

<b>APPLICATION NO.</b>	<a href="#">P21/S3915/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	23.09.2021
<b>PARISH</b>	GREAT HASELEY
<b>WARD MEMBER(S)</b>	GEORGINA HERITAGE
<b>APPLICANT</b>	Opdenenergy UK 5 Limited
<b>SITE</b>	Dodwells Solar Farm Land north of the A40 near Milton Common
<b>PROPOSAL</b>	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 and 21 December 2022).
<b>CASE OFFICER</b>	William Sparling

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**1.0 INTRODUCTION AND PROPOSAL**

1.1 The proposed development is for the installation and operation of solar arrays with a generation capacity of up to 49.9MW on land north of the A40 with a site area of 112.8 hectares, near Milton Common and Tetsworth. Permission is sought to construct and operate the proposed solar arrays and associated infrastructure for a period of 40 years. A site location plan is provided in **Appendix 1** and a site layout plan is provided in **Appendix 2**.

1.2 The proposals are brought to committee for determination due to parish council objections and an officer recommendation of approval. There are two planning applications under consideration at this planning committee, which are linked. The application references are as follows:

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

1.3 The determination of the cable route connection is subject to a decision on the main solar farm itself. 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 connection to the grid at Cowley substation. This report is for the main solar farm.

1.4 The main solar array proposal is in Great Haseley Parish. It is located approximately 1km from a cluster of buildings comprising the settlement of Milton Common to the north and west of the A329. It is located close to some properties that form part of Milton Common along the A40 London Road. The site is located between 2-3km north-west of Tetsworth and near to the M40, with the closest distances from the site to the motorway between 250m and 300m.

1.5 The proposed solar farm is part of a wider agricultural land holding of 894 hectares. As summarised below, the proposed solar panels and sheep grazing

will comprise 61 hectares, which is 6% of the total land holding. The area of land chosen for the solar arrays comprises heavy clay that is now hard to crop viably. Increasingly, being so wet attracts more slugs and weeds which affects crops and yields, even when considering a range of different options and control methods. Moreover, the applicant has confirmed during a site visit that the land is also difficult to access with even modest machinery and 4 x 4 type vehicles. When access is possible it is challenging to avoid causing damage to the soil conditions. The most affected area is the lower ground where the solar panels will be located. The higher ground (which is drier and better quality – and where the 3a agricultural land has been identified) is still being retained for farming use. A suitable alternative use with considerable public benefits, whilst ensuring long-term viability of the land holding is increasingly necessary.

1.6 The solar array proposal (P21/S3915/FUL) can be summarised as follows:

- Construction of the proposed solar arrays and associated infrastructure, including inverters and cabinets, to operate for a period of 40 years.
- Solar arrays with a generating capacity of up to 49.9MW, sufficient to supply approximately 13,750 homes. The power will be supplied to the national grid for domestic and commercial consumption.

#### Current and Proposed Land Use

- A total site area of 112.8 hectares.
- The existing agricultural land classification of the site is as follows: Grade 3a = 4.9 hectares, Grade 3b = 107 hectares, other land, tracks, gateways and hard standing = 0.9 hectares.
- No Grade 3a land will be affected by the proposal. It will continue to be available for agriculture. In total 77 hectares of Grade 3b non-BMV agricultural land will be put to a different use – either sheep grazing and solar panels or biodiversity enhancements, tree and hedge planting.
- The solar panels (within the boundary fence) where sheep grazing will be allowed is 61 hectares. The biodiversity enhancements, hedge and tree planting total 16 hectares.
- The land can continue to be used for grazing and/or planting of species rich grasses and wildflowers. Potentially the land can be available for use by local apiarists (beekeeping) subject to local agreement.

#### Technical Specification

The proposal involves the installation of fixed panels mounted on steel frames arranged in rows extending east-west across the site, fixed at an optimum angle of about 25-30 degrees to the horizontal.

- The solar panels will be at a maximum height of 3m with the lowest edge 0.7-0.9m from the ground. The panels and frame can be completely removed from the site at the end of its operation.
- It also includes boundary deer fencing (weld-mesh), landscaping and tree planting, fixed CCTV and some limited plant equipment in cabinets being installed on the site. Two substations in pre-fabricated cabins at L5.9m x W2.9m x H3.5m and L5m x W4.5m x H4m. A small plant control room of L12.2m x W4.1M x H2.9M.

