

Cassington Parish Council Response to the Botley West Proposal Phase Two Public Consultation to West Oxfordshire District Council Development Control Meeting 5th February 2024; PVDP and the Planning Inspectorate

Written and approved by Parish Councillors: Alex David Rogers, Barbara King, Christopher Metcalfe, Graham Mills, Stewart Thompson on the 1st February, 2024.

Introduction

This document follows a request by West Oxfordshire District Council for responses from Parish Councils to the Botley West Utility-Scale Solar Power Station proposal. Cassington Parish Council will reserve detailed comment on the Preliminary Environmental Information Report (PEIR) and the Botley West proposal until the full submission of the proposal to the Planning Inspectorate which is expected sometime in the summer of 2024. Therefore, what follows are areas of initial concern which have not been addressed or have been inadequately addressed since our submission of our response to the Scoping submitted by the developers, PVDP.

Adequacy of Consultation

The developers have engaged in two rounds of public consultation, an informal consultation which took place in December 2022 and the Phase Two Consultation which has taken place in December and January 2023/2024. Cassington Parish Council notes very little change of material consequence to its Parishioners in the proposed scheme since the Phase One Community Consultation which is a concern as the scheme will cover approximately 50% of the land of the Parish. The proposed Utility-Scale Solar Power Station, possibly the largest in Europe and amongst the largest in the world still entirely dominates the land to the north and northeast of the village, it comes to within 15m of our resident's property and many questions regarding mitigation of impacts to flood risk and to the natural environment remain unanswered or answered in vague terms.

We question the utility of a consultation process that results in little perceivable change to the proposed project. We also note that according to the Gunning Principle (Local Government Association, 2019), No. 1 states that for proper consultation to take place proposals should still be at a formative stage. Specifically: "*A final decision has not yet been made, or predetermined, by the decision makers*". Furthermore Principle No. 4 states that "*conscientious consideration must be given to the consultation responses before a decision is made. Specifically: "Decision-makers should be able to provide evidence that they took consultation responses into account"*".

The Phase Two Consultation straddled the Christmas and New Year Period despite requests from Stop Botley West, CPRE Oxfordshire and others to move the period of the consultation to after the holidays to enable residents the best opportunity to engage and feed into the process. These requests were ignored and given the huge size of the material provided by PVDP (i.e. the PEIR being over 7,000 pages long), and despite an additional time allocation

over and above the legal requirement for consultation we believe that this gave Parishioners insufficient time to fully comprehend and assess the proposed scheme. It is therefore the case that Parishioners are unlikely to have been fully informed when engaging with the public events scheduled by PVDP, including the one in Cassington on the 12th of January. Coming back to the Gunning principles, No. 3. States that *“there is adequate time for consideration and response”*. Specifically:

“There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation, despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of the impact of the consultation”.

The Phase Two Community Consultation Leaflet was only distributed just before Christmas 2023 and therefore it may have been lost or discarded by householders in the busy period before Christmas. Notwithstanding this issue this is the document which most Residents are likely to have read. The contents of this document were superficial and largely highly biased towards the proposal. Many details of aspects of the proposal referred to in the Phase Two Consultation Leaflet are not even addressed in the PEIR (e.g. the Traffic Management Plan).

Members of the Parish Council attended the Cassington Consultation Event and both of the online consultation events. At the Cassington event specialist consultants were not available on Hydrology or Ecology. Both of these areas are of significant importance to the residents of Cassington. The village is currently at high risk of surface-water flooding from the fields to the north of the village which slope down from north to south. Flooding events have in the past particularly affected Elms Road. Many of our residents enjoy walking on the footpath that reaches a high point just before Purwell Farm which not only gives open views of green countryside to the east, southeast and south all the way to Oxford and Wytham Wood, but also the opportunity to view wildlife such as farmland birds.

At times during consultations our residents were dealt with in a brusque manner by the representatives of PVDP and RPS. This left our residents frustrated and in some cases in tears.

