gain (BNG) above the minimum statutory requirement of 10% due to come into force in November 2025. The statutory biodiversity metric has been used to calculate the BNG outcome from the proposed development. However, this has only been calculated for area habitats and hedgerows, without taking account of the presence of watercourses within the site. As the red line boundary of the site encompasses a watercourse, to ensure compliance with the statutory biodiversity metric user guide, the watercourse module should be applied. Clarity is also needed as to whether a delay to habitat creation and enhancement works should be applied in the metric due to the construction period of two years.

Breeding and overwintering birds

57. Although the majority of farmland birds and other birds recorded breeding/foraging and over wintering on site will be effectively mitigated for as part of the enhancement proposals for the solar farm, including hedgerows, woodlands, scrub and tussocky grassland, the Council are concerned about the proposed mitigation for skylark and lapwing. There are both priority species and written into the NPPF Chapter 15.

58. The breeding bird assemblage identified within the project area is of county importance (Table 9.6.4 page 60 of the ES) and the Council therefore recommend that this should be given detailed consideration at examination to ensure that impacts on protected and priority species are avoided and adequately compensated.

59. The proposed development will result in significant loss of breeding territories for the local skylark population resulting in a landscape scale impact. The proposed skylark plots within the project area are to provide winter foraging habitat for skylarks rather than being used for breeding. Mitigation for loss of breeding habitat is proposed via the creation/enhancement of 36 hectares (ha) of meadow on land that is not being used for solar arrays due to their archaeological importance. However, this quantum of compensatory habitat is unlikely to be sufficient as it appears to be comprised of small, spread-out parcels of land across the project area. Skylarks are unlikely to use proposed skylark plots for breeding when surrounded by solar panels as they require long, unbroken sightlines and minimal perches for raptors (predators). The solar panels themselves will therefore reduce the desirability of the area for nesting skylark due to the perceived risk of predation. Post-construction monitoring of over 100 solar farms in England and Wales found no evidence of nesting skylarks (In Practice Issue 117, September 2022, Chartered Institute of Ecology and Environmental Management, CIEEM). The Council calculates that in order to compensate for the recorded 228 no. breeding territories identified through the applicant's assessment, the development will need to provide 114ha of suitable habitat (based on two skylark territories per ha). In the absence of further clarification and justification for the applicant's approach, proposed compensatory habitat would appear to be insufficient.

60. Measures to safeguard protected and priority species within the project area are essential but it is not clear whether specific measures or mitigations are included in the scheme to compensate for impacts on lapwing and nightingale habitat.

61. It is likely that a farmland bird compensation strategy will be required for the proposed development, which would need to consider the provision of off-site measures. This should be explored at Examination to ensure that the statutory and policy protections are being met.

Wetland birds and aquatic invertebrates

62. There has been no assessment of the potential effects during operation of the solar farm on wetland birds and aquatic invertebrates. The zone of influence of the impact assessment should take this into account due to the close proximity of several large waterbodies of value to birds in the local area, including Cassington Gravel Pits, Blenheim Lake and the Lower Windrush Valley Project Area. An understanding of the use of the wider landscape by wetland birds and aquatic invertebrates is needed to assess how the solar panels might influence the behaviour of these species and consequent impacts on their populations through mortality or reduced breeding success. Evidence suggests that the polarised light of solar panels can be confused by these species for open water, for example, resulting in dragonflies laying eggs on them. The size and density of the proposed solar farm project is such that this could result in a significant effect on local populations.

Bats

63. The bat survey concluded that the assemblage of bats present at the site is at least of national importance, due to the presence of two Annex II species – Bechstein's and Barbastelle bats, which are using woodlands adjacent to the site for roosting, including maternity colonies. The mosaic of habitats within the site are also considered to have at least national importance for bats, including for foraging and commuting.

64. However, the Environmental Statement concludes that the impact on the local bat population will be negligible due to the retention of the majority of the landscape features that the bats are using for foraging, commuting and roosting, and the protection of these with buffers. However, there is limited information regarding proposed avoidance or mitigation measures for bats.

65. In particular, although there is mention of the provision of a suitable buffer to protect all important bat flightlines as a key commitment (ref. 9.20), these are not shown on the Masterplan or in any other documentation, including the CoCoP, Outline Operation Management Plan and Outline Landscape and Ecology Management Plan submitted with the application.

66. The conclusion in the Environmental Statement that 5 metre gaps to be created in hedgerows are unlikely to cause changes to commuting routes and foraging habitats is unjustified as no information has been provided with regard to which hedgerows are important bat flightlines. This conclusion is therefore unsupported.