Carbon Reduction and Grid Connection

- The applicant indicates the renewable power supplied to the grid over 40 years would equate to a CO<sub>2</sub> emissions reduction of 2,340,000 tonnes.
- The Independent Electricity Distribution Network Operator (DNO) has provided an option for and agreed with the applicant a connection to the grid at Cowley substation. This connection has been secured in full by the applicant. This sits outside the control of the planning system.
- Internal access tracks and pathways will be incorporated for access.

Summary of Amendments to the Proposed Development

1.7 This section of the report provides a summary of the amendments made to the application. Paragraph 38 of the National Planning Policy Framework requires Local Planning Authorities to approach decisions on proposed development in a positive and creative way. There is a need to work proactively with applicants to secure sustainable development that will improve the economic, social and environmental conditions of the area.

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

*Table 1: P21/S3915/FUL – Dodwells Solar Farm – Amendments*

<b>Date of amended plans and information</b>	<b>Summary of reasons for the amendments</b>	<b>Summary of amendments</b>
<i>01 October 2021</i>	<i>Original consultation</i>	<i>Consultation on original planning application</i>
08 July 2022	To provide archaeology information	Details of trial trenching and archaeological evaluation was provided. A geophysical survey was provided. These surveys indicate the presence of some limited prehistoric and post-medieval archaeology in the ground. This is considered by the County Archaeologist to be not of a significance to prohibit development. Further investigations and recording of finds can be secured by planning condition prior to the commencement of development.
	To provide a biodiversity metric assessment	A biodiversity metric was provided which demonstrates the proposal would result in a net-gain for biodiversity arising from the proposal. An amended layout was provided which demonstrates no development

		within 10m of either bank of a watercourse. District or local licensing for protected species will be required.
	To avoid solar panels being located within potential flood waters	Revised drainage proposals were provided to demonstrate avoidance of flood waters arising from surface water and fluvial flooding due to restricted flows under the M40. A revised layout plan was provided to demonstrate flood attenuation in the south-east of the site will be provided in accordance with SuDs principles. It was demonstrated that the solar panels will be elevated to 0.7m, out of any flood water, avoiding creating further flood risk downstream.
	To address landscape harm	A revised layout plan was provided seeking to demonstrate the level of landscape harm was not of a significant level. The applicant sought to address officer comments that there would be harm to a) the character of the landscape and b) key public views from including solar panels in elevated parts of the site. Solar panels were revised to not include the western-most field of the proposal, closest to Milton Common and the A40. This is part of the site where the land is most elevated. Photomontages of the proposal from key views were provided.
21 December 2022	To address landscape harm	A further amended layout plan was provided to demonstrate solar panels were no longer proposed in an elevated section of the northern-most two fields, where the site is particularly elevated. The plans reintroduced development into some of the lower parts of the western-most field. In summary, the applicant explained they were seeking to balance the benefits of the

		proposals providing renewable energy against the landscape harm. It was indicated additional woodland planting within the site would be included.
28 February 2023	To clarify locations of best and most versatile agricultural land	Provided a plan overlaying the proposed layout over the BMV agricultural land on the site
28 March 2023	To avoid tree impacts	Amended the layout to avoid tracks, fences and other development impacting trees and RPAs.
28 April 2023	To provide ecology information	Provide the details of the District Licensing scheme which is used to address the potential for Great Crested Newts
27 June 2023	To address comments from National Gas	Provided a covering letter and layout plan to address the issues raised by National Gas. Confirmed subsequently there are no issues subject to conditions.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Having regard to the development proposal, its amendments and various revised plans, the representations are summarised in the table below. The revised proposals on 08 July 2022 and 21 December 2022 amendments underwent full re-consultation with neighbours and all stakeholders.

