

CUMNOR PARISH COUNCIL
Minutes of the Cumnor Parish Council
on Monday 4 March 2024 at 7.30pm
held in Fogwell Road Pavilion, Fogwell Road, Dean Court.

In attendance.

Council. Tom Christophers, Chairman, Laurence Waters, Vice-Chairman, Alison Jenner, Paula Lopez, Gary Mason, Ray Stone, Chris Westcott, Oliver Wright and Tina Brock, Clerk.

County Councillors. None.

District Councillor. Scott Houghton.

Visitors. 2.

56/24 Apologies for Absence.

Basil England (prior commitment), Judy Roberts (prior commitment) and Oliver Wright (unwell). These apologies were approved.

57/24 Declarations of Interest. None.

58/24 Variance of Order of Business.

Council approved moving Item 13 ii 1 planning application P24/V0325/FUL 134 Cumnor Hill forward on the agenda.

59/24 Minutes of the Meeting of the Parish Council.

Council resolved to adopt the minutes of the meeting held on Monday 5 February 2024.

60/24 Matters Arising from the Minutes. None.

61/24 Clerk's Newsletter and Addendum. Received.

- i. Payment of Accounts. Approved as per minute 62/24.

62/24 Payments of Accounts.

Council resolved to authorise the payments specified in the Clerk's Newsletter and Addendum and reproduced below.

Table 1 List of payments due.

Statutory Power	Payments now due:	Description	Total (£)
114,SO LGA 1972 s112 Contract/Pensions Act 2014	Staff costs		3,091.86
DD Telecom Act 1984 s97	BT	Office phone and broadband	101.59
115a LGA1972 s111	OALC	Clerk's training	1,477.74
115b LGA1972 s143	OALC	Annual membership	
116a LG (Misc Prov) Act 1976 S19	MRH Services	Clean toddler slide/climber at Pinnocks Way	753.65
116b LG (Misc Prov) Act 1976 S19	MRH Services	Service inspection of play parks, fit new parts to gate at The Glebe & repair zip wire after tree fell on it at Pinnocks Way play park	
117 Public Health Act 1936 s87	Drain Surgeons	Emptying Eco loo	162.00
118 LG (Misc Prov) Act 1976 S19	As New Property Cleaning Services	Jan pavilion clean	96.00
DD Telecom Act 1984 s97	EE	Mobile phone – Jan	6.84
119 LG (Misc Prov) Act 1976 S19	Ady Podbery Grounds Care	Litter picking, raking sand & pea shingle at play parks	460.80

Notes.

- i. After all payments/receipts are accounted for the Unity Bank account will be in credit at £25,683.64
- ii. After all payments/receipts are accounted for the Santander Community Account will be in credit at £82,614.10.
- iii. The Council has the following debtor for 2023/24: HMRC (Reclaimable VAT) £11,928.34.

63/24 Public Participation.

Planning application P24/V0325/FUL 134 Cumnor Hill. A resident attended the meeting to raise concerns that the proposal is over dominant and would cause loss of privacy and light to a neighbouring property.

PLANNING

64/24 Submitted Planning Applications.

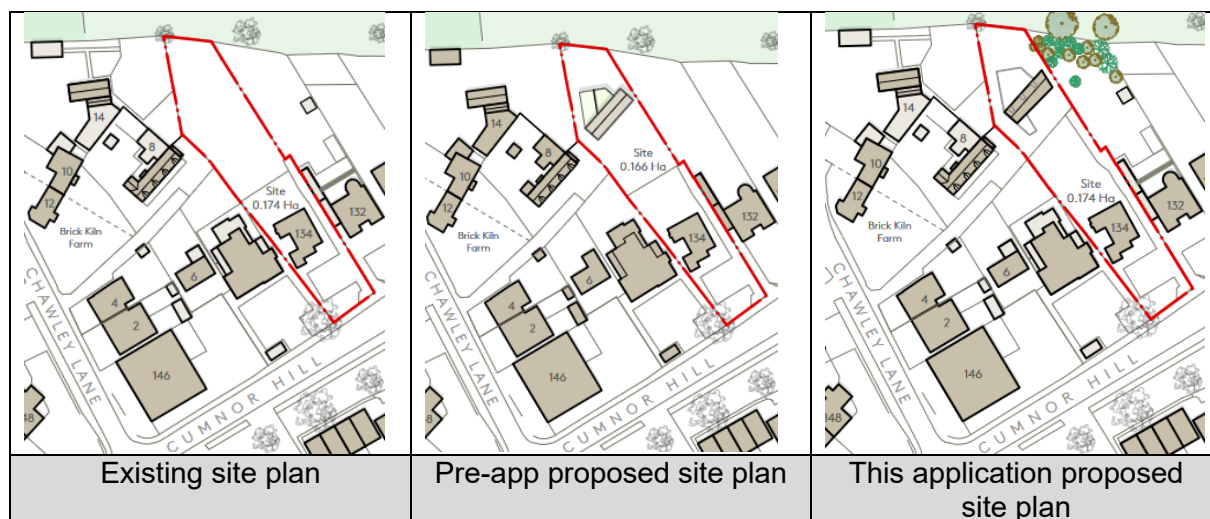
The Council would submit the following observations:

Table 2 List of planning application.

Planning application number	Address and proposal
	134 Cumnor Hill, Cumnor, Oxford OX2 9PH <i>Erection of detached part single part 2 storey dwelling house with home workshop. Erection of bin and bike stores/energy hub building. Car parking provision. Improved visibility splays to existing vehicular access. Landscaping of the site.</i> Object.

Description of Proposal:

- Erection of detached part single, part 2 storey 4-bed 219 sq. m total gross internal area (GIA) house, faced with flint and wood cladding, including a home
- Proposed house to be situated in the back garden of #134, a 3-bed 144 sq. m GIA bungalow.
- Proposed 17m long 2 storey part of the house would sit diagonally across the back garden of the current 134 Cumnor Hill.
- Car parking provision for 2 cars.
- Improved visibility splays to existing vehicular access.
- Landscaping of the site.
- Previous application ([P23/V1977/FUL](#)) for 4-bed 230 sq m GIA part 2 storey house aligned with current #134 plot boundary withdrawn prior to determination 12th October 2023
- Pre-application made (P23/V0918/PEM) for 200 sq m GIA dwelling, with 3 car parking spaces.
- Pre application referenced in Application form **but not** included in application documents. Council had to find pre application in documents on VWHDC website for previous (P23/V1977/FUL) application.



Councils Comments

- 134 Cumnor Hill is a bungalow on Cumnor Hill that sits in a row of properties (134-124) with common building to plot sizes and linear orientation of the buildings on the plots.
- The Pre-application (P23/V0918/PEM) decision (by Nathaniel Bamsey) notes that the OCC highways liaison officer requested that,
 - vision splays which accord with access to 2 dwellings are demonstrated.
 - turning space is provided for both the existing and proposed dwelling to allow vehicles to enter and leave the site in a forward gear.

- Given the distance from the highway, the turning space for the new dwelling is made sufficient for a fire engine – or sprinklers are installed to comply with building regulations.
- While the Highways Officer's response to this application is not listed on the VWHDC website as of 29/02/24, the plans show
 - Provision of vision splays
 - Turning spaces for both the existing and proposed dwelling.
- However, the proposed access road to the new building is only 2m wide – yet the swept path analysis shows turning space at the end of the access road for a 1.97m wide LWB van.

How a 1.97m wide vehicle can access the proposed turning space via a 2m wide access road, itself not straight, is not explained.

No segregated pedestrian access is provided for the proposed new property – important both for pedestrian access and delivery of refuse to the bin store location adjacent to Cumnor Hill.

- The VWHDC pre-application officer says it's his view that '*a dwelling in this location would not undermine the prevailing character of the area*' despite noting that Cumnor Neighbourhood Plan Policy DBC 1 states that backland development should be avoided where it would undermine 'the common plot shapes, sizes, orientation and building to plot ratios'.

The officer's view is evidenced by reference to what he describes as the '*the more informal layout of Chawley*'

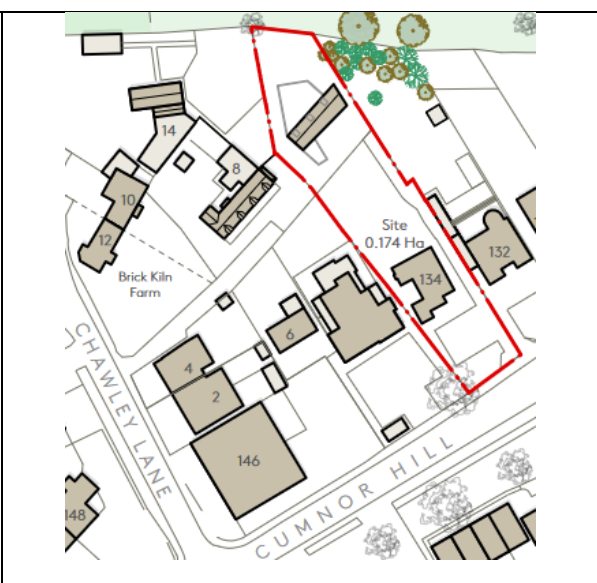
The VWHDC Officer's view doesn't reference para 77 of the interpretation of Policy DBC1 that states:

'Backland development (i.e. development in rear gardens) is not infilling (i.e. development between buildings on a frontage) and is not considered to be sustainable development. Whilst infill may be appropriate there is no precedent for backland development, which would undermine the strong plot characteristics.'

This VWHDC officer view in the pre-app is contradicted by a recent VWHDC planning decision for 14 Arnolds Way ([P23/V1271/FUL](#)) where Neighbourhood Plan policies DBC1 and DBC3 also applied, as in this application.

In that case, Council objected to the proposed backland development, and Planning permission was refused by VWHDC on 7th August 2023, on the grounds of:

The proposed development would cause harm to the locally distinctive linear character and appearance of the immediate surrounding area by reason of the sub-division of the plot and the creation of a new plot that would be substantially smaller than those that prevail in the locality, resulting in a tandem pattern of development at odds with the existing spacious linear character.

