

APPLICATION NO.	P20/S4706/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	8.12.2020
PARISH	GORING
WARD MEMBER(S)	Maggie Filipova-Rivers
APPLICANT	Mr Jack Hulme
SITE	Land to the west of Wallingford Road Adjacent to Sewage Works between Goring and South Stoke, RG8 0JA
PROPOSAL	Temporary planning permission for 25 years for the development and operation of a Transitional Hybrid Energy Project and associated infrastructure including access (2021-08-16 Amended Plans to extend red line, include additional landscaping and landscape details and temporary construction compound, and additional landscape and air quality details submitted 20/04/21 and 21/05/21).
OFFICER	Andy Heron

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.
- 1.2 The application is referred to planning committee by councillor Filipova-Rivers who has called in the application with concerns in relation to the visual impact of the development on the AONB, noise and emissions, and the destruction of nearby community amenities. A map extract identifying the site is attached at **Appendix 1**.
- 1.3 The site covers a 0.62 hectare area and consists of grade II agricultural land which rises by 2 metres from the north-west to south-east. It is situated in the open countryside to the south of South Stoke and north of Goring. The site is within the Chilterns AONB and within an area of archaeological interest. A sewage works is located directly to the west of the site whilst a large agricultural barn is situated to the north. Withymead nature reserve, a railway and the River Thames are situated to the west of the sewage works. A public right of way (PROW) also runs to the west of the railway.
- 1.4 **The Proposal.** Temporary planning permission is sought for the development and operation of a 7MW gas powered standby generation facility and associated infrastructure including access. The development proposes four containerised generators measuring 5.09 metres by 18.6 metres. The generators will be 2.6 metres high and will be housed in flat roof containers with an overall height of 7 metres to the flues. The development also consists of four radiators (2.4 metres by 5.2 metres with a 2.7 metre height), a gas conditioning unit (0.5 metres by 0.8 metres with a height of 2.4 metres), a welfare room (2.4 metres by 0.4 metres with an overall height of 2.6 metres), a substation (0.6 metres by 0.6 metres with a height of 2.4 metres), two lube oil tanks (0.4 metres by 0.5 metres with a height of 1.25 metres), an inverter (0.6 metres by 0.3 metres with a height of 2.31 metres), a heating ventilation and air condition unit (0.8 metres by 1.2 metres with a height of 3.25 metres), four transformers (0.4 metres by 0.4 metres with a height of 1.8 metres) and a room for

equipment (2.4 metres by 0.4 metres with a height of 2.45 metres). The overall design is utilitarian, consisting of flat roofed containers.

- 1.5 The generators will produce electricity from natural gas. Electricity will be imported into the battery storage unit on the site and stored before being discharged back into the grid via the adjacent electrical substation. During operation the generators will generally operate during peak electricity demand between the hours of 08:00 to 10:00, and 16:00 to 18:00, although they will also need to operate at times of network stress.
- 1.6 The site will be bounded by a 2.5 metre high palisade fence which will be coloured green to match the energy containers. CCTV will be in place on 4 metre columns on each corner of the compound. The site will be set 2 metres below the finished floor level which will be surrounded by bunding which will have a maximum height of 2 metres above the compound level. Dense mix native planting is proposed to be situated on the bunding to the south and east to screen the development. The southern planting area will have a 10 metre depth and the eastern planting will have a 9.4 metre depth. A smaller area of planting will be situated to the west.
- 1.7 Access will be taken to the south via Wallingford Road this will be finished with a vegetated access track to help blend into the surrounding area. A temporary construction compound will be sited to the north of the agricultural barn for construction vehicles to park.
- 1.8 The application has undergone several amendments to overcome concerns from technical consultees such as, highways, ecology and landscape officers. The main amendments consist of an extension to the red line area to include a temporary construction compound, and a dense landscaping scheme, additional air quality details have also been submitted. An aerial photograph showing the surrounding area is shown below.



- 1.9 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 The comments below represent the latest comments on the scheme. Full details of the representations can be viewed on the Council’s website www.southoxon.gov.uk under the planning reference number.