*Table 2 - P21/S3915/FUL – Dodwells Solar Farm – Consultation Responses*

<b>Consultee or Stakeholder</b>	<b>Consultation Date</b>	<b>Summary of Consultation Response</b>
Great Haseley Parish Council	1 October 2021	Objected to the proposal in the grounds of overdevelopment due to the cumulative effect of proposed solar farms in the area, scale of the proposed solar farm, adverse impact on the character of the area, adverse impact on the countryside and close-proximity to neighbouring properties.
	21 December 2022	<b>Object</b> to the proposal for the reasons set out in its original letter and commented that there is no need for the development due to other solar farms in the area.
Tetsworth Parish Council	1 October 2021	Objected to the proposal due it being too large, cumulative impact on the countryside, whilst the climate emergency makes sources of renewable energy essential there is a negative impact on and loss of agricultural land, the proposal could help bring forward a

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		residential proposal leading to negative cumulative impacts.
	8 July 2022	Objected to the proposal for the same reasons as previously, plus added that it is too much of a concentration of solar farms in the area, the applicant fails to demonstrate how the additional information resolves the outstanding queries, the grazing of sheep would be a tantamount to promoting widespread monoculture, the biodiversity net gain could not be achieved, SODC should scrutinise changes to hard surfacing and flood risk, landscape harm is unacceptable including from key viewpoints.
	21 December 2022	<b>Object</b> to the proposal. Some concerns have been addressed but the number of solar farm applications in the area remains a concern.
Great Milton Parish Council	1 October 2021	Objected to the proposal. Although appreciative of the climate emergency and ambition for a net zero district, object due to the size of the proposal, its effect on the countryside and rural views and its proximity to nearby properties, unsightly fencing, represents a green light for residential development and concerns about additional noise from operation.
	08 July 2022	Objected to the proposed development in line with the ward councillor's recommendation and the parish council's previous objection. It was observed in the meeting by the ward councillor that the additional information was only background information and did not result in changes to the proposal. Members of the public suggested local support comments may have local interests behind it and the visual impact had not been properly assessed and screening could take 10 years to develop.
	21 December 2022	<b>Object</b> to the proposal for the original reasons and raises further concerns over the inclusion of field 9 in the proposed area of solar panels.
Chilterns Conservation Board	21 December 2022	No comment on the application.
SODC Heritage / Conservation Officer	01 October 2021	No objection – all heritage assets in the vicinity have been properly considered and there is no heritage objection. There will be no great impact on the significance of any buildings or above ground heritage assets.

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	08 July 2022	No objection
	21 December 2022	<b>No objection.</b> Clarification provided that the proposal will result in a very small amount of harm to the significance of Grade II Listed Moles End Cowbarn at the very lowest end of less than significant scale.
SODC Biodiversity / Countryside Officer	01 October 2021	Holding objection due to a lack of information, including biodiversity calculator and licensing details for great crested newts. Site layout changes are required to avoid impacts on ordinary watercourse (10m buffer of development). Conditions will be required to secure a construction environmental management plan, biodiversity enhancement plan and landscape and ecology management plan.
	08 July 2022	The main issues have been resolved. However, the district licensing scheme should be entered into, and a Habitat Impact Plan and report/certificate should be obtained from Nature Space.
	21 December 2022	<b>No objection.</b> The amended layout does not compromise the 10m watercourse buffer. Parcels of land identified for PV arrays have been omitted and it is assumed these will be subject to arable reversion/habitat creation which will further metric calculations. The district licensing scheme paperwork should be provided.
Highways England	01 October 2021	No objection subject to a planning condition for a Construction Traffic Management Plan.
	08 July 2022	No objection subject to the above condition and no additional comments.
	21 December 2022	<b>No objection</b> subject to the above condition and no additional comments.
SODC Drainage Engineer	01 October 2021	Holding objection due to inadequate flood mitigation measures and a lack of a 10m watercourse buffer zone. Opportunity should be taken to reduce the flood risk elsewhere through mitigating run off.
	08 July 2022	No objection subject to a condition for a detailed surface water drainage scheme for the site. The requested amendments have been made.
	21 December 2022	<b>No objection</b> subject to a condition for a detailed surface water drainage scheme for the site.
SODC Trees / Forestry Officer	01 October 2021	Holding objection due to impacts on existing veteran trees, other trees of value and hedgerows from roads, CCTV and fencing.

