

APPLICATION NO.	P22/S2220/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	10.6.2022
PARISH	GREAT HASELEY, GREAT MILTON, LITTLE MILTON, CUDDSDON AND GARSINGTON
WARD MEMBER(S)	Tim Bearder Sam James-Lawrie Georgina Heritage
APPLICANT	Opdenenergy UK 5 Limited
SITE	Dodwells Solar Farm - Land north of the A40 near Milton Common
PROPOSAL	Underground cable route to connect Dodwells solar farm to Cowley substation.(as amplified by additional information received 21 December 2022).
OFFICER	William Sparling

1.0 INTRODUCTION AND PROPOSAL

1.1 The proposed development is to provide a suitable grid connection to the proposed Dodwells Solar Farm on Land north of the A40 near Milton Common. As such, there are two planning applications under consideration at this committee, which are linked. The application references are as follows:

- P21/S3915/FUL – Dodwells Solar Farm
- P22/S2220/FUL – Electricity Cable Route Connection

1.2 The cable route is a standalone full planning application which will provide the applicant with permission to carry out engineering works to allow construction of a necessary electricity cable connection to the grid at Cowley. The cable route application should be determined on its own merits, having regard to the outcome of the main solar farm application. A site location plan is provided in **Appendix 1**.

1.3 The cable route proposal (P22/S2220/FUL) involves the digging of trenches and some directional drilling in the highway, in Great Haseley, Great Milton, Little Milton, Cuddesdon and Garsington parishes. The works will take place mostly within the metalled road surface to avoid impacts on verges and ecology, except for a short section that will involve laying cabling underground linking the main development site to the cable route.

The cable route connection (P22/S2220/FUL) can be summarised as follows:

- The proposed cable route is approximately 12km in length, utilising land under the control of the applicant and highway land. It will be subject to permits and licences from the relevant highway authorities for its construction and any management of traffic.

- The proposed route is the most efficient route from the site to the grid connection comprising the fewest impacts from construction and management of vehicles. Any disruption will be minimised, and the applicant has confirmed they intend to seek the appropriate permits described above.
- Whilst the applicant has not sought to justify the proposal having regard to a fallback position, it is worth noting an option that the proposed cable route is potentially Permitted Development if carried out by a statutory undertaker (Schedule 2, Part 15, Class B of the Town and Country Planning (General Permitted Development) Order 2015. The electricity Distribution Network Operator (DNO) (SSE Ltd) would be likely meet that description.
- Any permanent impacts, such as to ecology or heritage assets can be avoided through the use of suitable worded conditions. Impacts on rivers, culverts or other drainage features can be avoided through suitably worded conditions to secure appropriate engineering or construction methods are used. Some impacts will be temporary, such as highways. Appropriate highways licensing and traffic management will need to be secured.

Summary of Amendments to the Proposed Development

1.4 The amendments to the application are summarised in the tables below.

Table 1: P22/S2220/FUL – Cable Route Connection

Date of amended plans and information	Summary of reasons for the amendments	Summary of amendments
2022-12-21	To provide a detailed heritage assessment of the impact of the proposal	Submission of a detailed Heritage Impact Assessment.
	To provide a detailed ecological assessment of the proposal	Submission of a Preliminary Ecological Appraisal for the cable route supported by plans demonstrating the proposed location of directional drilling within the highway.
	To provide an arboricultural assessment of the proposal	Submission of a tree survey for the cable route.
	To provide an assessment of the impact on water crossings, rivers and bridges	Submission of an engineering report for water crossing.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of consultations and representations on the application is provided in table 2 below.