Goring Parish Council	Object. The development is contrary to policy, particularly with regard to the impact on the AONB, and the need for energy generation in this area. The planting intended to be installed to mitigate the visual impact of this development will not mature sufficiently during the life of the plant to fulfil its purpose. The proposed plant relies on burning fossil fuel and will form a source of direct pollutant within the AONB which will affect the nearby Withymead nature reserve.
South Stoke Parish Council	Object. The development is contrary to policy, particularly with regard to the impact on the AONB, and the need for energy generation in this area. The planting intended to be installed to mitigate the visual impact of this development will not mature sufficiently during the life of the plant to fulfil its purpose. The proposed plant relies on burning fossil fuel and will form a source of direct pollutant within the AONB which will affect the nearby Withymead nature reserve.
Moulsford Parish Council	Object. The proposal seeks to construct a fossil fuelled industrial generating plant in the Chilterns AONB. It would also impact through noise, visual intrusion and airborne pollution on the North Wessex Downs AONB which is a few hundred metres west of the proposed site.
Letters of representation	<p>58 neighbouring letters of objection received during initial consultation, concerned with;</p> <ul style="list-style-type: none"> - Light pollution - Increase in traffic - Harm to wildlife - Loss of agricultural land - Highway safety implications - Noise - Insufficient information - Unsustainable location - Impact on rural landscape and AONB - Nitrous oxide emissions - Climate change implications - Harm to neighbouring amenity during construction - Air pollution - Health and safety concerns <p>1 neighbouring letter of support received during initial consultation, stating;</p> <ul style="list-style-type: none"> - The development has been carefully selected and will be mitigated by landscaping. <p>65 neighbouring letters of objection received during second consultation, concerned with;</p>

	<ul style="list-style-type: none"> - Impact on AONB - Unsustainable development - Impact on wildlife - Air pollution - Noise - Light pollution - Highway safety - Landscape impact - Harm to human health - Loss of agricultural land - Biodiversity loss <p>18 neighbouring letters of objection received during consultation on further amendments, concerned with;</p> <ul style="list-style-type: none"> - Burning of fossil fuels - Impact on the rural character of the area and AONB - Impact on wildlife - Archaeological implications - Light pollution - Noise pollution - Lack of need
Highways (Oxfordshire County Council)	No objection , subject to a construction transport management plan, access, and parking conditions.
Lead Local Flood Authority (Oxfordshire County Council)	No objection.
Archaeology (Oxfordshire County Council)	No objection , subject to conditions requiring a written scheme of investigation and a staged programme of archaeological evaluation.
Landscape	No objection. I am happy with the revised scheme subject to a slight change to the planting, to include 15% feathered trees in the native mix, however this can be covered by condition. Conditions should be attached to cover; lighting, colour of the buildings, hard and soft landscape details, landscape maintenance and management plan, and earthworks showing proposed and existing contours and sections through the site.
Chilterns conservation board	No objection. The latest amended plans are acceptable with a detailed planting plan and maintenance regime. We note that the access track is designed to appear as a grassed surface once the seeded maintenance has taken effect. The CCB would ask that an appropriately worded planning condition is used to maintain an appropriate appearance and to blend in with the predominant Chilterns character.
Drainage	No objection , subject to surface water and foul water drainage conditions.
Countryside Officer	No objection.
Forestry	No objection , subject to tree protection conditions.
Air quality	No objection.

Environmental Protection	No objection. I am satisfied that the proposed development would not cause statutory noise nuisance to nearby receptors.
Energy officer	No objection. It is accepted that renewable energy is intermittent and that grid balancing services will be needed. A range of responsive services are available to maintain a balance between demand and supply which include battery storage. Natural gas generation does not fit in with the council's plans for low carbon development in the long term, but it is accepted that this represents an opportunity for emissions savings in the short term. The decision to be made is therefore one of balance. The short term need for this development should therefore be assessed against any potential landscape harm.
Minerals and Waste (Oxfordshire County Council)	No objection.
South Oxfordshire District of CPRE (Campaign to Protect Rural England)	Object. Additional landscaping required, combined with meaningful biodiversity net gain enhancements. We also have access concerns.
Withymead Nature Reserve	Object. We have concerns about the level of NOx emissions from the proposed THEP which are projected to exceed the recommended guideline limit advised by the World Health Organisation.

3.0 RELEVANT PLANNING HISTORY

3.1 Two previous applications of relevance.

- [P21/S0445/SCR](#) – EIA not required (04/02/2021).

Request for an EIA Screening Opinion for development and operation of a Transitional Hybrid Energy Project and associated infrastructure including access.

- [P20/S3322/PEM](#) – Decision letter sent (19/10/2020).