	
14 Arnolds Way (P23/V1271/FUL) planning permission refused	This application

- The application form states foul sewage disposal will be disposed of by mains sewer but the answer to the question 'are you proposing to connect to the existing drainage system' is 'unknown'. No details of sewer connection are included in any plans or in the design and access statement. Given that the plot slopes down from Cumnor Hill to the location of the proposed new dwelling, with the northern plot boundary being a PROW in green belt farmland, this lack of detail is of concern.
- 1st floor windows on the NW elevation will overlook the amenity space and habitable rooms of 14 Chawley Lane and 1st floor windows on the gable end (facing NE) will overlook the amenity space of 132 Cumnor Hill.
- No information is provided on the dimensions/opening of the NW window elevations that overlook the ground floor's sedum roof. Access from the 1st floor to the sedum room would provide, inter alia, a 1st floor balcony overlooking both 8 and 14 Chawley Lane.
- 134 Cumnor Hill will retain 264 sq m of amenity space. While the provided plans do not show the proposed amenity space size for the proposed dwelling it is demonstrably considerably smaller than that shown in the pre-application because of the provision of vehicle turning space.
- The new plot would be substantially smaller than those that prevail in the locality creating a tandem pattern of development at odds with the existing spacious linear character (see also refused application [P23/V1271/FUL](#))
- Plans omit mention of a PROW that runs along the N boundary of #134.

Councils objections.

- The application is for back land development and so is contrary to made Neighbourhood Plan policy DBC 1. (see also para 77 in the main NBP document) by virtue of the sub division of the current plot adversely impacting the strong linear character of the adjacent Cumnor Hill properties (134 – 124) formed by common plot shapes, sizes, orientation and building to plot ratios.

- The new plot would be substantially smaller than those that prevail in the locality creating a tandem pattern of development at odds with the existing spacious linear character (see also refused application [P23/V1271/FUL](#))
- Contrary to the requirements of Cumnor Neighbourhood Plan Policy DBC3 (design in the low density area) the siting of the proposed bin store adjacent to Cumnor Hill will intrude on the streetscene.
- Inadequate width (2m) of the access road to the proposed property both to ensure adequate segregation of pedestrians from vehicles or for the passage of e.g. delivery vans to the proposed turning area.
- Access width considerably less than required for fire engine (3.7m). No plans provided for stated provision of alternate sprinkler system (e.g. water storage, pumps etc, connection to mains supply, resupply for attending fire appliance)
- No detail provided about disposal of foul sewage via connection to the mains drainage system (that lies at a higher elevation than the proposed dwelling).
- Overlooking of amenity spaces and habitable rooms of properties in Chawley Lane (8 and 14)

Relevant Cumnor Neighbourhood Plan Policies.

Policies DBC1 and DBC3

2 visitors left the meeting.

REPORTS

65/24 Report from County Councillor(s).

CC Judy Roberts submitted a written report.

General OCC.

The cheap £2 fares that are on offer at the Park and Rides will continue until April 2024.

Flooding – There is a focus on updating all town and parish council's emergency and resilience plans. The roads have been badly affected especially North Hinksey Lane and the Eynsham Road. The main focus at the County has been the Budget which passed at full council on the 20 February 2024 containing the Labour amendment.

Traffic and highways

The roadworks at the Botley roundabout have now finished and Seacourt Lane is now open. The website link which will continue to contain up to date information on all A34 planned works going forward is still: www.nationalhighways.co.uk/a34botley

There is a section on OCC's website that should cover the Botley Bridge Road closure:

The work is now being carried out 24/7 and the bridge will reopen on 1 November 2024.

The new bridge will be put in place during the rail closure at the end of July 2024. We have now been told that there will be a few days completing the pedestrian/cycle paths each side of the new bridge, but they should be available for use by early August 2024.

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/roadworks/future-transport-projects/oxford-city-station-phase-2c>

This will have all cycle paths, bus and Network Rail and Thames Water information and various links to other websites posted on there.

This is the website that the latest information will be posted on from Network Rail

<https://www.networkrail.co.uk/running-the-railway/our-routes/western/oxfordshire/botley-road-bridge-replacement/>

The works by Thames Water to replace the damaged water main to the City have now been announced as taking place from 11 March 2024 to March 2025 with intelligent traffic lights and a one lane closure over Osney Bridge for the whole year. The only pedestrian footpath will be the south side of the bridge and they are offering to have marshals in place as it will be crowded.

Library

The Botley library now provides free coffee and tea as part of their warm spaces program. There

are also newspapers to read and a jigsaw puzzle to complete.

Consultations

Let's Talk Oxfordshire.gov.uk website:

Vision Zero Draft Strategy Consultation closes on 10 March 2024.

The Vision Zero safe system approach has a simple premise - no human being should be killed or seriously injured as the result of a road collision; whichever mode of road transport you are using.

There is a Local Nature Recovery Survey on this site which closes on 31 March 2024.

Highways traffic regulation orders and highway public notices gives notice of all planned and emergency work.

This link tells you about planned OCC roadworks and if you press the live roadworks button, it takes you through to One Network where there are all the live roadworks for that day. If you sign up you will be allowed to choose a date to look forward to.

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/roadworks/major-current-roadworks>

66/24 Report from District Councillor(s).

DC Scott Houghton submitted a written report.

Budget

The district council met on Wednesday 21 February 2024 and approved its budget for 2024-2025. Despite major challenges, including below inflation funding increases, the cost-of-living crisis and ongoing economic and political uncertainty, thanks to careful financial management, the council has guaranteed vital public services, such as the district's Community Hub which provides support residents who are struggling financially, and will continue to invest in key areas which benefit people across the district. For 2024-25, council tax for services provided by Vale of White Horse District Council has been set at £156.69 for a Band D property for the entire year (note this is the amount of council tax which goes to VoWHDC, not the total paid). Vale residents will therefore continue to pay one of the lowest rates in the country for services provided by a shire district and significantly less than the equivalent fee paid by those living in Oxford.

Thames Water

Also at the same meeting, a motion put forward by Councillor Emily Smith (Botley and Sunningwell) was passed, noting the council's concerns around Thames Water's proposal to increase household water bills to an average of £735 by 2030, an increase of 60% in cash terms. The council's resolutions included a request for the leader to write to the Chair and Chief Executive of Ofwat and to the Secretary of State for Environment, Food and Rural Affairs, setting out this council's opposition to the proposed Thames Water price hike and to send a copy of this letter to the MPs for Oxford West & Abingdon, and Wantage constituencies.

The agenda of the council meeting, including links to the budget and related documents, can be found at the following link:

<https://democratic.whitehorsedc.gov.uk/ieListDocuments.aspx?CId=108&MId=3196>

Botley West

VoWHDC submitted its response to the Botley West consultation on Tuesday 6th February 2024.

This has been published on the Botley West page of the VoWHDC website. [2024-02-06-Vale-S42-Response.pdf \(whitehorsedc.gov.uk\)](#)

Air Quality Action Plan

South Oxfordshire and Vale of White Horse District Councils have adopted a new joint Air Quality Action Plan (AQAP) to improve air quality in the districts over the next four years. The previous AQAP had been in place for around nine years and was reviewed to ensure that the current pollutant levels are considered and that the right actions to tackle them are in place. The new plan looks to build on the successful reduction in the volume of nitrogen dioxide. To achieve this, the plan aims to reduce traffic emissions by promoting healthier and cheaper options for short journeys, such as walking and cycling. Where vehicles are needed the councils will promote the increased use of public transport and low emission vehicles such as EVs.

Botley is listed as an Air Quality Management Area in the plan, primarily due to the impact of the A34. More information can be found at the link below.

<https://www.whitehorsedc.gov.uk/vale-of-white-horse-district-council/environment-and-neighbourhood-issues/air-quality/air-quality/>

Biodiversity Net Gain

New planning rules have come into force which mean those looking to build a new development

must include wildlife enhancements as part of their plans. Developers in England will have to deliver at least ten per cent Biodiversity Net Gain (BNG) when building new housing, industrial or commercial developments. This means that by law they must replace any biodiversity lost to the development plus an additional 10 per cent by creating new habitats.

From 12 February 2024, BNG is mandatory for new planning applications for major development made under the Town and Country Planning Act (TCPA) 1990, subject to the confirmed exemptions. Major development includes residential developments with 10 or more dwellings, or where the site area is greater than 0.5 hectares. BNG for all other types of non-exempt proposals will have an extended transition period and will apply from 2 April 2024.

Garden Waste

South Oxfordshire and Vale of White Horse District Councils have set out plans to change the way their garden waste service is paid for in 2025. The councils' have agreed the introduction of a permit scheme from April 2025 which will include subscribers receiving a sticker for their bins to identify them as fully paid-up garden waste customers. When customers sign up and pay for the scheme in 2025, they will be sent a garden waste permit sticker to put on their bin/or bins, which will help the waste collection crews identify which bins should be emptied. All subscribers will receive a new sticker annually each time they renew.

The garden waste subscriptions currently run via annual direct debit payments from the date people signed up for the scheme. Next year, the councils will stop taking direct debit payments for the service. Customers will instead make a single annual payment by debit or credit card – so that everyone's payment year will run from 1 April to 31 March each year.

The council will directly contact all customers, via letters and email, in plenty of time to remind them to renew.

Flooding Support

Residents whose homes were internally flooded and businesses who were affected by flooding as a result of Storm Henk in January can now formally apply for financial support. They might also be eligible for support if the flooding meant they had to leave their home or close their business for a period of 48 hours or more. There are a range of possible options, ranging from grants to discounts on council tax or business rates. There is more information on the district council's website, where affected residents and businesses will also find a link to the relevant application forms:

www.whitehorsedc.gov.uk/henk

The deadline for all applications is 1pm on Monday 18 March, and any flooding events also need to have been reported via the Oxfordshire Flooding Report form.

67/24 Report from Representatives on Outside Bodies.

Alison Jenner attended the Botley Traffic Advisory Group meeting on 21 February 2024. Council received the notes of the meeting.

TRAINING

68/24 Training/OALC Councillor Forum.

Council resolved to approve expenditure for the following training sessions.