Table 2 – P22/S2220/FUL – Cable Route Connection – Consultation Responses

Consultee or Stakeholder	Summary of Consultation Response
Cuddesdon and Denton Parish Council	Objection to the proposed development as it will cause disruption and damage the road surface of single track roads, with no guarantee of rectification if issues are created. The cable should be routed across farmland or larger roads. No case has been made to demonstrate that a closer connection could be made to the electricity grid.
Garsington Parish Council	Objection to the proposed development. Road closures would be inconvenient, would cause damage to the road surface and the cable route should be directed across farmland and verges. Connections should be made to other solar farms in the area such as Harlesford and Cornwell (Tetsworth).
Great Haseley Parish Council	Objection to the proposed development. It will cause disruption along the cable route and the proposal should use the same connection as other solar farms in the area.
Great Milton Parish Council	Objection to the proposed development. It will cause significant traffic disruption. The cable should be routed across farmland. No justification has been provided for why the solar farm cannot connect to the grid elsewhere.
Tetsworth Parish Council	Whilst the cable route is not within Tetsworth parish, the parish council wish to object to the proposed cable route. The impact of the proposal is not known, and insufficient information has been submitted. The amount of power to the grid would be limited due to losses over the length of the cable route.
Conservation Officer	No objection to the proposed development. Any impacts on the heritage assets will be temporary and limited due to the underground nature of the proposal. Care should be taken with the design and practical undertaking of construction. A structural engineer should be involved to ensure that vibration is within tolerable limits to avoid damage to buildings of historic interest. This is especially the case for

	bridge B. Ensuring the protection of heritage assets will be subject to a planning condition.
Countryside Officer	No objection to the proposed development. Planning conditions can be used to require the proposal development to only be undertaken within the metalled road surface, which would avoid harmful impacts. Planning conditions can also be used to secured detailed construction drawings at important points along the cable route to avoid any impacts on the trees and ecology.
Drainage Engineer	No objection subject to conditions. Provided that cables are not located through the centre of culverts or hung from bridges there is no objection to the directional drilling methods proposed. A condition to require watercourse crossing proposals to be submitted can be attached.
Forestry Officer	No objection subject to tree protection measures and implementation. The proposed tree protection measures and Arboricultural Method Statement are acceptable.
Oxfordshire County Council Highways Authority	No objection subject to conditions for a Construction Traffic Management Plan (CTMP), including road closures details, routing of construction traffic, traffic management and delivery schedules.
Oxfordshire County Council Local Lead Flood Authority (LLFA)	Holding objection subject to details being provided on the river crossing method and procedures to detail with any potential flooding from watercourses. These matters can be dealt with by condition for a detailed drainage methodology and construction details.
Neighbour Comments	There are 3 neighbour comments on the application, raising concerns regarding location of the trench and suggesting it should be laid over farmland. Concerns have also been raised regarding the protection of heritage and archaeology, voltage losses, lack of detail of cable routing and impact on traffic, missing tree from the tree survey. Also comments about the need for rooftop solar and length of the cable route and power loss.

3.0 **RELEVANT PLANNING HISTORY**

- 3.1 P21/S3915/FUL – Dodwells Solar Farm – Installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure (as amended & amplified by information received 8 July 2022, 21

December 2022, 28 February 2023, 28 April 2023 and 27 June 2023). [Under consideration].

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposed development has been considered in connection with the proposed Dodwells Solar Farm, which is Environmental Impact Assessment (EIA) development. The proposal under consideration is not in a sensitive area and constitutes an engineering operation. It is not considered the proposal will give rise to the potential for likely significant effects in its own right. The proposal is not Schedule 1 or Schedule 2 development. The main solar farm proposal was accompanied by an Environmental Statement and has been assessed as EIA development.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035

STRAT1 The Overall Strategy

STRAT6 Green Belt

TRANS4 Transport Assessments, Transport Statements and Travel Plans

TRANS5 Consideration of Development Proposals

INF1 Infrastructure Provision

INF4 Water Resources

ENV1 Landscape and Countryside

ENV2 Biodiversity – Designated Sites, Priority Habitats and Species

ENV3 Biodiversity

ENV4 Watercourses

ENV6 Historic Environment

ENV7 Listed Buildings

ENV8 Conservation Areas

ENV9 Archaeology and Scheduled Monuments

ENV12 Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Sources)