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		The route for underground utilities should be provided to avoid the root protection areas of retained trees and hedgerows.
	08 July 2022	Holding objection due to some impacts remaining on trees T46 (oak), T42 and T43, which are of value.
	21 December 2022	Holding objection due to impacts on valuable trees. As above, plus impacts on group G27, trees H12, T22 and T23 and G11. H11 and T13 are also impacted. H3 is impacted. A planning condition should be attached to secure tree and hedge protection during construction if permission is to be granted.
	28 March 2023	<b>No objection</b> subject to planning conditions for tree and hedge protection measures.
Health and Safety Executive	01 October 2021	No objection to the proposal. Comments provided.
	21 December 2022	<b>No objection</b> to the proposal. Advice provided.
SODC Landscape Architect	01 October 2021	Objection to the proposal due to inadequate information being submitted to assess the impacts of the proposals. It is anticipated that solar panels proposed in the most elevated parts of the site would result in harm to the countryside. There would be landscape effects and visual effects. Solar panels should be accommodated on lower parts of the site. More information is also required. Detailed planting plans and an existing and proposed landscaping maintenance and management plan should be secured by condition.
	08 July 2022	Objection maintained. The amendments to the layout have not resolved concerns about the impact of the solar panels, in particular in the most elevated parts of the site. Solar panels on the highest parts of the site should be omitted, land to the eastern side to reduce the extent of solar panels.
	21 December 2022	<b>No objection</b> to the proposal. But concerns remain with the most elevated parts of the site being proposed for solar panel development and the associated impact on the landscape character. Previous comments requested removal of solar panels and the subdivision of the site by hedgerows to provide screening have not been done. It is acknowledged that public views towards the site are largely distant or from the motorway bridge or motorway with limited public viewpoints due to intervening vegetation.



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Environment Agency	01 October 2021	<b>No objection</b> to the proposal.
National Gas (Plant Protection)	01 October 2021	Holding objection as the proposal is in close proximity to a high-pressure gas pipeline. Further information is required from the applicant.
	12-July-2023	<b>No objection</b> subject to a condition to protect the gas pipeline and allow access for maintenance.
		<b>No objection</b> subject to conditions to secure an easement to the pipeline, deed of consent/indemnity agreement, and protection measures. An earthing report is also required to protect the cathodic protection system used on the pipeline and to secure a right of access for maintenance.
Oxfordshire County Council Highways Authority	01 October 2021	<b>No objection</b> subject to conditions for vision splays, construction traffic routing, wheel wash facilities and construction traffic management plan. The main impact on the highway will be during the construction of the development.
Oxfordshire County Council Local Lead Flood Authority	01 October 2021	<b>No objection</b> subject to conditions for a detailed surface water drainage strategy.
Oxfordshire County Council County Archaeologist	01 October 2021	Object due to an absence of archaeology evaluation and recording.
	08 July 2022	<b>No objection</b> subject to conditions for a Written Scheme of Investigation and a programme of archaeological work.
SGN Plant Protection	01 October 2021	Advice provided.
SODC Insight and Policy	01 October 2021	<b>Supports</b> the proposal and provided advice solely with regards to meeting South Oxfordshire District Council targets to be a carbon neutral district through a local renewable energy supply. Achieving a net zero carbon target will require the removal of virtually all fossil fuels from the energy mix. As we decarbonise transport, by moving to electric vehicles, and decarbonise the heating of buildings, through technologies such as heat pumps, the demand for electricity from renewable sources will increase. The Oxfordshire Energy Strategy also has an aim to make Oxfordshire as a county energy self-sufficient and to keep energy spend in the