Pre-application for the installation of a transitional hybrid energy development on land to the west of Wallingford Road, South Oxfordshire.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 A request for a screening opinion (reference: P21/S0445/SCR) has previously been submitted which concluded that an EIA was not required. The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The development falls within Schedule 2 of the EIA regulations and has therefore been assessed in relation to the selection criteria for screening Schedule 2 development as set out in Schedule 3 of the EIA Regulations 2017. The development is below relevant thresholds. Therefore, an environmental statement is not required.

5.0 POLICY & GUIDANCE

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The Local Plan 2035
- Adopted neighbourhood plans

5.2 The South Oxfordshire Local Plan (SOLP) 2035 policies which are relevant to the proposed development consist of:

- DES1 - Delivering High Quality Development
- DES2 - Enhancing Local Character
- DES7 - Efficient Use of Resources
- DES8 - Promoting Sustainable Design
- DES9 - Renewable and Low Carbon Energy
- ENV1 - Landscape and Countryside
- ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
- ENV3 - Biodiversity
- ENV9 - Archaeology and Scheduled Monuments
- ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
- EP1 - Air Quality
- INF4 - Water Resources
- STRAT1 - The Overall Strategy
- TRANS2 - Promoting Sustainable Transport and Accessibility
- TRANS5 - Consideration of Development Proposals

5.3 Neighbourhood Plan

The Goring Neighbourhood Plan was made on 18 July 2019. The policies which are relevant to the proposed development consist of:

- 11 – Conserving and enhancing Goring’s landscape
- 12 - Conserve and enhance biodiversity
- 13 – Light pollution
- 14 – Air quality and pollution
- 15 - Water, sewerage and drainage capacity
- 16 - Building design principles
- 19 – Adequate parking in new developments
- 20 - Walking and cycling

5.4 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (NPPF)
- The National Planning Practice Guidance (NPPG)
- National Policy Statement for Energy (EN-1)
- National Design Guide Planning practice guidance for beautiful, enduring and successful places (NDDG)
- South Oxfordshire Design Guide 2016 (SODG 2016)
- South Oxfordshire Infrastructure Delivery Plan (April 2020)
- South Oxfordshire Section 106 Planning Obligations Supplementary Planning Document (1st April 2016)
- Chilterns AONB Management Plan 2019 - 2024
- North Wessex Downs AONB Management Plan 2019 – 2024
- Countryside and Rights of Way Act 2000
- Energy White Paper
- South Oxfordshire Landscape Assessment
- Natural Environment and Rural Communities Act 2006
- South Oxfordshire District Council Air Quality Developer’s Guidance
- Air Quality (England) Regulations 2000, as amended by the Air Quality (England) (Amendment) Regulations 2002

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 and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- Principle of development
- Landscape and visual impact on the AONB
- Loss of agricultural land
- Residential amenity
- Access and Parking
- Biodiversity
- Air pollution
- Archaeological implications
- Drainage

6.2 Principle of development

The Government has set a target that the net UK carbon account for the year 2050 is 100% lower than the 1990 baseline. To help increase the use of renewable and low carbon energy the council will promote the use of energy from renewable and low carbon sources. Policy DES9 concerns renewable and low carbon energy, however, the policies supporting text states that the council will support the inclusion of connection readiness for decentralised energy networks and the use of decentralised energy sources in development. Although not renewable or low carbon energy, the proposed development is a decentralised energy source.

6.3 The National Planning Policy Framework (NPPF) sets out the Government's commitment to the provision of sustainable energy solutions– supporting the delivery of sustainable energy solutions is central to the economic, social and environmental dimensions of sustainable development (paragraphs 153 - 158).

6.4 Paragraph 153 advises that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, in line with the objectives and provisions of the Climate Change Act 2008. (The Climate Change Act 2008 commits the UK to an 80% reduction in greenhouse gases by 2050 and a 34% reduction by 2020, based on 1990 levels).