EP1 Air Quality

EP2 Hazardous Substances

EP4 Flood Risk

DES1 Delivering High Quality Development

DES2 Enhancing Local Character

DES3 Design and Access Statements

DES4 Masterplans for Allocated Sites and Major Development

DES6 Residential Amenity

DES7 Efficient Use of Resources

DES8 Promoting Sustainable Design

DES9 Renewable Energy

DES10 Carbon Reduction

5.2 Neighbourhood Plan

Cuddesdon Neighbourhood Plan (P22/S2220/FUL – cable route (part of))

CD1 General Development Principles
CD2 Design Principles

There are no adopted conservation area appraisal documents for Garsington and Great Milton conservation areas.

5.3 Supplementary Planning Guidance/Documents

- South Oxfordshire District Council Corporate Plan
- South Oxfordshire and Vale of White Horse Joint Design Guide 2022
- Pathways to a Zero Carbon Oxfordshire (PazCo)
- National Policy Statement for Overarching Energy (EN-1)
- National Policy Statement for Renewable Energy Infrastructure (EN-3)
- National Policy Statement for Electricity Networks (EN-5)
- UK Solar PV Strategy Part 1 – Roadmap to a Brighter Future
- UK Solar PV Strategy Part 2 – Delivering a Brighter Future
- National Infrastructure Commission – Net Zero – Opportunities for the Power Sector
- BREs Planning Guidance for Large Scale Ground Mounted Solar PV Systems
- The Solar Trade Associations Solar Farm 10 Commitments

5.4 National Planning Policy Framework and Planning Practice Guidance

5.5 Other Relevant Legislation

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application, the consideration of the application and the preparation of this report. The effects of the proposal, having regard to the relevant material planning considerations, policies, case law and legislation, do not give rise to a breach of any person's human rights. The significant public benefits to the proposal outweigh any impacts.

Equality Act 2010

In determining this planning application, the Council has regard to its equality act obligations including its obligations under Section 149 of the Equality Act 2010. The proposed development will not disproportionately affect any person with protected characteristics. The proposed development will cause temporary impacts during construction, for example from additional noise or temporary access restrictions. These impacts can be adequately addressed and mitigated through normal planning and highways management processes. The significant public benefits of the proposal outweigh any harms.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- **Principle of development**
- **Impact on heritage and archaeology**

- Ecology and Trees
- Flood Risk and Drainage
- Residential amenity
- Highways

6.2 Principle of development

The proposed cable route is engineering operational development to install a cable route underground between the solar arrays and electricity grid link close to Oxford. The proposed length of this cable route is unusual in the context of South Oxfordshire, however, it arises due to the location of an offer of a grid connection being made from the distribution network operator. This sits separately from the planning system and is solely managed by the DNO.

- 6.3 The current offer is located close to Oxford at the existing Cowley substation, which feeds the wider surrounding area including parts of South Oxfordshire through the grid. It is noted from wider discussions on this and other planning applications, that there is likely capacity at this sub-station towards the south of Oxford in which to connect. This is dictated to the proposed developer by the DNO based on operational needs and demands, capacity and suitability of any connection.
- 6.4 The proposed development itself involves the laying of an electricity cable underground beneath the highway and directional drilling to install a cable beneath bridges and across/under watercourses. The proposed development will be restricted to the metalled carriageway to avoid impacts on trees, ecology and verges. Suitable methods of construction will be required to avoid harmful impacts. The applicant has indicated that technologies and methods are available to ensure this is the case. Specific details can be secured by condition prior to commencement.
- 6.5 The South Oxfordshire Local Plan is silent on this type of engineering operation. Furthermore, whilst the applicant has not sought to justify the proposal having regard to a fallback position, it is worth noting an option that the proposed cable route is potentially Permitted Development if carried out by a statutory undertaker (Schedule 2, Part 15, Class B of the Town and Country Planning (General Permitted Development) Order 2015. The electricity Distribution Network Operator (DNO) (SSE Ltd) would be likely meet that description.
- 6.6 As such, the planning system supports engineering operations, subject to impacts on other material planning considerations. Policy STRAT 6 (Green Belt) protects the district's Green Belt from harmful development. This will be limited to types of development deemed appropriate by the NPPF. In accordance with paragraph 150 of the NPPF, the proposed engineering operations are considered "not inappropriate development" as they will preserve its openness and do not conflict with the purposes of including land within it (it is development underground in the highway).