		county. The Pathways to a Zero Carbon Oxfordshire report, Oxford University Environmental Change Institute 2021, states that all net-zero pathways will involve the expansion of solar generating capacity in Oxfordshire.
South Oxfordshire CPRE	01 October 2021	Object to the proposal because CPRE do not consider the benefit of this type of solar arrays development offers outweighs their harm.
	08 July 2022	Object to the proposal because it is inefficient to transmit electricity over such as long distance to the grid, loss of agricultural land and South Oxfordshire is on the way to meeting its carbon neutral targets.
	21 December 2022	<b>Object</b> to the proposal having regard to previous comments.
Oxford Preservation Trust	01 October 2021	Commented that there should be a strategy for dealing with solar farms in the district and it should be supported by a masterplan document.
Nature Space Partnership	18 April 2023	The applicant has entered into the district licensing scheme for Great Crested Newts which the applicant is required to comply with.
Neighbours and Local Residents	<p>There are <b>13 comments supporting</b> and <b>18 comments objecting</b> to the proposal. All comments have been considered in full. The details of those who submitted comments can be found online.</p> <p>The comments supporting the application can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• There is a need for solar arrays development proposals.</li> <li>• The country is in desperate need and the long-term benefits outweigh the short-term inconvenience.</li> <li>• We have to look to the future for our energy needs.</li> <li>• We need to take action now to develop renewable energy supplies and protect the future for generations to come.</li> <li>• We need to adopt alternatives to fossil fuels. Solar farms can be complemented by additional planting of hedges and trees to mitigate some impacts.</li> <li>• There is an energy crisis, and we need to lead the way to a more environmentally friendly energy source. Solar panels are a good solution. Our children need a safer and readily available solution.</li> <li>• Greener energy is good.</li> <li>• It won't be that visible locally.</li> </ul>	

	<ul style="list-style-type: none"> <li>• It is a low impact sustainable energy for the future.</li> </ul> <p>The comments objecting to the application can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• There is a need for this but development like this should only be permitted in other locations where the benefit outweighs the environmental and other harms.</li> <li>• There needs to be a strategy to deal with solar farms.</li> <li>• The landscape harm is significant.</li> <li>• There will be glint and glare.</li> <li>• The development will have a significant effect on views from various locations.</li> <li>• The proposed development should be focussed on brownfield land.</li> <li>• The proposal would impact the gas pipeline.</li> <li>• Additional noise would be generated.</li> <li>• There are inconsistencies with how long the solar farm will operate for.</li> <li>• Solar panels should be on roofs not in this location.</li> <li>• The proposal is a deliberate tactic to further the cause of residential development.</li> <li>• The proposal will be an eyesore.</li> <li>• It will cause disruption.</li> <li>• It is industrialisation in the countryside.</li> <li>• It will affect property values.</li> <li>• The construction will impact mental health.</li> <li>• The proposed connection to the grid is not clear.</li> <li>• The impact on wildlife will be significant.</li> <li>• We are angry that we are required to respond to this travesty of a plan for our area.</li> <li>• It is a vast facility so close to residential properties.</li> <li>• Our property values have already been affected by noise from the M40 and this will make it worse.</li> <li>• A distributed generation network is close in time and is preferred to this approach.</li> <li>• No one has discussed the proposal with us. There would be noise and pollution and damage to wildlife.</li> <li>• This is another attempt to urbanise a rural area.</li> <li>• It is inappropriate and intrusive.</li> <li>• It is a waste of precious land.</li> <li>• It will have a harmful impact on heritage assets.</li> </ul>
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3.0 **RELEVANT PLANNING HISTORY**

3.1 The relevant planning history for the site is summarised below. The full relevant planning history for the two proposals can be found online on the council’s website.

[P19/S2685/FUL](#) - Refused (06/05/2020)

The proposed development is for a Gas Fired Electricity Generating Facility with the ability to generate up to 49.99 MW of electricity. A low carbon flexible generating facility using gas reciprocating engines. The facility will generate electricity principally for the regional distribution network in times of generation shortfall and/or high demand.

[P19/S2619/PEJ](#) - Advice provided (20/11/2019). Proposed solar farm at Rycote Lane Farm.

#### **4.0 ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The full extent of the proposal under consideration is deemed to be Environmental Impact Assessment development by the Local Planning Authority. The description of development falls within Schedule 2, Category 3 a development – installations for the production of electricity. It exceeds the 0.5 hectare applicable threshold in column 2. Environmental Impact Assessment has been undertaken in accordance with the Town and Country Planning (EIA) Regulations 2017. The likely significant environmental effects of the proposal have been considered in the assessment of the proposal. The planning application is accompanied by an Environmental Statement. The statement and the representations on it have been considered when assessing the proposal.