6.5 Paragraph 155 of the NPPF states that to help increase the use and supply of renewable, low carbon energy and heat, plans should: -

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
- 6.6 The NPPF adds at paragraph 158, that in determining applications, applicants should not be required to demonstrate the overall need for low carbon energy and recognises that even small-scale projects provide a valuable contribution to cutting greenhouse gas (GHG) emissions. Applications should be approved if the impacts are (or can be made) acceptable.
- 6.7 The overarching National Policy Statement for Energy (EN-1) is part of a suite of NPS's issued by the Secretary of State for Energy and Climate Change. It sets out the government's policy for delivery of major energy infrastructure. EN-1 was written prior to any viable method of storing electricity was developed, and therefore energy storage/ standby energy generation is not considered directly in the statement. However, the principles which support energy storage/ standby generation are considered, and therefore EN-1 is applicable to this development.
- 6.8 Paragraph 3.3.11 states that '...the more renewable energy generating capacity we have the more generation capacity we will require overall, to provide back-up at times when the availability of intermittent renewable sources is low. If fossil fuel plant remains the most cost-effective means of providing such back-up, particularly at short notice, it is possible that even when the UK's electricity supply is almost entirely decarbonised, we may still need fossil fuel power stations for short periods when renewable output is too low to meet demand...'
- 6.9 Paragraph 3.3.12 states that '...it is therefore likely that increasing reliance on renewables will mean that we need more total electricity capacity than we have now, with a larger proportion being built only or mainly to preform back-up functions.'
- 6.10 Paragraph 3.3.31 states that 'The government...still envisages back up capacity being necessary to ensure security of supply until other storage technologies reach maturity.' EN-1 highlights the importance of back up capacity to support the transition towards renewable energy. As such, the development is consistent with policy statement EN1.
- 6.11 Renewable and decentralised energy generation schemes provide a valuable source of green energy for both existing and new development that contributes towards reducing CO2 emissions. The facility would provide a key source of flexibility to help address some of the challenges associated with the transition to a low-carbon electricity sector. By being able to generate energy immediately and for a short length of time, the development will help the energy sector cope with the peaks in demand for energy they face on a daily basis.
- 6.12 Whilst this facility cannot be classified as renewable energy as it uses gas to generate the combustion needed to turn the turbines, it comprises critical infrastructure for maintaining the existing stability of the grid, as well as enabling a greater supply of intermittent energy to be released on the local and national grid network.
- 6.13 The proposed development will provide the following benefits:
- Contributing to ensuring the country has a good supply of electricity, even during peak hours or when power stations go offline. Small scale, fast-responding facilities such as that proposed can enable the National Grid to meet demand without the need for new, large scale power generating facilities which can have much greater environmental and social impacts.

- The facility will have local/ regional benefits in terms of electricity supply, as the DNO will receive the electricity generated and distribute it within the region, where it is most needed.
 - Locally based power balancing facilities are highly efficient, as power is used to supply the local distribution network. As such, transmission losses which may otherwise occur can be largely avoided.
 - The flexibility associated with the proposed development is one of its key advantages. It can be turned on or off as required, thus reducing wastage when energy is not required.
 - The proposed development occupies a very small amount of land, and the land requirement per MW is much lower than other types of energy. Therefore, the development represents an efficient use of land.
- 6.14 In addition to the immediate benefits, power balancing facilities will become more important in the future for two key reasons:
- Firstly, this is due to the significant amount of variable renewable energy generation on the electricity system, and the transition towards more renewable energy in the future. By 2016, 31.3GW of renewable generation had been deployed. Solar PV, and wind, are difficult to predict. This variability makes it extremely difficult for the National Grid to manage frequency, leading to black-out events.
 - The second reason relates to the significant demand increase nationally for electricity. As heating and transport systems are electrified, peak demand will rise sharply leading to significant constraints on the electricity network assets. An example of this is the electrification of railways across the country. Such ‘smarter’ transport, which is faster, quieter, more reliable, and most importantly greener can only be facilitated nationally if power balancing facilities are deployed nationwide.
- 6.15 The council’s energy officer has been consulted and stated that backup gas generators are required on a national level every day or every few days for short time periods when the total UK renewable resource is not enough, due to variations in the amounts of wind and sun available. They have also stated that the demand for this type of peaking plant will increase as the amount of renewable generation on the market continues to increase. Therefore, in the short-term new gas generation is required to move towards carbon neutral energy generation in the future.
- 6.16 The energy officer has advised that gas peaking plants are more efficient than other alternatives such as coal power plants. The new gas plant therefore represents an opportunity for emissions savings in the short term. The decision to be made is therefore one of balance. The short term need for this development should therefore be assessed against any potential landscape harm.
- 6.17 One of the key principles of Policy STRAT1 of the SOLP seeks to contribute to tackling climate change. The development would contribute to the reliability of the electricity supply at times of peak demand, supporting a national move away from fossil fuel generation to a supply based increasingly on renewable energy. So, although it would use natural gas, it would constitute associated infrastructure that would support a nationwide shift towards renewable and low carbon energy. Consequently, the proposal would accord with policy STRAT1 and the NPPF’s aims of supporting the transition to a low carbon future in a changing climate.
- 6.18 Considered in isolation, the development would result in an increase in carbon emissions. However, it would be a constituent element that would support a national transition to renewable and low carbon energy generation, thereby making an important contribution to an overall reduction in greenhouse gas emissions. By supporting renewable energy generation, and reducing carbon emissions on a national scale, it