The online consultation events were highly unsatisfactory. At the event for Parish Councils attendees could only propose questions via the chat box (no audio available) which provided no opportunity for rebuttal or clarification of any of the replies provided by the panel. To compound the frustration, once the question had been “answered” by the panel, the chat box indicated that “this question was answered online”. This was not the case, and the panel were challenged (via the chat box!) to this effect. None of the questions put forward by Cassington Parish Council were addressed. The event on the 23rd of January was chaired by a member of Counter Context, the communications company employed by PVDP. The format was the same as the Parish Council Event. The questions selected for answering by the panellists Marc Owen Lloyd and consultants from RPS were in favour the scheme and generally allowed the panel to cast the proposal in a positive light. None of the questions submitted by Cassington Parish Councillors were answered. At one stage the online consultation comprised of extolling a series of positive aspects of the proposed scheme, in other words pure propaganda. If the developers were serious about the online consultation being useful to the public, then it should have been chaired by a neutral party.

The PEIR submitted by RPS on behalf of PVDP was an inadequate basis on which to allow members of the public to understand the proposal, its risks and proposed mitigations. Despite its enormous length, at more than 7,000 pages, vital documents and data were missing from the PEIR. Examples included the Traffic Management Report, the Biodiversity

Net Gain Report and the Environmental Management Plan. Despite PINS advising PVDP during the Scoping Report and during a meeting of September 2023 no justification was provided in the PEIR of the enormous take of Greenbelt Land by this proposal. We ask how the public are supposed to adequately engage with the consultation process if such critical information is not supplied to inform opinion, questions and suggestions as to how the scheme could be improved or whether it should be rejected.

A further issue with the PEIR is that it has not been provided with an adequate index. This makes navigating such an enormous document impossible. Given the limited time to examine such a document this omission is a serious one as readers cannot focus on specific areas of the PEIR to lift information relevant to their questions.

Space devoted to the hard copy of the PEIR in Eynsham Library was inadequate for examination of the multiple folders making up the report.

Overall, for such a large and significant proposal for our Parishioners, insufficient information has been provided for intelligent consideration. This is in direct contravention of Gunning Principle No. 2: *“there is sufficient information to give ‘intelligent consideration’”*. Specifically:

“The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response”.

The Main Concerns of Cassington Parish Council with Respect to the Scheme

Cassington Parish Council's main concerns with the proposed Utility-Scale Solar Power Station fall into several categories:

- The massive scale of the proposed solar power station, particularly its central section which covers 50% of the land of the parish and is largely (75%) on greenbelt land in contradiction to the National Policy Planning Framework (NPPF). This should be considered in the light of the numerous other developments in the immediate area for housing, industrial use and other solar power stations which are further impacting on greenbelt land and other rural locations.
- The proposed scheme will utterly transform the landscape to the north, northwest and northeast of Cassington, converting gently sloping hills and the Evenlode Vale, with extended views of the surrounding countryside to a semi-industrialised landscape.
- The loss of Best and Most Versatile Land which includes the farms of our parish for the duration of the scheme (beyond the life expectancy of many of our residents) and potential longer-term damage to the productivity of this farmland.
- Increased risk of surface water flooding.
- Significant and long-term damage to wildlife.
- Loss of amenity and green space for healthy living.
- Disturbance to the community of the Parish of Cassington during the construction of the solar power station and during its operation.
- The opportunity costs for nature restoration and amenity that this scheme will incur.

Scale of the Proposed Development and Use of Greenbelt Land

The Botley West Utility-Scale Solar Power Station represents a development the size of Heathrow Airport being dropped into the rural landscape of West Oxfordshire, Cherwell and the Vale of the Whitehorse. The entire area represents a mosaic of habitats which is

interconnected by the valleys of the Rivers Dorn, Glyme, Evenlode, Windrush and Thames. These form a coherent north-south river valley landscape of consistently high quality and sensitivity which is straddled by the Blenheim Park WHS at its heart, between the proposed Northern and Central development sites. The Parish of Cassington will have 50% of its area covered by the proposed solar power station. 75% of the scheme is on greenbelt land.

The proposed scheme is directly in contradiction to the NPPF Chapter 13 (Protecting Greenbelt Land) Paragraphs 152, 153 and 156. The development is clearly very harmful to the greenbelt of the City of Oxford and its purposes; “very special circumstances” to locate Botley West Utility-Scale Solar Power Station on the greenbelt have not been demonstrated and alternatives to this scheme have not been considered likely because these do not result in large financial benefits to the landowners and developers.

To the people of Cassington this development will be utterly transformative. The rural views to the north of the village enjoyed by some of our households and the many of the rights of way currently enjoyed by many of our residents, for exercise, leisure and watching wildlife will be converted to an industrial landscape of solar arrays, power converter stations and high voltage transformers as well as fencing and other infrastructure such as security cameras.