#### **5.0 POLICY & GUIDANCE**

##### **5.1 Development Plan Policies**

###### South Oxfordshire Local Plan 2035 (SOLP)

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 Plans**

Tetsworth Neighbourhood Plan (part of the application site)

TET1 Development within Tetsworth Village Settlement and Surrounding Countryside  
TET2 Settlement Character Areas and Design Criteria  
TET3 Countryside Character Sectors  
TET8 Biodiversity

## **5.3 Supplementary Planning Guidance/Material Planning Considerations**

- 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 (2021) and National Planning Practice Guidance**

### **5.5 Other Relevant Legislation**

#### **5.51 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.

#### **5.52 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**
- **Agricultural land use**
- **Historic environment**
- **Landscape and visual impact**
- **Ecology and trees**
- **Residential amenity**
- **Access and parking**
- **Flood risk and drainage**
- **Gas Pipeline**
- **Carbon Emissions Reductions and Net Zero Transition**

**Principle of Development**

6.2 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. An objective of the planning system is to support sustainable development in support of meeting environmental objectives, including supporting the transition to a low carbon future.

6.3 The NPPF, at paragraph 158, states: *“When determining applications for renewable and low carbon development, local planning authorities should:*  
a) *not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if the impacts are (or can be made) acceptable. Once suitable areas for renewable or low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside of these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”*

6.4 The PPG further explains that: *“The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.”* The views of local communities have been considered in full as part of the current planning application.

- 6.5 The PPG continues to state: *“The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.”* The views of local communities have been considered in full as part of the current planning application.
- 6.6 The PPG states that *“renewable energy developments should be acceptable for their location”*. The PPG provides a list of suggested matters which a local planning authority will need to consider in determining planning applications for large-scale solar arrays. These include the following:
- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value; where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.*
  - *that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;*
  - *the proposal’s visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;*
  - *the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
  - *the need for, and impact of, security measures such as lights and fencing;*
  - *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
  - *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
  - *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*
- 6.7 The criteria above have been considered as part of the assessment of the current applications, where relevant. The proposed development has met the above requirements. A site layout plan is provided in **Appendix 2**.
- 6.8 The South Oxfordshire Local Plan 2035 (SOLP 2035) does not identify suitable broad areas or specific sites for renewable or low carbon energy projects. The

local plan does, however, have a spatial influence on where solar farms are found to be appropriate through other designations and policies. It is also important to consider other factors such as a need for renewable energy sources where there are suitable and achievable grid connections can be secured. The ability to secure a grid connection is dependent on the Electricity Distribution Network operator identifying a suitable connection option and location. This then requires an agreement being secured between the parties, separate to the planning system.

- 6.9 The South Oxfordshire Local Plan Policy DES9 (Renewable Energy) states *“The council encourages schemes for renewable and low carbon energy generation and associated infrastructure at all scales, including domestic schemes. It also encourages the incorporation of renewable or low carbon energy applications within all development. Planning applications for renewable and low carbon energy generation will be supported, provided that they do not cause a significant adverse effect to:*
- i) landscape, both designated AONB and locally valued, biodiversity, including protected habitats and species and Conservation Target Areas.*
  - ii) The historic environment, both designated and non-designated heritage assets, including development within their setting.*
  - iii) Openness of the Green Belt.*
  - iv) The safe movement of traffic or pedestrians.*
  - v) Or residential amenity.*
- 6.10 Subject to key environmental and amenity considerations, there is clear policy support for the principle of renewable energy generation development on this site. The proposal will support the aims of local plan objectives and corporate priorities of the council. Indeed, the principle of development is acceptable, in accordance with Policy STRAT1 (Overall Strategy) and Policy DES9 (Renewable Energy). This is subject to there being no significant adverse effects as identified above, which are considered in further detail below.