Otter and Water Vole

67. The Environmental Statement indicates that it is assumed that otters and water voles forage and commute within the project site, and that there may be otter holts (or laying up sites) along the river, but no surveys have been carried out to confirm this. It is recognised that there could be short term disturbance to otters due to noise and vibration during construction, and the impact assessment would be better informed if it were understood whether there were any holts present along the river within the site. This is equally applicable to the potential for water voles to be present on the river (the Environmental Statement takes the approach that this species is adequately covered in the assessment of impacts to watercourses). This is particularly relevant to any crossings over watercourses within the site but could also apply to the installation of solar panels near watercourses (not just the main river).

Great crested newts

68. The ES ecology chapter appears to keep the licensing option for great crested newts open and refers to both a great crested newt mitigation licence and the District Licensing Scheme (administered by NatureSpace). However, Section 8.3.1 in the Outline LEMP states that a Natural England mitigation licence will be obtained for the site, so no off-site compensation would be possible. It is unclear why the District Licensing option has been discounted.

69. If the District Licensing Scheme is not used, then we would consider this a significant missed opportunity for landscape-scale conservation for this species if all habitat works are carried out on site only (via the standard mitigation licence approach).

70. Use of the District Licensing Scheme can be secured via the appropriate wording from the standard planning conditions and translated into planning requirements within the DCO. The Council recommends that NatureSpace should be consulted for their comments to inform the Examination to understand the details of the likely impacts to this species.

71. The closest ponds are located 20m (P83) and 30m (P64) of the site boundary and the nearest great crested newt population through surveys was P19, 130m from the site. Although the majority of suitable habitat will be retained, apart from small sections of hedgerow spread across the site for vehicular access, there would be temporary disturbance and loss of terrestrial habitat as a result of the proposed development.

72. The council notes the negative eDNA result from the ponds at City Farm where great crested newts were previously recorded (for the Salt Cross Garden Village outline planning application) and that ponds with a 'below average' or lower score in the HSI assessment were not subject to an eDNA survey. Negative eDNA survey results from a single survey are not sufficient to prove absence, several years' worth of negative eDNA results are needed in line with Natural England guidelines (for licence applications) and the species does occur in below average suitability ponds. The HSI assessment is not intended to be a marker for which ponds are likely to contain newts or not.

73. The Outline LEMP refers to a detailed LEMP being produced by condition as part of the DCO. The Council recommends that this should be for lifetime of the development and include monitoring for BNG.

74. The guidance in EN-1 5.4.44 indicates that any habitat creation or enhancement delivered for compensation or Biodiversity Net Gain would be maintained for a minimum of 30 years, or for the lifetime of the project, whichever is longer. The oLEMP mentions monitoring for 30 years, but elsewhere references monitoring for the lifetime of the project. Clarification and correction of the documents is therefore suggested to provide certainty that management and monitoring will be undertaken for the lifetime of the development as a minimum. The Council would also encourage the ongoing management of habitats created/enhanced as compensation and for Biodiversity Net Gain to extend beyond the lifetime of the project.

75. The Outline LEMP lists the inclusion of "bee hives" in (see section 9.12 of Table 9.8.1 on page 71 of the ES ecology chapter), however, we are unconvinced that it would be appropriate as it would increase competition with native bumblebees and other pollinating insects. Depending on the number of bee hives, it might be possible to locate these in areas of wildflower-rich habitat to ensure a lower level of competition with native bees. Further clarity is required on this part of the proposals.

76. It is the intention as set out in the oLEMP for multiple LEMPs to be produced for the different zones within the site, and for these to be approved by the District Councils before commencement. This presents an issue in terms of oversight of the whole project and who will be responsible for monitoring the implementation of the LEMPs. What is the mechanism for ensuring that the District Councils are adequately resourced and funded to do this? And what mechanisms exist for the District Councils to take enforcement action in case of non-compliance?

Link to the Local Nature Recovery Strategy for Oxfordshire

77. The aim of the proposed development is to create a landscape-scale wetland corridor along the River Evenlode, which is welcomed by the Council, and this aligns with the priorities and mapping in the emerging Local Nature Recovery Strategy for Oxfordshire. However, there the enhanced connectivity for other habitats, notably ancient woodlands, is not given the same weight. Hedgerow planting is planned to provide connectivity between Tackley Wood and the Blenheim Estate, and Bladon Heath and Burley Woods. While this is welcomed in principle, the current proposals only integrate the minimum 15 metre buffer to these ancient woodlands, and this would seem to be a missed opportunity to allow for woodland expansion in future. The woodlands would effectively become surrounded by solar panels for 42 years and therefore restrict the ability of any future woodland restoration plans. The Council recommends that the potential for wood pasture and natural woodland regeneration in the area is explored further to provide greater woodland connectivity, aligning with the mapped measures in the emerging LNRS and supporting the important bat populations that have been found to use these woodlands.