- 6.7 The proposed cable route connection crosses agricultural land. However, it will not result in the loss of the agricultural land as the engineering operation will be underground and the land returned to use when it has been installed. Any impact will be short-lived and temporary.
- 6.8 The proposed cable route connection will give rise to some temporary visual changes and other temporary impacts such as some disturbance from road closures. However, as an engineering operation to install a cable underground it will not lead to visible or spatial harms that are contrary to Policy DES9 (Renewable Energy) or Policy ENV1 (Landscape and Countryside). Therefore, the principle of development as an engineering operation in the highway, across watercourses and within some agricultural land is acceptable, having regard to the need to facilitate the main solar arrays proposal. The public benefits of the proposal are significant in supporting the delivery of renewable energy and assisting in a transition to a low carbon economy. This will be secured by a Grampian condition, which is necessary to ensure harms arising from the proposal remain justified in the delivery of public benefits from the main solar arrays.
- 6.9 Moreover, national planning policy on renewable energy development is set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance: Renewable and Low Carbon Energy (PPG). Proposals for renewable energy generation should be supported where the impacts are acceptable. The proposed cable route would support the delivery of solar arrays in a part of the district where a significant adverse effect to the landscape, biodiversity, historic environment, openness of the Green Belt, safe movement of pedestrians and residential amenity can be avoided, in accordance with Policy DES9 (Renewable Energy).

Impact on Heritage and Archaeology

- 6.10 There are a number of heritage assets within or immediately adjacent to the linear application site. The heritage assets include the Great Milton Conservation Area and Garsington Conservation Area and numerous Grade II Listed buildings, particularly within the conservation areas. Detailed maps of the locations of the buildings are provided in the applicant's heritage statement prepared by Cotswold Archaeology. The proposed construction will be secured within the road itself rather than surrounding land or verge. An overview map of the heritage assets is provided in **Appendix 2** of this report.
- 6.11 The impact of the proposal on almost all of the heritage assets will be very limited, with no long-term impact on the buildings and structures. However, there are some areas of concern arising from the practical effects of construction in verges. This has been avoided by restricting any engineering works to within the metalled road surface, avoiding any heritage assets in the vicinity. With reference to the Water Crossing Survey report, it is recommended that construction in the vicinity to bridge B at Cuddesdon Mill is undertaken with care. Construction details and structural surveys can be conditioned for agreement to avoid any harms to heritage assets from construction.

- 6.12 Policy ENV9 (Archaeology and Scheduled Monuments), requires proposals to protect below-ground archaeology. The applicant has submitted the results of trial trenching, which indicates the presence of some archaeological remains. The County Council archaeologist has confirmed that these recorded archaeological remains are not considered to be of a significance that would preclude/constrain the proposed development. However, the development will result in impacts upon the recorded archaeological features and as such they will require further investigation and record in advance of development. Subject to suitable conditions to secure these investigations, the proposed development is in accordance with Policy ENV9.
- 6.13 The design of the proposal has taken account of the historic environment, the assessment of the application has taken account of the desirability of sustaining and enhancing the heritage assets in accordance with Policy ENV6 (Historic Environment). The Conservation Officer has confirmed the proposal has avoided harms to the designated heritage assets, with their protection at the construction stage protected by planning condition for construction details and method.
- 6.14 Therefore, the proposed development will not result in any permanent change above ground, with heritage assets protected in accordance with Policy ENV6 (Historic Environment), Policy ENV7 (Listed buildings) and Policy ENV8 (Conservation Areas). The proposal is in accordance with the development plan for the district. Furthermore, the proposed development will protect archaeology in accordance with Policy ENV9 (Archaeology and Scheduled Monuments). There is no significant adverse effect on heritage assets, in accordance with Policy DES9 (Renewable Energy).