would help to address the challenges of climate change. The proposal would, therefore, accord with the aims of policies STRAT1 and DES9 of the SOLP, the NPPF, and the National Policy Statement for Energy, nor would it conflict with the council's declaration of a climate emergency.

6.19 Landscape and visual impact on the AONB

Policy ENV1 of the SOLP and policy 11 of the Goring neighbourhood plan seek to protect the rural landscape and countryside against harmful development, particularly within the AONB. The site is situated within the Chilterns Area of Outstanding Natural Beauty (AONB), whilst the North Wessex Downs AONB is situated to the west of the River Thames. Designation of an AONB confers formal recognition that the natural beauty of the area is of national importance. The primary purpose of the designation is to conserve and enhance natural beauty.

- 6.20 Paragraph 176 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "which have the highest status of protection". This is also emphasised by policy ENV1 of SOLP and reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000.
- 6.21 Para 176 goes on to state that "The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest". In this case the development does not constitute major development in the AONB given the size and scale proposed. The proposed development will introduce 'industrial' elements that may be considered to be incongruous in the wider AONB. However, in this location it is restricted to a small area that is immediately adjacent to existing infrastructure (an existing sewage works and railway line with electrification gantries).
- 6.22 The site is within SODC's Landscape Character Area 6, Central Vale Fringes. Its scenic quality is 'high'. It includes a distinctive belt of low rounded hills acting as a transitional zone between the Chilterns escarpment and the low-lying clay vale and Thames floodplain.
- 6.23 The sensitivity of the site and immediate surrounding and its context in the AONB has been considered in the Landscape Visual Impact Assessment (LVIA) that has accompanied the application. The LVIA assessed the original proposal with less landscape mitigation. A large landscaping area is now proposed to mitigate the development. Furthermore, the compound will be lowered into the ground with bunding proposed to screen the development.
- 6.24 The council's landscape officer and the Chilterns AONB board have reviewed the latest amendments and have removed their initial objections commenting that the bunding is now sufficient to allow for a robust landscaping scheme to be planted. The landscape officer has recommended that the application is acceptable from a landscape perspective confirming that the proposed landscaping will help preserve the rural character of the area. There is no doubt that the development will represent a change in appearance to the open agricultural field, however the landscape officer is satisfied that development will not create a harmful impact on the character of the rural area.
- 6.25 To reduce visual impact the new access will be a vegetated surface. Apart from the area near to the access Bellmouth adjacent to the Wallingford Road junction as this will need to be constructed of hardstanding to accord with OCC's highway standard.

6.26 A lighting scheme will be implemented that conforms to the relevant British Standards and includes lighting that is focused to entrances/doorways/work areas and limits glare and light spill to the surrounding area. Lighting will be fitted with appropriate sensors and will only be used in hours of darkness during emergency/maintenance situations. A condition is recommended to control the lighting. Conditions requiring a schedule of materials, tree and hedge protection, detailed hard and soft landscape details, a landscape maintenance and management plan, and detailed sections of the site will also be recommended to ensure the landscaping and development helps preserve the rural character of the area. On balance it is therefore considered that the development will protect the landscape and setting of the rural area and AONB and will therefore accord with policy ENV1 of the SOLP, policy 11 of the Goring neighbourhood plan, and the NPPF.

6.27 Loss of agricultural land

Policy DES7 of the SOLP seeks to avoid the development of the best and most versatile agricultural land, unless it is demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas of poorer quality land in preference to that of a higher quality. There is less emphasis on the loss of agricultural land in the NPPF. NPPF paragraph 175 (in footnote 58) only makes reference to a preference for using areas of poorer quality land rather than higher quality but only where there is significant development of agricultural land.

