

# CUMNOR PARISH COUNCIL

Planning Inspectorate

By email

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Contact:

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## **BOTLEY WEST SOLAR FARM (BWSF) REF: EN010147**

### **Cumnor Parish Council's Comments for Deadline 3 on responses to Examining Authority's 1<sup>st</sup> written questions (ExQ1)**

#### **Introduction**

1. Of the 1,418ha of land for the three solar power stations proposed by PVDP, 81ha - comprising the whole of the applicant's southern power station and the applicant's southern part of cable routes between the central and southern power stations - is located in Cumnor Parish, which in turn sits within the administrative area of the Vale of White Horse District Council (VWHDC).
2. This submission, and its related documents, constitutes Cumnor Parish Council's (CPC) comments on responses to the Examining Authority's (ExA) 1st written questions (ExQ1).

CPC documents submitted to the Planning Inspectorate (PINS) for Deadlines 1 and 2 can be found in full at the end of this document in Appendices 1 and 2 respectively.

In particular, this document should be read in combination with CPC's own Deadline 2 submission responding to the ExA's First Written Questions. (**EN010147/EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf**).

For clarity this document uses **(bold text in parentheses)** to list relevant documents, *italic text* for quotes and **bold underlined text** for new specific requests to ExA by CPC, those requests reflecting the applicant's continued errors, omissions and un-consulted changes, all consistent with the applicant's 2<sup>nd</sup> July statement that '*it's a big change, but people will get used to it*'<sup>1</sup>.

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<sup>1</sup> Mr Owen-Lloyd quoted in <https://www.thisisoxfordshire.co.uk/news/25276270.oxfordshire-botley-west-boss-speaks-deadline-passes/>

## Cumnor Parish Council's comments

### 3. ExA Question q1.1.9 'Design choices and functionality'

The applicant, in confirming that to maintain a maximum panel height of 2.3m on steeply sloping north facing ground in Cumnor Parish it will *'involve reducing the tilt angle, using smaller modules, or deploying a single-row landscape configuration instead of stacked panels.'* provides ample illustration of the unsuitability of this location.

That the applicant seems willing to countenance lower load factors from such sub optimal arrangements (and running counter to NPS EN-3 requirements on irradiance etc.) shows that the underlying process of choosing this Green Belt land was flawed, as has been pointed out previously by CPC.

As such it supports the position adopted by VWHDC, CPC, ICOMOS and Layla Moran MP, that the southern site should be removed from the application.

### 4. ExA Question q1.3.1 Substation search

The applicant's answer to the ExA's question *'why was a substation not considered on land outside the Green Belt?'* seems to be because NGET didn't.

Specifically, the applicant asserts (on page 25) that *'The site selected by PVDP for the NGET substation was within the NGET area of search which by that stage had narrowed to an area with approximately six alternative sites along a short stretch of the 400kV OHL corridor, and on land that was within the Applicants Order Limits. To the knowledge of the Applicant none of the shortlisted site areas lay outside of the Oxfordshire Green Belt. The Applicant did not look beyond this corridor as to do so would fetter NGET's own site search criteria.'*

CPC assesses that this is a poorly argued attempt at presenting the ExA with a fait accompli, further amplified by selective quoting of 'preferences' vs 'requirements' on page 26.

### 5. ExA Question q1.3.2 Substation search and underlying choices

CPC assess that they have a low degree of confidence in this answer.

The applicant asks the ExA to accept their methodology for a holistic assessment of alternatives on the grounds that (page 28) *'projects of this nature are extremely complicated to deliver.'*, evidently so complicated that PVDP quotes (page 28) *'Point of Connection Offer: June to August 2021'*, contradicting their assertion on page 24 that *'The Applicant applied for*

*a connection on 10th February 2021. A Point of Connection Offer (PoC) was granted in June 2021 with a connection date in October 2026.'*

That the applicant cannot even maintain a consistent time line between its answers to two adjacent ExA questions is a cause for concern.