Proposed mitigations to these losses of visual landscape, amenity and wellbeing are wholly inadequate. Some of our residents are so traumatised by this proposal that they have left the consultations in tears, and many are suffering stress as a result of the prospect of the change in our lives that this proposal will bring.

Loss of Best and Most Versatile Land

Despite the claims of Dominic Hare, the CEO of Blenheim Estates that the Botley West Utility-Scale Solar Power Station will be located on “poor” agricultural land (e.g. Cassington Parish Council Meeting, 1st December, 2022 referring to Grade 3B land) it is now clear that much of the proposed site is Grades 1, 2 and 3A, in other words Best and Most Versatile (BMV) land. PVDPs own estimates indicate that 38% of the land covered by the Utility-Scale Solar Power Station is on BMV land. According to estimates provided to Stop Botley West based on GIS studies solar panels in the central site will be positioned on land which is 80% BMV. The NPPF guidelines direct that planning decisions should:

“enhance the local environment” by “recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land”

Chapter 15 Paragraph 180.

The NPPF further specifies that:

“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.”

Chapter 15 Para 181 ⁶².

The Botley West Utility-Scale Solar Power Station does not conform to the guidance by the NPPF and neither are alternatives that might site the proposal on less high-quality farmland considered by the applicants.

Loss of viable farms in the Parish of Cassington also detracts from the landscape as well as depriving the U.K. of productive farmland. This has been the cause of considerable stress to our farmers (as revealed by interventions of one of farmers at the Parish Council meeting of the 1st December 2022).

Increased Risk of Flooding

As detailed in the document Cassington Parish Council: Response to Scoping Report for Botley West Solar Farm, June 2023 we believe that for Cassington, Jericho Farm and Worton surface water flooding is a significant issue associated with this development. Elm's Road in the village of Cassington is particularly vulnerable to surface water flooding events which result from surface water draining off the high ground of the fields to the north of Cassington. This is consistent with flooding of properties on Elm's Road in 2007. Foxwell Court, St Peter's Close, Horsemere Lane, Foxwell End and Reynold's Farm are also at risk of flooding from extreme surface water events. Outside the village Jericho Farm and Worton are also vulnerable to flooding and the road junction to Worton Farm was flooded over the winter of 2020/2021. Following the 2007 flood events action was taken to mitigate future surface-water flooding including the clearing of previously blocked drains and the building of a drainage pond behind the southwest corner of the playing fields. Since this time there have been no further property flooding events in Cassington village although the threat remains as demonstrated by near flooding in the winter of 2022-2023 and 2023-2024.

Studies of how utility-scale solar power stations impact hydrology are relatively few at present. However, the studies that do exist show changes in soil moisture content associated with solar panel arrays and also increases in surface water runoff (e.g. Pisinaras et al., 2014; Yavari et al., 2022). Alterations in hydrology also have the potential to increase soil erosion in some circumstances (e.g. Yavari et al., 2022). One aspect of solar array design which influences runoff of rainwater is the tilt angle and orientation of the solar panels at a given site (Yavari et al., 2022).

RPS dismiss the scientific literature cited in the Cassington response to the Scoping report by stating that the studies are mostly based on situations not relevant to the UK (i.e. lands which are typically drier than the UK and subject to sporadic heavy rainfall). However, periods of drought interspersed by extremely heavy rain are exactly the type of weather pattern we are seeing in the UK as a result of climate change. The PEIR offers three main mitigations for flood risk, the slope of the panels aimed at reducing speed of runoff, vegetated spaces between the solar arrays and the use of swales (vegetated drainage channels) at the downhill sides of the solar arrays. We note that compression of the soil will result from vehicle movements, earthworks and the extensive driving of foundations for solar arrays into the land on which the solar power station will be constructed. This has been identified as a major contributor to flood risk in the UK (ADAS, 2023). This is also likely to damage existing field underdrainage. Unlike many other solar power stations which are located on flat land this scheme is proposed for sloping land forming the vales around the Evenlode, Glyme and Thames. Layers of clay are a feature of these soils, and it is notable that the land to the east of Cassington earmarked for this scheme (to the north of the sewage works) is permanently wet usually with standing water across the entire slope during the winter (hence the name Springhill for the nearby farm). During periods of heavy rainfall water will simply runoff the vegetated topsoil so this measure, one of the three mentioned in the PEIR will not function at the point when most needed. Flood mitigation for Cassington has therefore not been considered in detail in the PEIR and many factors remain unaccounted for or not based on a solid grounding of scientific evidence. We therefore

remain unconvinced that the measures proposed will be sufficient to prevent flooding of households in the parish.