6.28 In this case the site area is small and planning permission would be for a temporary period of 25 years only. Once the operational period has expired conditions would require the re-instatement of the land. The site comprises a small parcel of land immediately adjacent to a sewage works. It is classified as grade 2 agricultural land (very good), however in this instance there is no objection to the loss of this land.

6.29 Residential amenity

Policy DES6 of SOLP aims to protect the amenity of neighbouring uses from dominance or visual intrusion, noise or vibration, emissions, external lighting and other pollutants. The nearest residential property to the facility is Springfield Cottage which is approximately 148 metres distance away to the west of the railway line and sewage works. Once operational, the sub-station which accompanies the scheme may generate a very low background noise level. There will be limited noise from fans on inverters and batteries although this is not considered to be significant. In the context of the background noise levels from the adjacent railway, the noise levels will not be significant. Our environmental protection officers have no objection to the proposal.

6.30 Access and Parking

Policy TRANS5 of the SOLP requires development to provide safe and convenient access for all users to the highway. It states that new accesses should be constructed to adoptable standards and be completed as soon as they are required to serve the development.

6.31 No staff will be based on-site as the facility will be managed remotely, although the site will be visited on a bi-weekly basis for planned maintenance inspections. This will be irregular and is not likely to entail any more traffic than would be associated with the existing agricultural use of the land.

6.32 Oxfordshire County Council's highway liaison officer has raised no objection to the proposed access, subject to a construction transport management plan, access, and parking conditions.

6.33 Biodiversity

There are a number of statutory designated sites to the south and west of the application site. The closest site is Moulsoford Downs SSSI which is 1950 metres to the west of the site. The council's countryside officer has confirmed that Natural England's impact risk zone tool indicates that combustion processes under 20MW are unlikely to impact these sites. The applicants have submitted an air quality assessment which concludes that there will be no impact on these statutory designated sites.

6.34 South Stoke Marsh local wildlife site is located 195 metres to the west of the application site this is designated for its lowland meadow, lowland fen and wet woodland habitats, and the species that those habitats support. The council's countryside officer has reviewed the application and confirmed he is satisfied that the development will not undermine the special ecological interest of the local wildlife site.

6.35 Policy ENV2 of the SOLP seeks to protect local wildlife sites from harm. It states that development will only be permitted if the need for and benefits of the development outweigh the adverse effects, it can be demonstrated that the development could not be located on an alternative site that would result in less harm, and measures will be provided which would avoid, mitigate or compensate any harm.

6.36 Paragraph 174 of the NPPF seeks to contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity. It intends to minimise impacts on and provide net gains for biodiversity. It also seeks to prevent new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Adding that development should, wherever possible, help to improve local environmental conditions such as air.

6.37 Policy ENV3 of the SOLP supports development that will conserve, restore and enhance biodiversity. It requires all development to provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity.

6.38 The supporting ecological impact assessment confirms that the habitats on site are not considered to be a constraint to development and that species impacts are unlikely to occur if sensitive working methods are used. The countryside officer has confirmed the proposed landscaping can adequately compensate any direct habitat loss on site.

6.39 In view of the above the development is not considered to harm local wildlife at the site or at neighbouring statutory designated sites and local nature reserves and is therefore in compliance with policies ENV2 and ENV3 of the SOLP, policy 12 of the Goring neighbourhood plan and paragraphs 174 and 180 of the NPPF.

6.40 Air pollution

Local objections have been received which are concerned that the development may produce high levels of nitrogen oxide which may harm human health and the rich ecosystem located at the nearby Withymead nature reserve and South Stoke Marsh local wildlife site.