#### **6. ExA question q1.3.6 National Grid substation**

In this answer the applicant tells the ExA that *'NGET and SolarFive Ltd have signed a Bilateral Connection Agreement which commits both sides to connect Botley West Solar Farm to the NETS in October 2028'.*

This contradicts the answer the applicant gives to Q1.3.2 on page 25 that states *'a connection date in October 2026'.*

Both of these assertions by the applicant are in turn contradicted by the NGET Deadline 2 submission (**EN010147-001280-National Grid Electricity Transmission Plc - Responses to Examining Authority's First Written Questions (ExQ1).pdf**) which states (page 3) *'Late 2029 Construction completed'*

This 2029 construction date is confirmed by NGET's 19<sup>th</sup> June letter to Layla Moran MP, quoted in turn in CPC's responses to ExA's 1<sup>st</sup> written questions (response to q 1.3.3, page 3 of **EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf**)

#### **7. ExA question q1.3.14 Farmoor Reservoir**

The answers to this question differ between the applicant and NGET, which is of concern given that the applicant has previously cited working with NGET since 2019.

NGET quote *'approximately 105m from the Farmoor embankment'*, while the applicant quotes either approximately *'150 to 250 m from the Farmoor Reservoir embankment'* or a *'best guess'* of *'approximately 80 to 100 metres from the embankment'*

CPC notes that it is difficult to have confidence in the applicant's application if, after by their own account 5+ years' work, they are still relying for this, as for so many other details, on a *'best guess'*.

## 8. ExA q1.6.22 Swinford Bridge traffic

By focusing on *'a peak of up to four minibus movements per day crossing the B4044 Swinford Bridge'* given that *'construction HGVs will not travel across the B4044 Swinford Toll Bridge for any access purpose'* the applicant ignores the construction traffic that will approach the bridge from both the north and the south to construct the cable route river crossing.

Just as with HGV construction traffic currently approaching the East and West sides of the Botley Road railway bridge In Oxford, this application will undoubtedly adversely impact journey times across this already traffic jam afflicted area, a route for buses and emergency vehicles.

Also, given current experience, and potential cumulative impacts of construction traffic for the proposed Red House Farm power station. the proposed Thames Water Farmoor power station, and the National Grid substation (see CPC submission re ExA Q 1.1.5 on page 1 of **EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf**, CPC has a very low to zero level of confidence in the assertion that HGVs will not cross Swinford Bridge.

## 9. ExA q1.6.29 Upper Whitley Farm

On page 80 **EN010147/EN010147-001219-12.2 Applicant's Responses to ExA's First Written Questions (ExQ1) (Rev 0).pdf** the applicant states *'No element of the Project, including the project substation, would be visible in views to or from the listed building'*

This is untrue as will be demonstrated below in Figures 9.1 and 9.2.

This will also be clear to see should the ExA take up the CPC invitation for an Accompanied Site inspection (see sections 3.12-3.17 of **EN010147-001137-Cumnor Parish Council - Nominations for any locations for an Accompanied Site Inspection (ASI), including the information requested in Annex B of the Rule 6 documentation, under 'Site Inspections'.pdf**).

Furthermore, in admitting that the Grade II farmhouse's setting includes *'associated farm buildings and the land to the south-east'* and that this setting, with the Farmhouse, are *'visible in views from elevated land to the south in which the listed building is also visible.'* the applicant contradicts their own assertion that there would not be *'any change to the heritage significance of the Grade II listed Upper Whitley Farmhouse'*

This would have been apparent if the applicant had accurately described their proposed Viewpoint 51.