Ecology and Trees

- 6.15 Policy ENV2 (Biodiversity – designated sites, habitats and species) and Policy ENV3 (Biodiversity) seek to protect legally protected species through measures that avoid, mitigate or compensate for the adverse effects resulting from development. The policies also seek to conserve, restore and enhance biodiversity and to provide new biodiversity features. The proposed development is restricted to an engineering operation within the metalled road surface, whilst the route out of the solar farm will be across existing arable land. There will be no impact on ecology or protected species as part of the proposals.
- 6.16 The proposals avoid impacts on trees and hedgerows, which will be protected by tree protection measures, secured by planning condition, in accordance with Policy ENV1 (Landscape and Countryside). The site also crosses ordinary watercourses and rivers. The applicant has indicated directional drilling methods are available to avoid impacts, in accordance with Policy ENV4 (Watercourses). The proposal is in accordance with Policy ENV1 (Landscape and Countryside) and Policies ENV2 and 3 (Biodiversity). There is no significant adverse effect on biodiversity, in accordance with Policy DES9 (Renewable Energy). Details of the required biodiversity conditions are provided at the end of this report.

Flood Risk and Drainage

- 6.17 Policy EP4 (Flood Risk) seeks to protect the district from the risk of flooding, including the proposed development and the existing land and buildings elsewhere. The route crosses rivers and ordinary watercourses, which are to be protected from development for ecology purposes, in accordance with Policy ENV4 (Watercourses). The applicant has indicated as part of the application that water crossings will utilise directional drilling or other methods that avoid impact on flood zones and watercourses. A suitable planning condition to secure detailed construction methods for watercourse crossings and river crossings will be required. The management of flood risk during construction can be secured by condition for a construction management plan. As such, the proposal is in accordance with Policy EP4 (Flood Risk and Drainage) and ENV4 (Watercourses).

Residential amenity

- 6.18 Policy DES6 (Residential Amenity), requires that development proposals demonstrate that they will not result in any adverse impacts on the amenity of neighbouring uses. Policy DES9 (Renewable Energy) supports proposals for renewable and low carbon energy projects provided that they do not cause a significant adverse impact on residential amenity.
- 6.19 There will be no long-lasting impact on residential amenity, although there will be some temporary impacts arising from construction. It is also noted that the condition of roads and their drainage will be of concern to local people after construction. This can be controlled through normal highways licensing and reinstatement and inspection requirements. Damage to verges, bridges and structures will be avoided.
- 6.20 Impacts from construction will be limited given the type of development proposed, however, impacts will be controlled by normal planning conditions for construction. Having regard to the above, the proposal will not give rise to any unacceptable noise, visual or other amenity impacts, and the proposal is in accordance with Policy DES6 (Residential Amenity). There is no significant adverse effect on residential amenity, in accordance with Policy DES9 (Renewable Energy).

Highways

- 6.21 Policy TRANS5 (Transport) is the most relevant transport policy and, amongst other matters, this requires developments to provide a safe and convenient access. The main impact will be on temporary road closures to construct the cable route and the temporary parking of vehicles.
- 6.22 The effective management of these trips during the limited construction phase can be achieved through a Construction Traffic Management Plan (CTMP), which is a recommended condition. Subject to this condition, the proposal is in

accordance with Policy TRANS5 (Transport). There is no significant adverse effect on highways, in accordance with Policy DES9 (Renewable Energy).