Hydrology and Flood Risk

78. The applicant's assessment identifies potential impacts of increased flood risk, contamination of surface waters and damage to field drainage, water supply and drainage infrastructure during construction, operation and decommissioning of the Project. Taking into account mitigation measures, they consider that no likely significant effects are anticipated to occur with respect to hydrology and flood risk during the construction, operation or decommissioning phases.

79. West Oxfordshire District Council highlighted the potential for surface water impacts arising from the proposal to the north of Cassington through the pre-application consultation response.

80. The applicant has undertaken modelling to assess potential for surface water impacts in this location and has proposed measures to mitigate the impact of the proposal and to provide betterment in relation to existing surface water conditions. These measures include the provision of SUDS, ditch maintenance and bunds to the north of Cassington.

81. The council supports measures that would address existing issues of surface water flooding at Cassington.

Noise and vibration

82. The applicant's assessment for the construction phase has found that the magnitude of the impact is low for all noise and vibration impacts, when assessed at the nearby sensitive receptors, and with the embedded mitigation measures implemented. With the measures adopted as part of the Project in place, the impacts result in an effect of minor adverse significance.

83. The applicant's operational phase assessment has found that the magnitude of the impact is low for all noise impacts, when assessed at the nearby sensitive receptors, and with the embedded mitigation measures implemented. With the measures adopted as part of the Project in place, the impacts result in an effect of minor adverse significance,

84. The applicant's decommissioning phase assessment has found that the magnitude of the impact is low for all noise and vibration impacts, when assessed at the nearby sensitive receptors, and with the embedded mitigation measures implemented. With the measures adopted as part of the Project in place, the impacts result in an effect of minor adverse significance.

85. Cumulative effects from noise and vibration were assessed and are predicted to result in effects of minor adverse significance (not significant in EIA terms) upon noise and vibration sensitive receptors within the study area.

86. WODC highlighted concerns at pre-application consultation about the volume and frequency of noise generated by power converter stations, due to the number of units (156) and the sound power level (96 Lw, dB(A)) The council consider that there would be likely significant detrimental impacts on human health, amenity use of the countryside, tranquillity of the countryside and wildlife over a wide area as a result of the noise impacts of project infrastructure.

87. The applicant's noise and vibration assessment primarily covers the impacts on sensitive receptors which is limited to residential dwellings within and on the edge of the site. Consideration should be given to the noise impacts of the proposed solar farm and associated infrastructure on the wider countryside, users of the public rights of way network, wildlife and the tranquillity of the landscape.

Agricultural land use

88. Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).

89. The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land, the Secretary of State should take into account the economic

and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

90. The applicant has scoped out the assessment of temporary and permanent loss of best and most versatile land during operation and maintenance of the Project. The applicant suggests that there would be no works during the operation and maintenance phase of the Project that would result in the temporary or permanent loss of best and most versatile land. In addition, they propose that soils located below the solar panels will be retained and made available for grazing during operation of the Project. On this basis, they argue that the temporary and permanent loss of best and most versatile land during operation and maintenance of the Project is unlikely to result in likely significant effects and has been scoped out the assessment in this Chapter of the ES.

91. The applicant's mapping submitted in support of the application indicates significant coverage of Best and Most Versatile across the project area. It is not clear that the proposed design, layout or scale of the project has been shaped by the presence of Best and Most Versatile Agricultural Land.

92. A key policy objective for West Oxfordshire is to protect and conserve soil resources and this includes Best and Most Versatile Agricultural Land. Our response to the PEIR consultation identified areas of land that could be removed from the project to avoid multiple harms including landscape, heritage and BMV. The design of the scheme has not responded to these comments

Draft Development Consent Order

93. West Oxfordshire District Council will provide detailed comments on the draft DCO covering the scope of the authorised development, the schedule and drafting of requirements.

94. WODC expect their views on the drafting and approvals process for DCO requirements to be given significant weight in their role of ensuring that the impacts upon our local environment and communities are minimised, and as an approving and enforcement authority.

95. WODC look forward to engaging positively in the examination of the Botley West Solar Farm project. The council intends to submit a detailed assessment of the local impacts of the proposal against the relevant policy framework, which will be reported within the Local Impact Report (LIR) and through Written Representations as necessary.

96. WODC consider at this stage that the proposal for the Botley West Solar Farm would result in a wide range of detrimental impacts weighing against the suitability of the proposals in the planning balance.