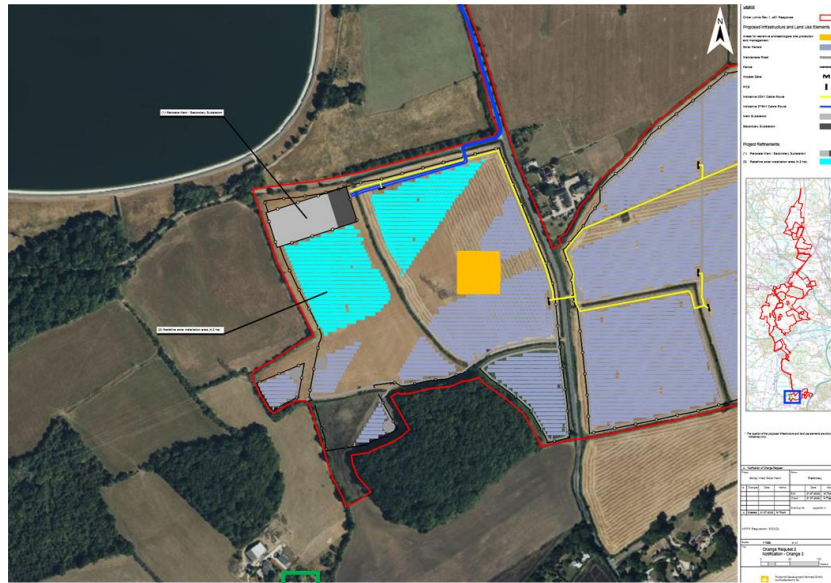
As submitted to ExA at Deadline 2, CPC is requesting that the applicant complete an accurate photomontage of this locality, such as from Cumnor's made Neighbourhood Plan policy DBC7 (Important Views) Important View 31 (see page 5, q1.14.6 of CPC submission to ExA **EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf**)

Now additionally, given the applicant's newly submitted **EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf**, and with it a new location for the main/secondary substation:

**CPC asks the ExA to request that the applicant produces accurate photomontages looking south and south west towards Upper Whitley Farm from the locations used for CPC's own photography in Figure 9.2 below, as the only viewpoint chosen by the applicant thus far (#50) looks ESE from a PRoW further away from the site than those now most impacted.**

**This proposed new requirement on the applicant is especially important given the change requests are immediately adjacent to PRoW 184/30/40 and 184/29/10, and the junction of 184/29/10, 184/30/40, 184/30/30, and 184/50/20, the latter two being part of the Oxford Green Belt Way.**

**Further, given the ExA's 11<sup>th</sup> July decision (EN010147-001300-Botley West Solar Farm - Change Request 2 Notification Response.pdf) to require a consultation on the proposed changes between 23<sup>rd</sup> July and 22<sup>nd</sup> August, can the ExA explain to CPC how that consultation can meaningfully take place without the photomontages requested above being available, given that this request is being made in this document to be submitted for the 22<sup>nd</sup> July D3 deadline?**



Upper Whitley Farm

Figure 9.1  
 reproduced from page 15 of the applicant's  
**EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf**  
 including the location of Upper Whitley Farm omitted from the satellite image



Figure 9.2  
 showing photos taken by CPC at 0800 on 08/07/2025 from the viewpoints shown on  
 section of Figure 9.1, with Upper Whitley Farm clearly visible

## 10. ExA q1.7.24 Discrepancy in details

It would seem that the applicant now wishes to give the ExA details of 76m x 31m *'with a 14m height of main building'* which in turn are subject to another, as yet unspecified, change in the Change Request 2 notification (**EN010147-001239-Applicant's Change Request 2 Notification (Rev 0).pdf**)

As on page 6 of its **EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf** CPC notes that the Zone of Theoretical Visibility) ZTV has assumed a height of 12.5m.

**CPC requests that ExA require the applicant to represent viewpoints required - and their associated photomontages - using the actual NGET substation height and location, not that assumed from the (now overtaken) ZTV assessment and previous indicated locations.**

This is required given the pronounced changes in elevation across the area in question, such as that even small changes in location and height can have far reaching (literally and figuratively) severe adverse impacts.

This sensitivity to landscape will also require the applicant to re-assess their anodyne unevicenced assertions in response to ExA question 1.6.29.