- i. Alison Jenner to attend the NALC Unleashing the power of local councils to tackle the climate emergency on Wednesday 26 June 2024 at 12 noon – 1.15pm cost of £40 + VAT.
- ii. Laurence Waters would attend the virtual OALC Councillor Forum on Tuesday 12 March 2024 at 2.30pm – free.

COUNCIL

69/24 Future dates and venues of Council/Committee meetings.

Council resolved to approve the future dates and venues of meetings from 8 May 2024 to 7 May 2025.

70/24 Consultations.

- i. South and Vale Proposed Polices for 2014 Joint Local Plan. Council noted a response had been sent to both the 'in a nutshell' questionnaire and the more detailed 'full options' survey. Council noted that the 'Policy Map' for Cumnor Parish includes land SE of Cumnor Hill between the A420 and Oxford Road 'safeguarded' for what is called the 'Cumnor Mobility Hub'. This appears to be the new name for the previously proposed Park and Ride (see Cumnor Neighbourhood Plan paragraphs 100, 101 and 162)

- ii. Council agreed that the Clerk would respond to [Oxfordshire County Council Vision Zero Road Safety Strategy and Action Plan](#) by 10 March 2024.

FINANCE

71/24 VWHDC Community Infrastructure Levy.

Council resolved to approve requesting the transfer of any Parish CIL monies paid or due to be paid between 1 October 2023 and 31 March 2024 to Council.

72/24 Standing Order.

Council resolved to approve deleting the standing order for the Clerks salary with Santander bank and set up a new standing order with Unity Trust bank.

73/24 Grants.

Council resolved to approve the following grant application.

- i. Cumnor Village Hall. £500 towards the installation of bike racks (Road Traffic Regulation Act 1984 s57).

ENVIRONMENT AND AMENITIES

74/24 Ad-hoc Grass Cutting of Grass Verges in the Parish. None.

76/24 Update on other current matters.

The Clerk had reported to OCC that the 30mph roundels on Cumnor Hill had been spray painted to read 40mph, the gate at the top of Cumnor Hill had been graffitied and the 20mph roundel on Oxford Road/Bertie Road, Cumnor sprayed over. The Clerk had also reported that the road signs at the junction of the B4017 (road to Wootton) and the slop road had been knocked off their posts.

PLANNING

77/24 Draft minutes of the Planning Committee meeting held on Monday 19 February 2024.

Received.

78/24 Submitted Planning Applications.

The Council would submit the following observations:

Table 3 List of planning application.

Ref	Planning application number	Address and proposal
i	P23/V1785/FUL amended details	Farmoor Stores, Cumnor Road, Farmoor, Oxford OX2 9NN <i>Alterations and extensions to shop and flats including the creation of two new flats above (as amplified by contamination questionnaire rec'd 1/12/2023 and as amended by plans adding air source heat pumps and brick boundary wall, omitting commercial refrigeration equipment, and introducing minor changes to external finish and bin store rec'd 14/2/2024).</i> Supports.
ii	P23/V2624/FUL amended details	Red House Farm, Eynsham Road, Farmoor, Oxford OX2 9ND <i>Installation of ground mounted solar photovoltaic array with associated infrastructure, security fence, CCTV, cable route, landscaping and onsite biodiversity net gain (as amplified by additional information rec'd 12/2/2024).</i> Objects.

Cumnor Parish Council submitted its 1st response to this planning application on 10th January 2024, well before the end of consultation (as published by VWHDC) on 21st January.

The VWHDC website shows the applicant amended the application on 12th February 2024.

Cumnor Parish Council was not notified of the 11Mb, 31-page amendment by VWHDC through the normal planning application notification system, but only received an automated alert of the Planning Amendment at 19.47 on 21st February, some 9 days after the developer lodged the amendment with VWHDC.

Therefore, Cumnor Parish Council was only able to discuss and agree to this updated response at its next Council meeting on 4th March.

The substantive additions in this updated response can be found in Section 8 and Appendix 1, with a typo corrected in para 10.8.

1. Cumnor Parish Council (CPC) wishes to object to this planning application for a solar power station.

It does so having taken into account the size and nature of the proposed industrial installation for the production of electricity, the location of the proposed development site in the Oxford Green Belt, and the impact of the proposal on the character and appearance of the area.

Effects will be significant and wide ranging, including: permanent industrialisation of the Oxford Green Belt; landscape and visual impacts; loss of amenity; heritage, Public Rights of Way (PROW), agriculture, pollution and nuisance impacts; traffic and road safety impacts during construction and decommissioning; and significant adverse effects on ecology and biodiversity.

Sections 2-11 of this document set out the detailed reasons for the objection.

CPC would also like to draw Vale of White Horse District Council's (VWHDC) attention to the avoidable fact that our assessment of the application has been unnecessarily hindered by the numerous errors, omissions and repetitions in the documentation supplied by the applicant. A partial list of these can be found in Appendix 1.

Cumnor Parish Council's Grounds for Objection

2. The development is contrary to the basic principle of the Green Belt (NPPF para 142¹).

The project site lies entirely within the Oxford Green Belt. Building the power station on that site would therefore conflict with the basic principle of the Green Belt as set out in paragraph 142 of the NPPF, which reads (in relevant part) as follows:

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

'Openness' has been ruled by the Supreme Court not to be merely a matter of the volume of a proposed development but also its visual impact². The solar power station would clearly have a huge (and negative) visual impact. It would fill much of the valley between Cumnor Village and Wytham Wood, and virtually all that valley when combined with the proposed Botley West solar power station and the substation National Grid is proposing to build in connection with that power station. The valley is visible from the higher parts of the Parish and the view of it is listed as a protected view in the Cumnor Parish Neighbourhood Plan. The developer may argue that this impact can be mitigated in due course by the use of hedges, but given the difference in elevations, that is clearly not the case, unless the hedges are planted at the top of the hill, in which case they will not preserve the view but will simply obliterate it.

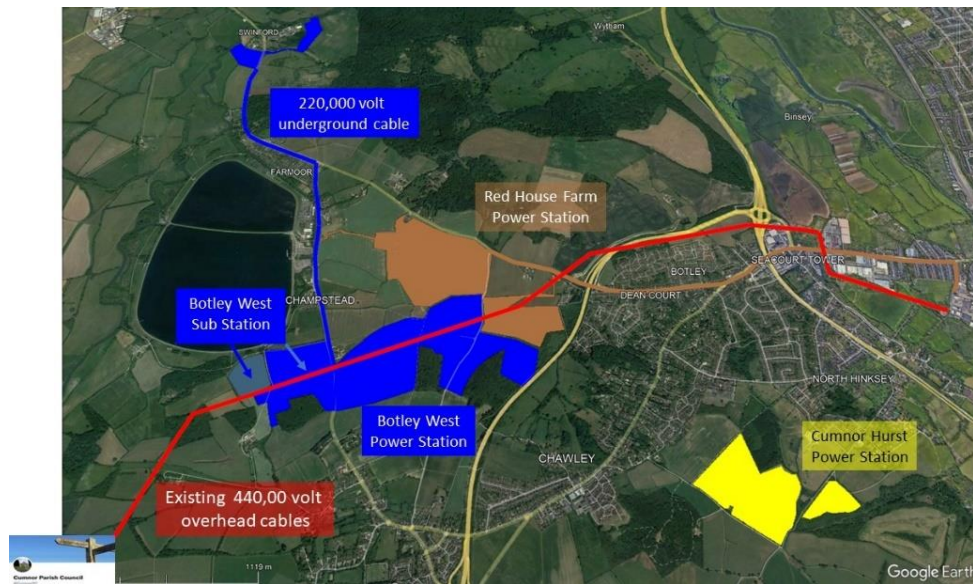
Similarly, even though the developer would be obliged to preserve the rights of way within the power station, the amenity value of those rights of ways (which include a section of the Oxford Greenbelt Way) would be lost, as instead of walking across open fields with views of the surrounding hills, people would be walking along narrow passages between high fences backed by solar arrays taller than any human.

These visual impacts (which we go into further later in this document) will affect not just our parishioners but also residents of West Oxford and Botley, for whom this is one of the most easily accessible areas of attractive countryside. They will, furthermore, be cumulative with those of other solar power stations proposed for our parish if they too are permitted to be developed. As the figure below shows, those currently proposed include not just the Botley

¹ The NPPF was updated on 20 December 2023, and this reference is to the updated version. The equivalent paragraph in the previous version was para 137.

² *Samuel Smith Old Brewery (Tadcaster) and others v North Yorkshire Country Council [2020] UKSC 3*

West project, immediately bordering this one, but also the Cumnor Solar Farm (P21/V3288/SCR) (labelled 'Cumnor Hurst Power Station') on the south-eastern side of Cumnor.



Nor would this impact, and the consequent loss of amenity, in any meaningful sense be temporary. As a minimum the power station would be in existence for 30 or 40 years – in other words, roughly half an average lifetime – and it seems highly improbable that it would actually be demolished and removed even at the end of that period. Realistically, what would happen is that the leases would be extended, with the necessary planning permissions being granted, and so on and so on, effectively for ever.

This would be made still more likely if National Grid were permitted to build a substation here (as proposed in connection with the Botley West project) as that would itself be an openly permanent structure, and the fact of its continuing existence would inevitably be used as an argument for the continuation of the neighbouring power stations.

The only circumstances in which that might cease to be true would be if a new source of power were developed (the obvious example being nuclear fusion) which was so cheap and plentiful that solar power stations would no longer be economically viable. Clearly such a breakthrough cannot be assumed, and even if it did occur, it is doubtful that the underlying fields would actually be restored to their original state. It may be the case that under current law, they would not be regarded as brownfield sites, but considering the projected population growth over the rest of this century and beyond, the likelihood is that they would in fact be used for some other form of development.

In practice, therefore, if this development is allowed, the loss of this section of the Green Belt will be permanent and irretrievable.

3. **The project would constitute an 'inappropriate development, harmful to the Green Belt' within the meaning of paragraphs 152 and 156³ of the NPPF. It should therefore only be permitted if the developer can show that it is justified by 'very special circumstances'.**

Paragraph 152 of the NPPF states as follows:

³ Previously paragraphs 147 and 151 respectively

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

With specific reference to 'renewable energy projects', paragraph 156 adds:

When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

For the reasons given in section 2 above, it is abundantly clear that this project is an inappropriate development within the meaning of both these provisions. Therefore, the onus is on the developer to show that there are 'very special circumstances' which would justify it being approved.