- 6.41 The applicant has produced an air quality assessment report which concludes that the operation of the proposed gas generator will have a negligible impact on the Withymead nature reserve for school children and members of the public visiting the nature reserve.
- 6.42 The council's countryside officer has carefully assessed the potential air pollution impact on local biodiversity and has confirmed he is satisfied the proposed emission levels are acceptable. He has stated that there could be an impact on the local fenland habitat from acid levels emitting from the development. However, the countryside officer has advised that it is unlikely that the council would be able to substantiate a refusal reason at appeal on this basis. In view of this the countryside officer has confirmed that he raises no objection with regard to air pollution from a biodiversity perspective.
- 6.43 Withymead nature reserve have raised concerns that the emissions surpass recently changed World Health Organisation (WHO) levels. Our air quality officer has confirmed that the WHO levels have changed but has strongly emphasised that it is the air quality objectives set out in the Air Quality (England) Regulations 2000, as amended by the Air Quality (England) (Amendment) Regulations 2002, that provide the statutory basis for the air quality objectives under local authorities' local air quality management duties in England. These regulations override any WHO guidance.
- 6.44 The air quality officer has advised that the Air Quality (England) Regulations 2000 standards have not changed since the applicant's supporting AQ Assessment was submitted. The air quality officer has confirmed that the assessment demonstrates that the total nitrogen dioxide concentrations at Withymead nature reserve will be well below the current standard of 40 µg/m³ once the development is in full operation. The air quality officer has also confirmed that the development's contribution to local nitrogen dioxide levels will be negligible and not significant when assessed against the methodology outlined in the council's air quality guidance for developers, Environmental Protection UK (EPUK) and the Institute of Air Quality Management (IAQM). Due to the points above the air quality officer has advised she is in no position to recommend refusal on air quality grounds.
- 6.45 The council's air quality officer has assessed the impact of the development on human health and has confirmed she has no objection. In view of the above it is considered that the air quality levels are acceptable and accord with policy EP1 of the SOLP and policy 14 of the Goring neighbourhood plan.

6.46 **Archaeological implications**

The site is within an archaeological area of interest rich in archaeological occupation, with settlement remains dating from the prehistoric period onwards. The applicant has submitted an historic environment assessment which identifies that there are currently no known archaeological heritage assets within the application site. It also concludes that given the limited potential recognised and the likely impact upon such potential by proposed development that further archaeological investigation may be necessary.

- 6.47 The county council archaeologist has reviewed the historic environment assessment and agrees with its conclusions. The OCC archaeologist has recommended that the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation ahead of any development. It is therefore considered that the development accords with policy ENV9 of the SOLP subject to conditions requiring a written scheme of investigation and a staged programme of archaeological evaluation.

6.48 **Drainage**

The council's drainage officer has reviewed the proposed plans and raised no objection, subject to surface water drainage and foul drainage conditions to ensure the proper provision of drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.

6.49 **Conditions**

Paragraph 55 of the NPPF is clear that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 56 that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted, enforceable, precise and; reasonable in all other respects.

- 6.50 A condition is necessary relating to the plans approved, in order to ensure the satisfactory appearance of the completed development. Time frame conditions will also be attached to secure the proper planning of the area in accordance with development plan policies. In view of the temporary nature of the development a temporary permission condition requiring the removal of the development within 25 years will also be recommended alongside a site restoration condition. All other conditions have been discussed above.

6.51 **Community Infrastructure Levy (CIL)**

This application is not CIL Liable. CIL is not payable on energy production proposals.

7.0 **CONCLUSION**

- 7.1 The application has been assessed against relevant policies in the development plan, the NPPF, PPG, the Goring neighbourhood plan, the adopted SPD's and all other material planning considerations.
- 7.2 The application will provide an economic and social role through construction employment, and increased investment in the local economy.
- 7.3 In terms of the environmental role, the development would support a national transition to renewable and low carbon energy generation, thereby making an important contribution to an overall reduction in greenhouse gas emissions.
- 7.4 Overall, in the planning balance, the benefits of the scheme particularly in contributing to a short-term reduction in greenhouse gas emissions outweigh any potential landscape harm. As such, the application is recommended for approval on balance.

8.0 **RECOMMENDATION**

8.1 **To grant Planning Permission subject to the following conditions**

- 1 : Commencement three years**
- 2 : Approved plans**
- 3 : Temporary permission - 25 years**
- 4 : Site restoration**
- 5 : Schedule of materials**
- 6 : Surface water drainage**
- 7 : Foul water drainage**
- 8 : Archaeological written scheme of investigation**

- 9 : Staged programme of archaeological investigation
- 10 : Hard landscaping
- 11 : Earthworks
- 12 : Construction transport management plan
- 13 : Landscaping
- 14 : Tree protection
- 15 : Hedge protection
- 16 : Parking & Manoeuvring Areas Retained
- 17 : Landscape management and maintenance
- 18 : New vehicular access
- 19 : Lighting
- 20 : Road agreement - informative
- 21 : Section 151 of the Highways Act 1980 - informative
- 22 : Section 137 of the Highways Act 1980 - informative
- 23 : Neighbourhood plan - informative

Author: Andy Heron
E-mail : planning@southoxon.gov.uk
Contact No: 01235 422600

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