## 11. ExA q 1.8.3 Substations in the Environmental Statement plus q1.8.4 and q1.8.6

The applicant's assertion (page 105) that *'the only habitat of conservation significance that will be lost as a result of the construction of the substations/power converters is the hedgerow loss associated with the construction of the NGET substation in the Southern Site Area (circa 70m).'* is incorrect for many reasons, as Natural England's response to ExA q1.8.6 (skylarks) demonstrates.

This also negates the applicant's answer to q 1.8.4, which as with 1.8.3 focuses solely on hedgerows.

## 12. ExA q1.8.7 Wintering bird assemblage

With the applicant now confirming under questioning that *'moderate adverse impact'* would be *'long term'* viz the lifetime of the project, the notion of mitigation disappears, especially in regard to waterfowl and other species that currently forage in the fields adjacent to the Farmoor reservoir, where there are no other sites adjacent to the expanse of water they require.

### 13. ExA q1.10.13 Flood risk in Cumnor Parish

The applicant states that 'Appendix 2: Flood Risk Technical Note - Solar Panel Runoff v1' has been submitted 'alongside DL2'. Using 'Appendix 2: Flood Risk Technical Note - Solar Panel Runoff v1' as a search term on the PINS website returns a null response – see below

Botley West Solar Farm

## Documents

[View examination library \(PDF, 904KB\)](#) containing document reference numbers

### Search documents

Search by author, description or document type.

Appendix 2: Flood Risk Technical Note - Solar Panel Runoff v1

No results were found matching your search term or filters.

Would you like to clear your search and filters to view all available documents instead?

[Clear search and filters](#)

Even if this document does subsequently appear, its title indicates that it will not fulfil the requirement of Cumnor Neighbourhood Plan Flood Risk Policy RNE2 (**EN010147/EN010147-000890-Cumnor-Parish-Neighbourhood-Development-Plan-v7.0-07072021-min.pdf**), where the underlying maps and analysis and are also to be found in the associated **EN010147/EN010147-000891-Cumnor-Parish-Neighbourhood-Plan-Flood-Risk-Assessment-September-2020.pdf**, both previously submitted to the ExA for Deadline 1.

### 14. ExA q1.11.15 Green Belt and BMV considerations

CPC notes that the ExA asks three very specific questions of the applicant under this heading, none of which are answered, as the applicant proposes to submit a 'Change Request Notification'

Given that the reason advanced for this proposed change request is that '*the scenario they now wish to consider in the scenario whereby the NGET substation moves off site, is to move the client main substation and secondary substation onto the site, thus being closer to the point of connection with the repositioned NGET substation,*' which in equal measures is both opaque and badly written, CPC assess it has a very low degree of confidence in any subsequent assertions by the applicant on this topic.

**CPC therefore asks ExA to ensure that answers to its three questions at 1.11.15 are answered by the applicant in sufficient detail at an early enough stage (DL3) for CPC to comment further.**

### **15. ExA q1.11.16 Green Belt – Very Special Circumstances (VSC)**

While CPC welcome the applicant's decision to withdraw VSC 7 and 8 - especially as discounted electricity prices are no longer being offered and the proposed Community Benefit still falls orders of magnitude short of that delivered by onshore wind power projects elsewhere in the UK – it believes the applicant has still not answered ExA question 2 within q1.11.16.

As the applicant has confirmed that it is still *'relying on VSC 5, economic, educational and sustainability benefits as a VSC and in the planning balance'* and that is why *'powers are sought to CA this land'* then it seems an oversight, at best, that it has chosen not to answer ExA's *'what is the compelling case for the compulsory acquisition of that land?'*

**CPC would encourage ExA to seek a definitive, evidence-based answer to this question, as to so many others the applicant has failed to address throughout the application process.**

### **16. ExA q1.13.2 Impact on schools and schoolchildren**

In constructing its answer to this question, the applicant has omitted to consider the impact on schoolchildren outside of their school, yet while still in education.