We note that the final sentence of paragraph 156 recognises that in the case of renewable energy projects, the 'very special circumstances may *include* [emphasis added] the wider environmental benefits associated with increased production of energy from renewable sources'. Clearly, however, that factor alone will not suffice. If it did suffice, all developments of renewable energy projects within the Green Belt would automatically be allowed, which would render the first and second sentences of the provision nugatory.

Moreover, whilst we agree that increasing the country's renewable energy resources, including by building solar power stations, will have wider environmental benefits, it does not follow that any such stations should be built here, or anywhere in the Green Belt, let alone on this scale. The Government's target is to increase solar generation capacity five-fold by 2035, from the current 14 GW to 70 GW⁴, an increase of 56 GW, or 56,000 MW. Estimates of the amount of land needed per megawatt of capacity range from four acres⁵ to six acres⁶. Even taking the higher figure, the extra capacity would therefore take up no more than 336,000 acres. That is a little over 0.5% of the total area of the United Kingdom, and a little over 1% of that of England alone. There is therefore no need to build any of it on the Green Belt.

Accordingly, the developer has to show very special circumstances beyond the mere fact that it is developing a renewable energy project.

4. The developer has not shown that the project passes the 'very special circumstances' threshold (NPPF paras 152 and 156, Local Plan Core Policies 13 and 41, Cumnor Parish Neighbourhood Plan Policy DBC4).

4.1. The VWHDC Pre-app (appendix 3.5 re P22/V0143/PEJ) invites the applicant to provide:

'Justification for a 40year period'

noting that:

'40 years is a significant period even where the proposal is temporary and reversible, during which the adverse impacts (landscape and visual) would be experienced by many people.'

4.2. The VWHDC Pre-app (appendix 3.5 re P22/V0143/PEJ) invites the applicant to demonstrate:

'that the point of connection has capacity and there is no other alternative connection.'

4.3. The VWHDC Pre-app (appendix 3.5 re P22/V0143/PEJ) invites the applicant to provide

⁴ This exceeds the Climate Change Committee's estimate of what is needed by 16GW.

⁵ <https://solarenergyuk.org/wp-content/uploads/2022/03/Briefing-Fact-Checker-1.pdf>

⁶ <https://www.carbonbrief.org/factcheck-is-solar-power-a-threat-to-uk-farmland/>

'the capacity factor and estimated annual production ... together with the number of residential properties electricity equivalent for UK.'

4.4. The VWHDC Pre-app (appendix 3.5 re P22/V0143/PEJ) notes

'There is also no detail currently provided of what alternative sites (outside of the Green Belt) have been considered, however I note that you propose to provide a Site Selection Report to accompany any formal application.'

4.5. Having searched ES Chapters 4 (The Proposed Development) and Chapter 5 (Need and Consideration of Alternatives) as well as the Site Selection report, Council notes that:

4.5.1. Contrary to the information supplied by the applicant for the pre-app, Para 4.63 states that:
'Planning permission is sought for a 30-year operational period'

yet para 5.50 states that viability of solar PV power stations only occurs for leases
'beyond 30 years',

which the applicant advances as a reason for not considering roof top solar.

4.5.2. Paras 5.39-5.45 state:

5.39 In this instance, however, Road Night Taylor (RNT) an independent specialist grid consultancy was approached by the tenant of Tilbury Farm and Landowner of Red House Farm (the 'Landowner') to prepare a Grid Feasibility Study.

5.40 The Grid Feasibility Study confirmed a suitable grid connection was available near Tilbury Farm and Red House Farms at Oxford Bulk Supply Point (BSP) operated by SSEN located at Ferry Hinksey Road, Botley.

5.42 A formal grid application for a 49,900kW (49.9 MW) connection and the defined land area was submitted to SSEN in April 2020 by RNT on behalf of the Landowner.

5.45 Having paid the first grid connection instalment payment to SSEN, thus, securing the connection, RNT and the Landowner subsequently entered a tender process to find a suitable developer of a solar farm.

4.6. Assessing the information provided by the applicant, CPC concludes that:

4.6.1. The applicant has not demonstrated there is no alternative connection

4.6.2. The applicant has not considered any alternative sites outside of the Green Belt

4.6.3. The applicant has merely bid in a commercial tender process at their risk for a grid connection being sold on by a landowner, who themselves had – at their own commercial risk – paid for a grid connection.

The applicant has then attempted to use that purely commercial decision at their risk to justify the 'very special circumstances' required for such a development to be allowed in the Green Belt.

4.6.4. The applicant has not provided the information VWHDC requested on capacity factor etc. (see also 9.4 below)

4.6.5.CPC recalls the case of the [Nuneham Courtney Nineveh Farm application](#) considered by SODC Councillors and joint SODC/VWHDC planning officers, where planning permission for 35 years was initially granted, with the applicant returning for a 5 year extension, which was refused.

5. Impact on the Openness of the Green Belt (VWHDC Core Policy 41 – Renewable Energy, and Cumnor Neighbourhood Plan Important Views Policy DBC7)

5.1. Given the proposal's intention to surround more than 63 hectares of arable Oxford Green Belt in 2.1m high security fencing, complete with 77 CCTV cameras, installing numerous 40' shipping containers and building a number of additional structures, CPC objects to this proposal on the grounds of irretrievable loss of openness of the Green Belt.

In addition to what we have said on this issue in section 4, we must point out that not all the infrastructure and other changes to the landscape will be even purportedly temporary. As just one example, para 4.38 states:

'4.38 The cable will be adopted by the Distribution Network Operator (DNO) upon energisation of the solar farm and will remain its property after the solar farm is decommissioned.'

The DNO infrastructure therefore will be permanent, the cable terminating at the DNO substation (8m x 6m x 3m high on a concrete plinth set within a 12m x 14m security fence) to be built immediately adjacent to a PROW that leads to the Hill End Outdoor Education Centre (ON|184|16/10 - known locally as Denmans Lane) at its junction with ON|184|22/20.

5.2. The VWHDC pre app states:

'the published landscape character assessments and the important views indicate that the site does form a role in the greenbelt and its openness in this location.'

The VWHDC pre-app (P22/V0143/PEJ) invites the applicant to complete an:

'analysis as part of any application, as to how much the site currently contributes to the openness of the Green Belt and to what degree the proposed solar farm will affect any such openness in landscape and visual terms'

CPC considers the applicant has failed to do this (see also Landscape and Visual Impact Analysis below).

As just one example, the applicant has provided only annotated photos that seek to address this, and so ignoring what the VWHDC pre-app requires, viz:

- *With regards to locations of viewpoints, views from Wytham Woods to the north should also be explored. Although not public rights of way, this area is well used by walkers and accessed by a free permit scheme.*
- *The site is in LM20 – Farmoor to Botley Corallian Limestone Ridge with Woodland Character Area of the Districts Landscape Character Assessment. Key landscape characteristics of this*

area include being contained by wooded slopes, relatively intact network of hedgerows, mix of post medieval and modern, limited settlement and the route of the Oxford Green Belt Way. It has a keen sense of place and a degree of tranquility. Both the District and Neighbourhood Plan Landscape Character Assessments cover restricting the placement of structures that would be visually intrusive and detract from the expansive views.

- The Neighbourhood Plan Important Views Report, clearly illustrate the role the site forms in this area of open countryside and greenbelt. View 5a and 5b covers the foreground of arable fields, mature hedgerows criss-crossing the landscape with expansive views up towards Tumbledown and the wooded backdrop of Wytham. View 16 include preserving the important panoramic views to Wytham Woods to the north.

- 5.3. CPC believes ***‘the important panoramic views to Wytham Woods to the north’*** and the reciprocal ***‘views from Wytham Woods’*** with ***‘expansive views up towards Tumbledown’*** would be significantly adversely damaged by the proposal, given that it would involve ***‘the placement of structures that would be visually intrusive and detract from the expansive views.’*** e.g. shipping containers, substations, a ‘welfare’ cabin, etc.

CPC considers the applicant has failed to complete an: ***‘analysis as part of any application, as to how much the site currently contributes to the openness of the Green Belt’*** as required in the VWHDC pre-app.

In summary, the openness of the Green Belt would not be preserved for all the reasons above, and because the applicant intends to install (para 12.56) screening ***‘in the form of an opaque fence to mitigate the impacts’*** of glint and glare that would cover the 2.1m high deer proof fencing.

6. Landscape and Visual Impact & Amenity Impact

- 6.1. CPC considers this proposal to run counter to the provisions of Core Policies 44 and 41 (visual amenity) of LPP1, and Cumnor Neighbourhood Plan policies DBC7 (Important Views) and TI3 (Footpaths and Bridleways)
- 6.2. Cumnor’s Neighbourhood Plan Policies DBC7 and TI3 evolved from widespread engagement with parishioners in a number of consultations including the [‘Big Survey’](#), conducted as part of the Neighbourhood Plan process.

32% of respondents to the Big Survey said that ‘protecting and enhancing local green spaces’ was their top priority for the Cumnor Neighbourhood Plan, with 62% of respondents placing the green spaces option in their top 3 priorities (see extract from Table 1 below)

Priority rank order	Cumnor Parish	Farmoor	Dean Court	Cumnor Hill	Cumnor Village
1st	Green space	Green space	Green space	Green space	Green space

This community response was addressed in the made Neighbourhood Plan by a number of policies, including DBC7 – Important Views, and TI3 – footpaths and bridleways.

In his formal comments, the Plan's Examiner noted that the accompanying [Important Views Report](#)

'is an excellent part of the evidence base of the wider Plan. It sets out its methodology and comments about the important views in detail. In general terms the views both describe and celebrate the landscape of the parish.'

Policy TI3 addresses the impact of development proposals on PROW through the Parish, in particular the amenity value of an interconnected set of PROW offering kinetic views across open countryside in the Oxford Green Belt, including from the Oxford Green Belt Way in the Parish adjacent to this proposal's site:

'New development proposals should take into account the safety, accessibility and visual amenity of Cumnor's network of footpaths and bridleways. Development proposals which would have an unacceptable impact on their accessibility and recreational amenity value will not be supported.'