Significant and Long-Term Damage to Wildlife

The land of the Parish of Cassington comprises a mosaic of habitats including farmland, hedgerows, tree lines bordering fields and tracks, woodland and river valleys and associated flood meadows. This mosaic of habitats leads to a rich and diverse fauna and flora significant elements of which will be severely degraded or even lost as a result of this scheme. This is because many elements of the wildlife, especially birds require farmland in rotational cropping, along with hedgerows and other landscape features to thrive. As demonstrated by the PEIR the land in questions hosts healthy populations of Red Listed birds (e.g. yellowhammers, linnets and corn bunting), bats, badgers, hares and other wildlife. The mitigation measures laid out by the PEIR are inadequate to compensate for the massive loss of habitat for these animals where they are sensitive to the presence of solar arrays and other infrastructure. Furthermore, important elements of the environmental mitigation plans are missing from the PEIR, including the Biodiversity Net Gain Report and the Environmental Management Plan. The latter is particularly important in understanding the management of mitigation measures throughout the lifetime of the scheme. Cassington Parish Council therefore regards this scheme as having significant impacts on wildlife over a large area of the Parish and wider area of the proposed solar power station.

Loss of Amenity and Green Space for Healthy Living

As stated in the NPPF Chapter 15 Paragraph 180:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”

Loss of the currently beautiful and open landscape to the north of Cassington will have a serious impact on ecosystem services provided by the land to the residents of the Parish. This will mainly be in the form of cultural services in terms of amenity gained from exercise, walking and viewing wildlife in the open countryside of the current landscape and greenbelt. Such amenity is important to the health and well being of our Parishioners. Furthermore, some of our residents will be within 15m of the proposed scheme and thus will suffer an immediate and long-lasting impact to the quality of their lives.

Disturbance to the community of the Parish of Cassington

Currently detailed traffic and construction management plans are not available for evaluation. However, given the construction of the proposed solar power station will take two years, involve numerous traffic movements, pile driving foundation modules for solar arrays to a depth of 2.5m, earthworks and other infrastructure we suspect that disturbance to the communities in the Parish of Cassington will be high given its proximity to the central area. Following construction there will also be disturbance from maintenance of the solar power station (7 days a week) as well as general noise associated with operation. Heat island effects will also be likely to be relevant with such a large acreage of solar arrays in such close proximity to residential areas. This may lead to higher than ambient temperatures during the summer leading to health effects and disturbance of residents.

Opportunity Costs for Nature Restoration and Amenity

The region around the Thames, Evenlode and wider area has the potential for considerable restoration activity and further national-level designation at the highest level for nature conservation and landscape preservation. The countryside around Cassington is included in the current Nature Recovery Network for Oxfordshire. We believe that the development of the Botley West Utility-Scale Solar Power Station, despite ideas being put forward of a nature corridor along the Evenlode by the developers, will actually prevent such nature recovery activities from reaching their full potential and will damage wildlife dependent on a mosaic of habitats including farmland. This opportunity cost is not considered by PVDP or their consultants. Such nature restoration plans could also be coupled with a wider network of footpaths and cycleways, community solar and other forms of sustainable living in a much more effective and inclusive manner than is offered by the current proposal. As such, if adopted, Botley West would represent opportunity loss rather than gain for the people of our Parish and Oxford City and Oxfordshire as a whole.

References

ADAS (2023) The impact of solar photovoltaic (PV) sites on agricultural soils and land. Work Package Three: Review of Impacts. Report for the Welsh Government, ADAS, Rosemaund, Preston Wynne, Herefordshire, HR1 3PG, 79pp.

Local Government Association (2019)

<https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

Accessed 1/2/2024.

Pisinaras, V., Wei, Y., Barring, L., Gemitzi, A. (2014) Conceptualizing and assessing the effects of installation and operation of photovoltaic power plants on major hydrologic budget constituents. *Science of the Total Environment* 493: 239–250.

Yavari, R., Zaliwciw, D., Cibin, R., McPhillips, L. (2022) Minimizing environmental impacts of solar farms: a review of current science on landscape hydrology and guidance on stormwater management. *Environmental Research Infrastructure and Sustainability* 2: 032002.