In respect of Cumnor Parish, this means the applicant has failed to consider impacts on the 16000 children per year who visit the Hill End Outdoor Education Centre (see CPC submission **EN010147-000886-Cumnor Parish Council - Submission to PINS OFH Session 1 Tuesday 13th May 2025.pdf**).

Additionally in the case of Cumnor Primary School, the applicant has ignored the severe adverse impacts on the children's kinetic experience while walking from the school to Hill End along PRow 184/15/40, 184/16/20 and 184/16/10, through what could be a sea of panels and security fencing, topped by CCTV taking pictures of them.

### **17. ExA q1.14.3 Views from Outdoor Recreational Facilities**

CPC can find no reference in the answer given (page 150) to the recreational facilities afforded by Farmoor reservoir, including but not limited to, ornithology, fishing and sailing.

### **18. ExA q1.14.5 Methodology relating to duration and reversibility**

The applicant's assertion that *'the overall magnitude of change is less than the scale of effect alone'* is contrary to the universally accepted practice of risk assessment where likelihood is multiplied by impact to arrive at an overall risk score.

This evidence free assertion by the applicant is then compounded by the subsequent claim that *'For the study of a development of this nature, which is low-lying, with extremely limited visual influence within the 5 km study area, where most of the representative viewpoints are located in immediate proximity to the site'*

**As CPC's evidence-based submissions, and those of VWHDC, WODC, OCC, ICOMOS, Natural England and others has shown, these assertions are incorrect in all respects and so should be disregarded by the ExA.**

#### **19. ExA q1.14.7 Scope of Assessment**

The applicant's assertion is that *'the area of the substations in the Southern Site Area assumed both would be hardstanding. As such, no correction to the BNG calculation is required'*

This is impossible to reconcile with the ExA position that *'The Landscape, Ecology and Amenities Plan [APP-228] for the southern site area shows the land proposed for the National Grid substation and the project substation/main substation as being areas of proposed grassland not beneath the solar arrays.'* and their subsequent assessment that *'the key to the plan indicates these areas would help deliver Biodiversity Net Gain (BNG). The land cannot serve two purposes'*

20. APP-142 applicants assessment does not acknowledge the grade 1 listed St Michael's Church which is within the conservation village of Cumnor as an affected asset.

21. End

Cumnor Parish Council  
21<sup>st</sup> July 2025

## **Appendix 1**

### **List of relevant documents supplied as email attachments to PINS by Deadline 1 (June 4<sup>th</sup> 2025)**

1. **Cumnor Parish Council Written Representation Ref EN010147 30<sup>th</sup> May 2025.pdf**
2. **Cumnor Parish Council - Submission to PINS OFH Session 1 Tuesday 13th May 2025.pdf**
3. **Cumnor-Parish-Neighbourhood-Development-Plan-v7.0-07072021-min.pdf**
4. **Cumnor-Parish-Neighbourhood-Plan-Important-Views-v1.5-16022021.pdf**
5. **Cumnor-Parish-Neighbourhood-Plan-Flood-Risk-Assessment-September-2020.pdf**
6. **2025-03-28 Response TVP Designing Out Crime Officer.pdf**
7. **Farmoor-Character-Assessment-Final.pdf**
8. **Cumnor-Village-Character-Assessments-Final-v2-Jan-2019.pdf**
9. **Cumnor-Parish-Character-Assessment-September-2020.pdf**
10. **Cumnor-Neighbourhood-Plan-Landscape-Character-Assessment-September-2020.pdf**

## **Appendix 2**

### **List of relevant documents supplied as email attachments to PINS by Deadline 2 (July 1<sup>st</sup> 2025)**

1. **EN010147-001137-Cumnor Parish Council - Nominations for any locations for an Accompanied Site Inspection (ASI), including the information requested in Annex B of the Rule 6 documentation, under 'Site Inspections.pdf**
2. **EN010147-001136-Cumnor Parish Council - Responses to Examining Authority's First Written Questions (ExQ1).pdf**