- 6.3. The VWHDC Pre-app (appendix 3.5 re P22/V0143/PEJ) invites the applicant to provide *'photomontages, showing the proposed scheme, from selected key viewpoints, at year one of the operational phase and later at year 10 or 15 of the operational phase with mitigation in place.'*
- 6.4. CPC can find no evidence that this requirement has been met. Instead, with the exception of a few visualisations along the valley floor (e.g. Figures 10.1 and 12.1) the applicant has chosen to present a series of photos with superimposed red lines showing what it claims to be 'the extent' of the development.

- 6.5. The VWHDC pre-app notes that:

'the published landscape character assessments and the important views indicate that the site does form a role in the greenbelt and its openness in this location.'

and that

'The openness of the Green Belt is recognised as having a landscape and visual element to it.'

and invites the applicant as part of the application to provide an analysis:

'as to how much the site currently contributes to the openness of the Green Belt'

- 6.6. CPC can find no evidence that this requirement has been met, with no response to the VWHDC pre app statement that:

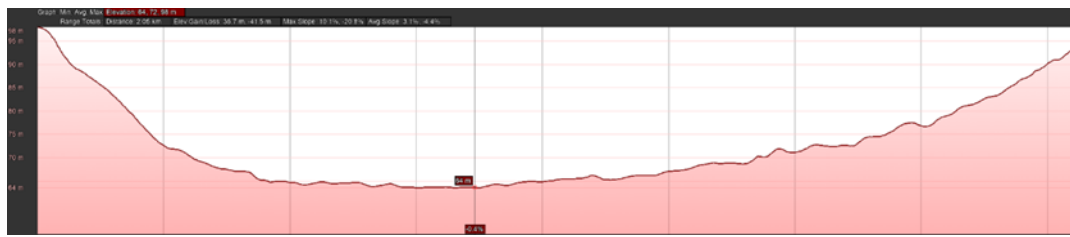
'The Neighbourhood Plan Important Views Report, clearly illustrate the role the site forms in this area of open countryside and greenbelt.'

View 5a and 5b covers the foreground of arable fields, mature hedgerows criss-crossing the landscape with expansive views up towards Tumbledown and the wooded backdrop of Wytham.

View 16 include preserving the important panoramic views to Wytham Woods to the north.'

As just one example, the Google Earth Pro 'path' from Cumnor Neighbourhood Plan Important View 3 to Important View 1 (below) shows how the proposed site sits some 34m below Important View 3 and 30m below Important View 1 – the site being visible in the foreground from both.

Similar visibility is afforded from Important View 16 and Important View 23

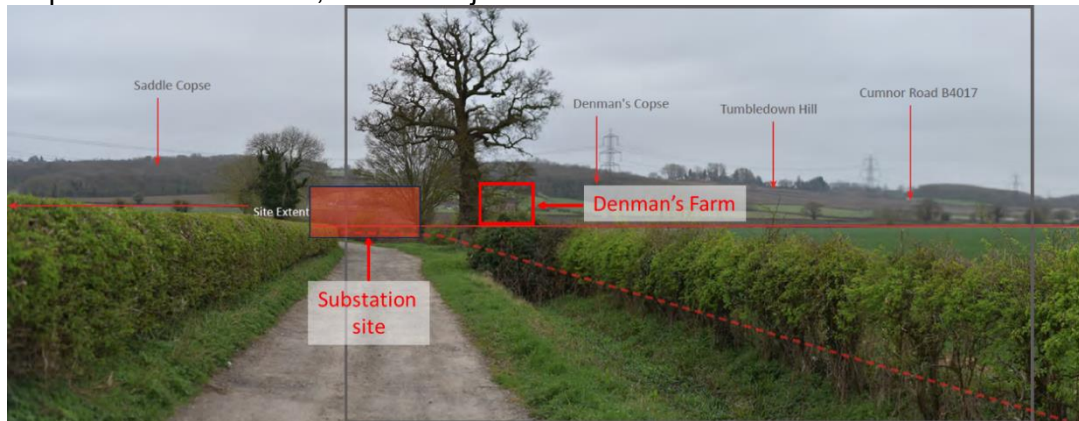


Google Earth Pro path from Cumnor Neighbourhood Plan Important View 3 to Important View 1

6.7. In attempting to dismiss the impact on Neighbourhood Plan Important View 5b the applicant offers the photo below (representative viewpoint 2 Appendix 7.1 – the same as Cumnor Neighbourhood Plan Important View 5b)



This is not a visualisation – as required in the pre-app - at years 1,5 and 10. CPC has therefore annotated the applicant's photo (below) to show a visualisation, including the proposed location of the 6m x 8m x 3m substation set in a fenced secure compound of 12m x 14m, and the adjacent location of Denman's Farm.



The 'reverse' view is also shown by the applicant (page 97 of Appendix 7.1) as a photo with a few lines superimposed (below)

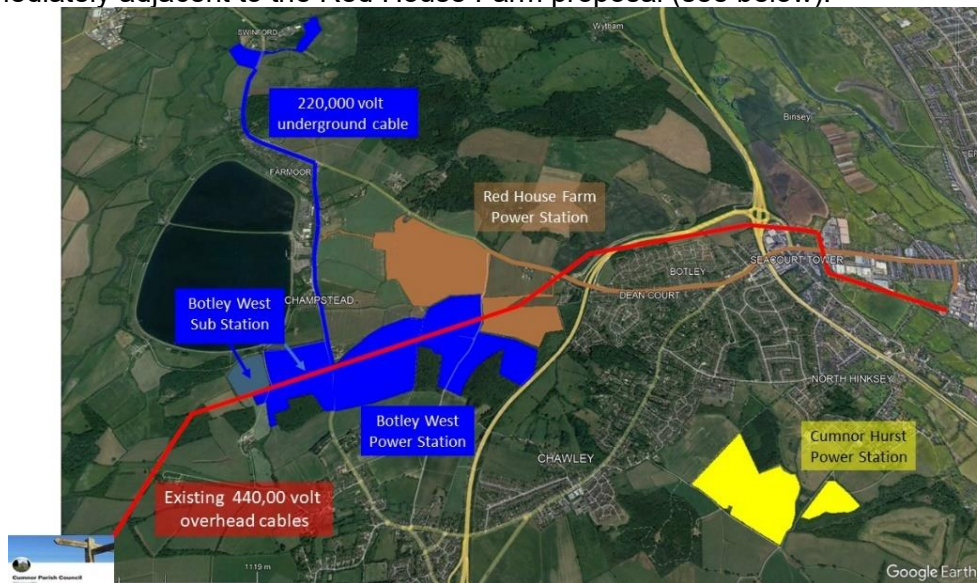


Again, CPC (below) shows instead a visualisation, as requested by VWHDC, showing the extent of the panels and the 2x substations



Ironically, a visualisation of the impact of a solar power station in that vicinity is provided by the latest documents from the Botley West consortium.

That proposal would place solar panels and associated infrastructure in the fields immediately adjacent to the Red House Farm proposal (see below).



CPC map of the extent of Red House Farm and Botley West proposed adjacent sites Botley West provide a 'before' and 'after' visualisation showing the impact on the visibility of Denman's Farm from the valley floor.



CPC annotation of Denmans Farm location on visualisation provided by [Botley West](#)

6.8. The proposed site is set within, and across, a dense network of well used PROW (see below - Figure 4.1 in appendix 7.1) including a substantial section of the Oxford Green Belt Way in the Parish



6.9. CPC is fortunate in that local residents have volunteered their services to produce the visualisations required by VWHDC in their pre-app.

As examples two sets of before and after visualisations are shown below for PROW through and around the proposed site.



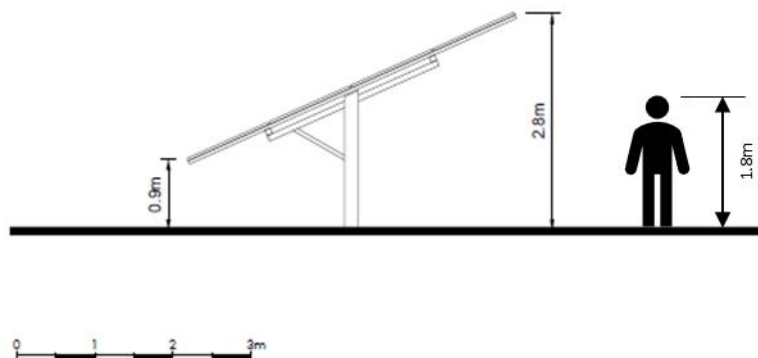


ON|184|15/10





Cross Section
4 Modules in Landscape at 24° tilt
Scale 1:50 @ A3



CPC visualisation showing how viewpoint of a 1.8m tall person will be impacted by 2.8m high panels

- 6.10. Cumnor Parish Council considers the applicant's proposal runs counter to Policy TI3 and LPP1 Core Policy 41, as installing shipping containers, substations and other infrastructure alongside PROW, will severely adversely affect visual amenity.

Similarly, given the noise signatures of the inverters there will also be a significant adverse impact on aural amenity on PROW (see also section 9 – pollution and nuisances - below).

In other words, there will no longer be an open, peaceful countryside for residents and visitors to enjoy.

- 6.11. **Cumnor Parish Council is not of the view that offering a bench (as shown in the applicant's photo on p22 of Appendix 7.1) next to a 2.1m security fence and within metres of several CCTV cameras and shipping containers emanating a characteristic noise signature (see also section 9 below) is conducive to full and free enjoyment of the PROW currently experienced.**
- 6.12. **CPC notes with dismay the proposal to build the construction compound – including HGV access - immediately adjacent to PROW ON|184|15/10. In addition to the loss of visual amenity for 5+ months the health and safety concerns are clear, but not addressed by the applicant.**

7. Heritage Impacts

- 7.1. **CPC considers that the proposal fails to meet the requirements of Core Policy 39 of LPP1, Development Policies 36, 37, and 38 of LPP2 and NPPF paras 200, 201, 205 and 209⁷. It also fails to meet the requirements of Cumnor Neighbourhood Plan Policies DBC2 (Cumnor Conservation Area) and DBC6 (Conserving and Enhancing Local Heritage Assets)**
- 7.2. **CPC assess that the proposal would diminish the significance of the setting of heritage assets in the area. This includes, but is not limited to the setting of the Cumnor Conservation Area**

As one example, Historic England's response to the Scoping request P22/V2581/SCO noted:

'Cumnor Conservation area (the scoping report, 2.1.5, incorrectly identifies no conservation areas within 2km of the development).