7.0 CONCLUSION

- 7.1 The proposed cable route is engineering operational development to install a cable route underground between the solar arrays and electricity grid link close to Oxford. The proposed length of this cable route is unusual in the context of South Oxfordshire; however, it arises due to the location of an offer of a grid connection being made from the distribution network operator. This sits separately from the planning system and is solely managed by the DNO.
- 7.2 The proposed development itself involves the laying of an electricity cable underground beneath the highway and directional drilling to install a cable beneath bridges and across/under watercourses. The proposed development will be restricted to the metalled carriageway to avoid impacts on trees, ecology and verges. Suitable methods of construction will be required to avoid harmful impacts. The applicant has indicated that technologies and methods are available to ensure this is the case. Specific details can be secured by condition prior to commencement.
- 7.3 The planning system supports engineering operations, subject to impacts on other material planning considerations. Policy STRAT 6 (Green Belt) protects the district's Green Belt from harmful development. This will be limited to types of development deemed appropriate by the NPPF. In accordance with paragraph 150 of the NPPF, the proposed engineering operations are considered "not inappropriate development" as they will preserve its openness and do not conflict with the purposes of including land within it (it is development underground in the highway).
- 7.4 The proposed cable route connection will give rise to some temporary visual changes and other temporary impacts such as some disturbance from road closures. However, as an engineering operation to install a cable underground it will not lead to visible or spatial harms that are contrary to Policy DES9 (Renewable Energy) or Policy ENV1 (Landscape and Countryside). Therefore, the principle of development as an engineering operation in the highway, across watercourses and within some agricultural land is acceptable. The public benefits of the proposal are significant in supporting the delivery of renewable energy and assisting in a transition to a low carbon economy.
- 7.5 The proposed development will not result in any permanent change above ground, with heritage assets protected in accordance with Policy ENV6 (Historic Environment), Policy ENV7 (Listed buildings) and Policy ENV8 (Conservation Areas). The proposal is in accordance with the development plan for the district. Furthermore, the proposed development will protect archaeology in accordance with Policy ENV9 (Archaeology and Scheduled Monuments). There is no significant adverse effect on heritage assets, in accordance with Policy DES9 (Renewable Energy).
- 7.6 The proposal is in accordance with Policy ENV1 (Landscape and Countryside) and Policies ENV2 and 3 (Biodiversity). There is no significant adverse effect

on biodiversity, in accordance with Policy DES9 (Renewable Energy). Details of the required biodiversity conditions are provided at the end of this report.

- 7.7 The proposal is in accordance with Policy DES6 (Residential Amenity). There is no significant adverse effect on residential amenity, in accordance with Policy DES9 (Renewable Energy). The proposal is in accordance with Policy TRANS5 (Transport). There is no significant adverse effect on highways, in accordance with Policy DES9 (Renewable Energy).
- 7.8 The proposed development will have economic benefits and provide some opportunities for employment during construction and operation. The proposal will contribute towards environmental sustainability by providing opportunities to enhance local energy security, support the opportunity to provide substantial quantities of renewable energy, help with the low carbon transition and assist the delivery of climate change emergency priorities. This has been balanced against the very localised and temporary impacts, largely arising from construction. The proposal will contribute to social sustainability by helping to ensure a steady and secure energy supply which the country requires.
- 7.9 Whilst the applicant has not sought to justify the proposal having regard to a fallback position, it is worth noting an option that the proposed cable route is potentially Permitted Development if carried out by a statutory undertaker (Schedule 2, Part 15, Class B of the Town and Country Planning (General Permitted Development) Order 2015. The electricity Distribution Network Operator (DNO) (SSE Ltd) would be likely meet that description.

8.0 **RECOMMENDATION**

Approval of planning permission subject to the following conditions:

- 1. Commencement of development only if main arrays permitted**
- 2. Commencement of development within 3 years**
- 3. Development in accordance with approved plans**
- 4. Tree protection measures and implementation**
- 5. All development, operations and construction within the metalled road surface**
- 6. Construction method, structural strategy and construction details for development at river/stream crossings, bridges and watercourses**
- 7. Construction Environment Management Plan for biodiversity**
- 8. Construction Management Plan for traffic, working hours, noise and dust control, and flood risk mitigation during construction**
- 9. Archaeological Written Scheme of Investigation**
- 10. Programme of archaeological evaluation**

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