A number of Listed Grade II buildings including not only those listed in the scoping report but also those on or near the north edge of the Cumnor Conservation Area.'

Despite this, paras 9.72-9.80 of the application attempt to argue (incorrectly) that the site is not within the setting of the Conservation Area and so, by implication, the applicability of Neighbourhood Plan Policies DBC2 and DBC6.

- 7.3. CPC assess that the proposal is limited in its understanding of the significance of heritage assets and, in particular, of their setting.

By constraining the survey area to 1km (para 9.26) the application artificially declines to consider the relevant Neighbourhood Plan policies, as evidenced by the Historic Environment Desk Based Analysis (HEDBA) that does not even reference Neighbourhood Plan policies.

As VWHDC and Neighbourhood Plan Character Assessments make clear, the dispersed farmsteads comprising the site and its setting are inextricably linked historically with their surrounding fields. These remain at present as open Green Belt countryside and are read as such.

- 7.4. Historic England's response to the Scoping request P22/V2581/SCO advises the applicant to involve the relevant Conservation officer. No evidence that this has been done, or of the officer's response if it has been done, can be found in the application.
- 7.5. Historic England's response to the Scoping request P22/V2581/SCO recommends the proposed Botley West Solar Power station is considered as part of the cumulative impact.

This is not included in Cumulative Effects, paras 9.166-173.

⁷ Previously paragraphs 194, 195, 199 and 203 respectively

7.6. CPC does not consider the proposed mitigations sufficient to outweigh harm. The provision of a bench, (with or without a bottle of wine on it as shown in the applicant's photo on p22 of Appendix 7.1), suggests either a lack of understanding of the way this landscape is currently experienced from near and afar, or desperation.

7.7. As the significance of the setting of the heritage assets has not been fully articulated, it follows that the harm to this significance has not been properly assessed. Consequently, CPC disagrees with the level of harm assigned.

The application employs a number of stratagems to underplay the impact.

As one example, para 9.82 states

'the historic landscape is not scoped in as a heritage receptor as it was not identified as part of the Scoping Opinion'

This device, and others, immediately limits assessment of impact, ignoring the fact that covering the fields with solar panels, the erection of the substation, shipping containers, security fencing and CCTV cameras will cumulatively have a significant adverse impact on the setting of the farmsteads.

For example, at Nobles Farm, diminishing the last vestiges of its connection to former agricultural land would cause a high degree of harm.

7.8. CPC believes NPPF policies (200, 201, 205 and 209⁸) have priority in considering the historic environment. Therefore, the applicant's conclusion for each heritage asset is that the impact is

'Not considered significant under EIA regs'.

is insufficient and incorrect and is not the same as a Heritage Impact Assessment, which VWHDC would have to take into consideration.

7.9. CPC is also concerned about the stated temporary nature of harm. There is no evidence that these sites will be properly reinstated, nor any mechanism suggested to secure this.

Even though the section on Potential Effects: Operation (paras 9.111-9.155) is lengthy and repetitive, it still fails to address the repeated impacts of having to replace inverters and other major pieces of infrastructure several times within the proposed operational lifetime, nor the need to replace panels when they fail or lose efficiency, nor the regular operations required to clean the panels (see also section 9 – pollution and nuisances – below).

8. Biodiversity & Ecology

8.1. CPC considers that the application fails to satisfy the requirements of LPP1 Core Policy 46 (ecological receptors) and LPP2 Development Policy 30 (watercourses) – both these policies being coincident with NPPF paras 180, 185 and 186⁹.

⁸ Previously paragraphs 194, 195, 199 and 203 respectively

⁹ Previously paragraphs 174, 179 and 180 respectively

- 8.2. CPC notes that the applicant's methodology for Biodiversity seems to be limited to translating unevidenced personal value judgements on the biodiversity gain of a length of hedging, or of the retention of a watercourse, to claim a net biodiversity gain.
- 8.3. As one example, Table 5 (para 5.15) asserts that 30.357 hectares of 'hay meadow grassland' will be 'created' giving a 'score' of 203.23 units. Yet CPC cannot find any reference to the management of the hay production, or its cropping.

Instead, there are many mentions of sheep grazing. To the best of CPC's understanding sheep do not eat hay.

- 8.4. So, whilst this methodology may be a component of the applicant's 'assessment' processes, it seems to CPC to bear little relation to the reality of the application.
- 8.5. Thus, no biodiversity 'scores' are attributed to the impacts of many km of deer proof fencing which will isolate deer populations in scattered adjacent woodland without the ability to sustain their existence by foraging on open fields or to transit between the woodland areas.
- 8.6. The applicant seems to be relying on separate value judgements of 'biodiversity' (Appendix 8.4) and ecology (appendix 8.2) without an analysis of the interplay of the two.
- 8.7. As just one example amongst many, Chapter 8 para 8.151 records that:

'The scattered trees, scrub and hedgerows provide suitable habitat for breeding birds, whilst the large open arable fields offer suitable habitat for ground nesting birds.'

And para 8.153 records that

'A total of 52 species were recorded within the survey area during the breeding bird survey. Of these, 36 were considered to be breeding, with a total of 178 territories recorded (see Table 8.15). Eighteen of the species recorded within the survey area are considered notable (BOCC 513 Red list: greenfinch (Chloris chloris), house sparrow (Passer domesticus), linnet (Linaria cannabina), song thrush, skylark, yellowhammer (Emberiza citronella), yellow wagtail (Motacilla flava); BOCC Amber list: bullfinch (Pyrrhula pyrrhula), dunnoek (Prunella modularis), kestrel (Falco tinnunculus), mallard (Anas platyrhynchos), reed bunting (Emberiza schoeniclus), sedge warbler (Acrocephalus schoenobaenus), stock dove (Columba oenas), whitethroat (Curruca comcmunis), woodpigeon (Columba palumbus), wren; Schedule 1: kingfisher (Alcedo atthis).'

Para 4.77 states

'Birds recorded incidentally within the survey area include a flock of 40 x fieldfare, a flock of 30 x lapwing, herring gull and black-headed gull. In winter, fieldfare and lapwing flock on ploughed fields'

It then goes onto state:

'the application site therefore offers suitable over-wintering habitat for these species.'

without providing any evidence of how a 63 hectare site covered in solar panels, shipping containers and surrounded by a 2.1m fence is as ecologically attractive to these species as open fields.

Para 8.156 asserts (again without evidence) that:

*'Overall, the site is considered to be of **local** value to breeding birds'*

Para 2.22 also states:

'An assemblage of bird species typical of arable landscape was identified'

Despite this it repeats and amplifies the assertion in para 8.156 that:

*'Overall, the application site is considered to be of **local** value to breeding and wintering birds.'*

How this assertion of local value is arrived at by comparison with the nationally recognized importance of the adjoining Farmoor reservoir, its setting and its associated 3 wildlife sites, is not explained.

- 8.8. Farmoor is described by its owners as a *'[unique habitat for wildlife](#)'* and by [RSPB](#) as: *'one of the top birdwatching venues in Oxfordshire. The combination of open reservoir, woodland, award-winning wetlands and meadows attracts a great variety of birds.'*

- 8.9. Regarding Farmoor, and its wildlife sites (LWS) 95m east of the site, VWHDC's pre-app requires that:

'The proposed development site may contribute to the ecological interest of the LWS, by providing nearby foraging resource within the farmland for birds. It is recommended that bird surveys, including breeding surveys, are undertaken to understand whether the site has a functional ecological connection to the nearby interest of the LWS.'

CPC cannot find any reference in the application to VWHDC's requirements having been met.

CPC concludes that although the application asserts only 'local' value to the east of the B4017, while there's national significance to its west, the applicant provides no evidence that birds recognise the B4017 as a boundary, as the applicant does.

- 8.10. The February 2024 amendment to the application in noting that surveys of birds were only conducted on breeding species between April and July (para 2.9) so missing all overwintering migratory species in the proposed location.

Even within these constraints set by the applicant, the survey still recorded **42 species of breeding birds present including 5 (grey partridge, linnet, marsh tit, song thrush and skylark) on the [Bird of Conservation Concern 'Red List'](#)** (para 3.24)

- 8.11. Taking just one of these five endangered species as an example, the skylark has seen a **'recent and dramatic population decline'** ([RSPB](#)).

Notwithstanding this, the planning application seeks to mitigate the loss of current breeding habitat across the proposed site by providing just 20 'skylark plots' at an undisclosed 'offsite' location.

No more details are provided, so ignoring the Environment Agency and RSPB guidelines of ['200 skylark plots per square kilometre'](#) each of at least 16m².

- 8.12. Moving on from the adverse impacts of the proposed power station on birds, CPC notes similar assertions of ‘only local value’ in the application in respect of mammals and amphibians – including Great Crested Newts.

Emblematic of the applicant’s assertions is the failure to find evidence of Great Crested Newts when examining a location in August 2023 at the end of hot dry summer as the pond was dry (para 3.30 of the February amendment)

- 8.13. Only ‘local value’ is ascribed to the bat population in - and transiting the site – despite its adjacency to the Wytham Woods SSSI.

- 8.14. The February 2024 amendment to the application records substantial evidence of 9 species of bats in the proposed site, with activity levels in 2023 above those recorded in 2021 (paras 3.8 and 3.9). Bat species present include those on the International Union for the Conservation of Nature (IUCN) ‘Red List’ for threatened species (para 3.18) including the very rare barbastelle bat.

- 8.15. **Despite this evidence, the applicant asserts (para 4.1 in February amendment) that no change in the prior assessment of effects on foraging and commuting bats is necessary.**

This is surprising given the evidence available to the applicant in the Bristol University peer reviewed study [‘Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity’](#) in Journal of Applied Ecology 60: 1752–1762 by Tinsley et al (2023).

This paper found that the activity of 6 out of 8 species of bats detected were significantly lower over solar panels than in field and field boundary sites.

For common pipistrelles (the most common species found on the proposed site – para 3.18 of the February 12th submitted ES-RH1 Ecology Chapter Addendum Report), activity was reduced by 40% around the boundaries of solar farms and by 86% in the centre. Overall bat activity was reduced by a half at solar power station boundaries and two thirds at their centres.

The surveyed solar farms covered an average of 59 hectares – almost exactly the area of the proposed Red House Farm solar power station.

- 8.16. Overall, CPC does not assess the proposed provision of a few bat and bird boxes as suitable or sufficient mitigation for ‘red list’ species.

Placing a number of them within the noise envelopes of the installed infrastructure (see section 9) is not considered in the applicant’s noise assessment.

CPC is concerned they have been proposed merely as the bat/bird equivalent of the aforementioned wooden bench and bottle of wine for humans.

- 8.17. The applicant’s assertion in the Application form that the proposal is ‘not within 20m of a watercourse’ is also a cause for concern (further explored in flood risk below). At best it indicates a lack of attention to detail and at worst an attempt to paint a picture not in accordance with the facts.

9. Flooding and Drainage

- 9.1. CPC considers the application is not compliant with NPPF para 161 and Cumnor Neighbourhood Plan policy RNE2 – flood risk, as it comprises an inappropriate development in an area at risk of flooding that does not satisfy the exception test of NPPF para 159.
- 9.2. CPC does not consider the application compliant with the associated guidance of Neighbourhood Plan Policy RNE2 – particularly para 111 that states the unsuitability of the Filchampstead area, and because there is no evidence of the applicant having complied with the processes described in para 114.
- 9.3. CPC notes that the applicant's assessment seems to rely entirely on Environment Agency data. As VWHDC is aware there are significant flooding issues in the Parish, addressed within a specially commissioned Neighbourhood Plan [Flood Risk Assessment](#) forming a key part of the underpinning for the Flood Policies within the Neighbourhood Plan. The applicant does not seem to have considered this.

10. Highways and Traffic Matters

- 10.1. CPC is alarmed to read that the developer plans to lay the cable connecting the power station to the Osney Island substation along the Botley Road, which will inevitably give rise to that road being at least partially closed for extensive periods.

This will follow the long period of complete closure during the works on the railway station and the railway bridge, which themselves were preceded by multiple and prolonged periods of partial closure, and works yet to start on Thames Water pipes at bridges over the Thames.

The cumulative effect of these closures on residents Cumnor, Botley, North Hinksey and the surrounding points beyond, for whom this is the main and most direct route into Oxford (and the sole direct route for bus travel), has already been severe, and will be further aggravated if the route is again obstructed for the purposes of this project.

Moreover, CPC notes that if the proposed traffic filters are proceeded with, Botley Road will become the route by which *all* traffic enters West Oxford, regardless of its point of origin.

- 10.2. Further, CPC assesses that the application is not compliant with LPP1 policy CP33 in that it manifestly does not *'increase safety and improve air quality.'*
- 10.3. On the contrary, the proposal to route all construction traffic, including articulated HGVs carrying 40' shipping containers via the northern section of the B4017 from its narrow, obscured 'mini roundabout' junction in Farmoor, immediately adjacent to the village store and village hall and opposite a bus stop, south to the proposed site entrance is of great concern to Council, residents and local businesses.

Routing to the Site

- 4.2. The proposed route, indicated in dark blue below, comprises the B4017 Cumnor Road, B4044 Eynsham Road, the A420 and the A34.



Figure 9: Construction Traffic Routing Plan

- 10.4. Such a routing (with the applicant considering no other from the evidence presented) will adversely impact air quality for residents of properties on the B4017, staff and animals at businesses there (there is a veterinary surgery on that road).
- 10.5. The routing will pose adverse significant risk for pedestrians and motor vehicles as articulated HGVs attempt to traverse the acute, narrow junction with its very limited visibility (see below).



- 10.6. **CPC notes with great concern that alternatives – such as a properly constructed site entrance from the B4044 – have not been considered, and that there’s no evidence of the pollution/health and safety issues described above having been considered either.**
- 10.7. **Instead, the applicant has chosen to submit in Appendix 3.3 (Transport Statement and Construction Transport Management Plan) many pages of text and diagrams about the Ninevah Farm solar power station application near Nuneham Courtney.**
- 10.8. **Elsewhere CPC can find no assessment of safety or air quality impacts of many months of disruption caused by digging up the B4044, the Eynsham Road and the Botley Road over a total distance of 5.5km (the applicant states that cabling will occur at a rate of 5 days per 100m section of road) – including along the very route they are proposing for site access - to reach the**

already pre-designated (with no other options investigated or evidenced) grid connection point in Osney.

11. Other planning considerations

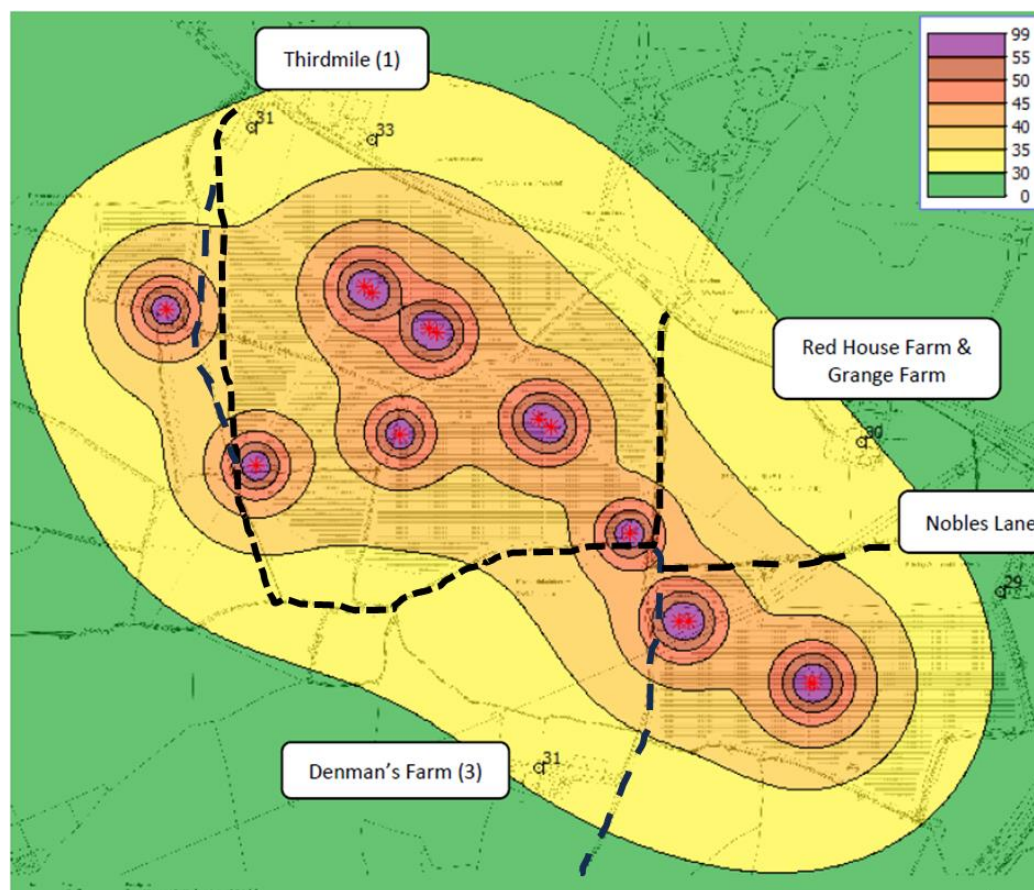
11.1. Pollution and Nuisances

11.1.1. VWHDC scoping opinion 22/V2581/SCO stated:

'A noise assessment will be required as the development includes infrastructure that has the potential to produce significant noise levels during its operation as well as noise from construction. The noise assessment should consider the potential cumulative effect on a wider area as a result of increasing development in the vicinity of the proposed application area and the approved solar farm adjacent to the site.'

However, in response the applicant seems to have considered cumulative impacts on dwellings (aka receiver locations) – not on PROW.

To remedy this deficiency in the application CPC has superimposed the relevant PROW on figure 10 Appendix 3.4 (below) showing how the noise envelopes of installed infrastructure will impact the PROW.



Applicant's noise envelope mapping with PROW superimposed as black dashed lines

CPC also invites VWHDC to cross reference proposed locations for bat and bird boxes (Ecology and Landscape Mitigation and Enhancement Plan drwngo 3377-TLP-XX-DR-L-10002) with these noise envelopes, there being significant colocation across the site.

- 11.1.2. **Noise and vibration impacts on ecology:** no analysis can be found in the application for this topic – considered by PINS in their scoping opinion on the proposed adjacent Botley West solar power station to be required for that development – see below

3.7.4	Paragraph 7.7.23	Noise and vibration impacts on ecological features	Impacts on ecological features are proposed to be assessed within the ecology aspect chapter of the ES. The Inspectorate is content with this approach. However, the noise and vibration aspect chapter should provide cross-references to the relevant sections of the ecology chapter where appropriate e.g., alignment of the ZOI.
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- 11.1.3. **CPC cannot find any evidenced reference to the use of herbicides, and their impact on ecology or watercourses, to manage weed growth**, including but not limited to areas not amenable to grazing. CPC notes the widespread literature on this subject and contrasts it with the lack of detail in the application.

- 11.1.4. **There are references in the application to passive infra red ‘lighting’.** Since passive infra-red is by its very definition ‘passive’, viz it uses an IR detector not an IR illuminator or ‘light’, CPC is concerned that there is no reference to the use of the latter that will be required for CCTV to operate during darkness – a requirement for both health and safety and insurance of solar power stations.

Given that IR illuminators typically transmit at a wavelength of 850nm the application should include an assessment of the impact of this on nocturnal species, including birds, bats and insects.

- 11.1.5. **Exposure to radiation.** Chapter 4, in respect of the proposal to lay an underground high voltage cable along Eynsham Road, through Dean Court, past the Botley shopping centre and thence along the Botley Road to Osney, states that:

‘4.11 The proposed solar panels will be linked via underground cabling to the associated infrastructure and onwards to the point of connection to the grid network.’ However, no information is provided on the voltage of the underground cable and no assessment of the Health and Safety implications or public exposure guidelines as laid down by the International Commission on Non – Ionizing Radiation Protection (ICNIRP) – see for example the [Planning Inspectorate \(PINS\) response to the Botley West Scoping Opinion ID 3.15.4 Section 9.4](#) for their proposed underground HV cable.

- 11.2. **Agricultural Land Classification (ALC):** CPC observes that the applicant’s designation of the majority of the site to be ALC Grade 3b is dependent on the moisture content of the soil as reported.

CPC, by reference to planning challenges elsewhere in England on disputed ALC classifications, has a low degree of confidence in the assessment presented in the application.

- 11.3. **Opaque fencing:** The intention of the applicant to install (para 12.56) screening

‘in the form of an opaque fence to mitigate the impacts’

of glint and glare so covering the 2.1m high deer proof fencing raises many concerns beyond those of openness of the green belt.

No analysis can be found in the application of the impact of this proposal on avian and mammalian species, for example. Also, no details are provided on the maintenance and replacement of this opaque barrier.

11.4. **Electrical Output: In its Scoping Report VWHDC notes:**

The Applicant's Scoping Report states the power generation plant will be designed to provide a total output of up to 49.99MW.

And then VWHDC goes on to require that:

The Applicant needs to confirm if there is any operating scenario where total output could be greater than 49.9MW. The Applicant needs to detail the mechanisms the Applicant will put in place to ensure total output will not exceed 49.9MW.

CPC cannot find any evidence that these requirements have been met

11.5. **Other matters not considered by the applicant: In [VWHDC's submission to PINS in respect of the Botley West Scoping Opinion](#) it stated that the following should be scoped in:**

Waste – *The disposal of materials and plant following decommissioning of the development.*

Electro Magnetic Fields - *on the grounds of the substation proximity to Cumnor primary school and the effects on bird navigation and their reproduction at Farmoor Reservoir.*

Major Accidents - *on the grounds of the fire risk and proximity to the Farmoor Reservoir's water quality and the RAF Brize Norton's runway flightpath.*

All of these apply to this application but none are addressed.

CPC believes that they should be – as does VWHDC for a proposed adjacent solar power station.

11.6. **Cumulative Impacts: Lastly CPC is disappointed, but not surprised, to be able to find no reference in the application to the requirements set out by VWHDC in their EIA Scoping Opinion (P22/V2581/SCO) regarding cumulative planning issues caused by the proposed Botley West solar power station immediately adjacent to the proposed site.**

11.6.1. Specifically, P22/V2581/SCO required:

'The following types of projects should be included in an assessment of cumulative impact (subject to available information):

- a. existing completed projects;*
 - b. approved but uncompleted projects;*
 - c. ongoing activities;*
 - d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and*
 - e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.'*
- and

Consideration should also be given to the cumulative impact of the proposed development and other permitted large-scale solar PV developments on landscape and visual impacts within the local area.

and

Consideration should also be given to the cumulative impact of the proposed development and other permitted large-scale solar PV developments on the supply of agricultural land within the same classification across the local area.

and

Consideration should also be given to the cumulative impact of the proposed development and other permitted large-scale solar PV developments on ecology and biodiversity impacts within the local area. In particular, the cumulative impacts together with the recently published proposals for the Botley West Solar Farm should be evaluated. Cumulatively the two developments would create a vast array of solar panels in very close proximity to Farmoor Reservoir LWS and Wytham Woods SSSI.

11.6.2. The applicant lists a Chapter 14 – Cumulative Effects - in the contents list for the Environmental Statement. No Chapter 14 could be found.

This despite VWHDC also raising the cumulative issue in their response to the Botley West EIA screening opinion consultation, part of the on-going Planning Inspectorate (PINS) process for that proposal that pre-dates this application – see below.

‘7.2.35 refers to ‘large’ but doesn’t define what this may be. There are also potential sequential Cumulative Impact with other existing and proposed solar and other development in the Oxford Green Belt, especially those sites that the Oxford Green Belt Way passes. This area of the Oxford Green Belt contains numerous rights of way with limited detractors and is a key recreational resource to Oxford and surrounding urban areas.’

Cumnor Parish Council would like to thank the parishioners who have helped the preparation of this document in both its 1st iteration (January 2024) and this second iteration (March 2024).

Your expertise and detailed local knowledge are much appreciated and greatly valued by Council.

Appendix 1

As mentioned in 1. above, CPC’s assessment of this application has been unnecessarily hindered by the numerous errors, omissions, and repetitions in the applicant’s documentation, compounding the challenge in responding to this application, eventually made in December, and not November as the applicant had previously informed CPC. Given this unfortunate slippage, Xmas holidays and CPC meeting dates have only allowed CPC 15 working days to assess and respond to this application. This is insufficient for a part time, volunteer, unpaid public body attempting to discharge its duty to its parishioners. CPC hopes that VWHDC Planning Officers and District Councillors are not similarly impeded.

CPC notes with concern that this is not the first time this applicant has lodged an application with errors and omissions – their first EIA screening request having been initially registered in the name of a company that did not exist on the Companies House register. A partial list of errors and omissions in the c. 79 documents supplied can be found below.

- No document labelled Chapter 14 (Cumulative effects) of the Environmental Statement (ES) could be found.

- Indeed, only chapter 10 of the ES is so labelled, and the document called ‘Environmental Statement.pdf’ is merely a list of chapter and section headings with no page numbers.
- Figure 4.12 (as listed in the un-numbered PDF file for Chapter 4 of the ES – no page number provided) detailing the cable routing seems to have only been supplied to ‘Oxford City Council’.
- Paragraph 1.4 of ES Chapter 1 (although not named as such) claims that:

‘A full description of the proposed development is provided in Chapter 4 (The Proposed Development).’

It is not.

- The Application form states that the proposal is ‘not within 20m of a watercourse’. This is incorrect.
- Chapter 10 still contains an embedded comment by a Gemma Melvill that Table 10.5 referenced in para 10.71 ‘does not correspond with the final project description’
- Appendix 3.3 Transport Statement and Construction Transport Management Plan contains, for no discernable reason, many pages of text and diagrams about the Ninevah Farm solar power station application near Nuneham Courtney.
- On 12th February 2024 the applicant lodged an amended application with VWHDC comprising an 11MB 31 page ‘ES-RH1 Ecology Chapter Addendum Report’. However, the original 27th November 2023 application already contained a 6Mb document labelled Appendix 8.6 Ecology Addendum Report.

79/24 Permitted planning application(s). Noted.

Table 4 List of permitted planning application(s).

Ref	Planning application number	Address and proposal
i	P23/V2736/HH	31 Deanfield Road, Dean Court, Oxford OX2 9DW <i>Front entrance porch with provision of ground floor cloakroom facilities.</i>
ii	P23/V2602/HH	8 Owlington Close, Dean Court, Oxford OX2 9DP <i>Proposed garage conversion, with rear extension and first floor extension above. Single storey front extension.</i>
iii	P23/V2549/HH	1 Robsart Place, Cumnor, Oxford OX2 9QT <i>Single storey side extension to create an independent living space for an older family member.</i>

80/24 Update on other current matters. None.

81/24 Proposed Industrial installation (Solar Power Station) for the production of electricity on Green Belt land.

- i. **Proposed ‘Botley West’ solar power station.**
 - a. Council resolved to approve the response to the adequacy of PVDP’s Phase 2 consultation conducted between November 2023 and February 2024.
 - b. Council agreed to share its response with other Parish Councils and Stop Botley West and to upload the response to the Council’s website.
 - c. Council received a response from Mark Stone, CE, VWHDC on 1 March 2024 following a request for information on how and when VWHDC would be consulting with Council about the adequacy of the consultation (AoC) process. Mark Stone requested that Council send Stuart Walker a copy of Council’s response to the AoC and that officers would engage with Council nearer the time to discuss the Vale’s AoC draft document. Officers are looking at setting up monthly briefings with Council and District Councillors after Easter. VWHDC

have started drafting a Local Impact Report which would be shared with Council around May/June 2024 to allow further discussion. Council agreed to engage with Stuart Walker.

- d. Verbal update and agree next steps.
- ii. **Land West of Red House Farm, Farmoor.**
 - a. Council noted that as of Monday 26 February 2024, while the planning consultation end date is still stated as 21 January 2024, there is no response from the Vale's Landscape Architect.
 - b. Council noted a response to the developers planning application to Oxford City Council requesting planning permission to lay an underground high voltage cable under the Botley Road had been submitted.
 - c. Verbal update and agree next steps.
- iii. **Land at the Hurst/Millennium Field/Harcourt Hill.**
 - a. No update.

CONFIDENTIAL INFORMATION

Exclusion of Press and Public

To move the following resolution, in view of the confidential nature of the business to be transacted it is in the public interest that the public and press be excluded from the remainder of the meeting, and they are requested to withdraw.

82/24 Confidential Matters. None.

DATES OF FUTURE MEETINGS

83/24 Next meeting.

The next Parish Council meeting will take place on **Monday 8 April 2024 at 7.30pm in Fogwell Road Pavilion, Fogwell Road, Dean Court.**

Further meeting due to be held in **2024** on **Mondays:** 13 May, 3 June, 1 July, 5 August, 2 September, 7 October, 4 November and 2 December and in **2025** 6 January, 3 February, 3 March and 7 April at **7.30pm in Fogwell Road Pavilion, Fogwell Road, Dean Court.**

The Annual Parish Meeting will take place on **Tuesday 7 May 2024 at 7.30pm in the Old School, High Street, Cumnor.**

The 2025 Annual Parish Meeting will take place on **Tuesday 6 May 2025 at 7.30pm** venue to be advised.

The meeting closed at 8.35pm.

Signed..... Date.....2024