### **Agricultural Land Use**

- 6.11 Policy DES7 (Efficient Use of Resources), requires development proposals to make provision for the effective use and protection of natural resources through several means, including *“avoiding the development of Best and Most Versatile Agricultural Land, unless it has been demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas of poorer quality of land in preference to that of a higher quality”*. Best and Most Versatile (BMV) Agricultural Land is defined as that in agricultural grades 1, 2, and 3a. Grades 3b, 4 and 5 or of lesser quality, but are still considered to be useful agricultural land. Grade 3b land is not defined as BMV land. It is capable of producing moderate yields of a narrow range of crops (cereals and grass) and lower yields of a wider range of crops, or higher yields of grass for direct grazing or harvesting for animal food.
- 6.12 An agricultural land quality assessment has been submitted in support of the proposal. A **map of the agricultural classification** has been overlaid on the



application site, which is including for reference in **Appendix 3**. The existing agricultural land classification of the site is as follows: Grade 3a = 4.9 hectares, Grade 3b = 107 hectares, other land, tracks, gateways and hard standing = 0.9 hectares.

- 6.13 No Grade 3a land will be affected by the proposal. It will continue to be available for agriculture. In total 77 hectares of Grade 3b non-BMV agricultural land will be put to a different use – either sheep grazing and solar panels or biodiversity enhancements, tree and hedge planting. The solar panels (within the boundary fence) where sheep grazing will be allowed is 61 hectares. The biodiversity enhancements, hedge and tree planting total 16 hectares.
- 6.14 The table below provides details of the existing agricultural land classification and the proposed land use, with reference to the loss of agricultural land.

*Table 3 – Existing Agricultural Land Classification and Proposed Land Uses*

<b>Agricultural Land Class</b>	<b>Current Area (Hectares)</b>	<b>Proposed Solar Panels and Grazing (hectares)</b>	<b>Proposed Ecology, Trees and Hedge Planting (hectares)</b>	<b>Proposed Retained for Farming (hectares)</b>
3a	4.9	0	0	4.9
3b	107	61	16	30
Other	0.9	N/A	N/A	N/A
<b>TOTAL</b>	<b>112.8</b>	61	16	34.9

- 6.15 A careful balance has been struck between to ensuring agricultural use of the site can be viably retained in the most productive parts of the site. The Grade 3b land can continue to be used for agriculture, such as grazing under and between the panels. However, this should be balanced against other uses such as biodiversity enhancement. The proposals demonstrate the land can continue to be used for a mix of grazing and planting of species rich grasses and wildflowers. The land can be available for use by local apiarists subject to local agreement.
- 6.16 Therefore, the proposal will not result in the loss of any Best and Most Versatile Agricultural Land (Grade 3a and above), with the temporary partial change of 61 hectares of non BMV Grade 3b land for a period of 40 years. This will allow the land to replenish and regenerate whilst also being managed for biodiversity. Moreover, the use of the land will be limited to a period of 40 years to cover the lifespan of the equipment, which can be secured by a time limit condition. A further condition is recommended to require the removal of the panels and associated equipment at the end of this period, and this will include a requirement to reinstate the land to its previous condition. Subject to the imposition of these conditions it is acceptable to locate the proposed solar farm on Grade 3b agricultural land.
- 6.17 To conclude with regards the loss of agricultural land, the proposal will not result in the loss of Best and Most Versatile (BMV) Land (Grades 3a and

above). The land can also continue to be used for agricultural purposes. As such, the proposal is in accordance with Policy DES7 (Efficient Use of Resources) and the NPPF. In addition, the applicant indicates improvements to the land for agriculture when operations cease has been secured as part of the contract to operate the solar farm. This will ensure the land can return to a productive agricultural use in a changing climate.

### **Historic Environment**

- 6.18 The proposed development is in the vicinity of a range of heritage assets, including Rycote Lane Farm and Moles Barn (Cowhouse) in close proximity to the north, Rycote Park (non-designated) and Rycote House further north and east of the site, Lobb Farm and Farmhouse adjacent to the M40 to the west. A plan showing the nearby heritage assets (Listed buildings) is included at **Appendix 4**.
- 6.19 The SODC Conservation Officer concludes that there will be no impact on the significance of most of the heritage assets. The same applies to Rycote Park where there is a good set-back from the site area to the entrance gates to the park which includes mature planting, effectively screening the majority of views into the site. However, there will be a very low impact on the significance of the Grade II Listed Moles Barn Cowhouse, which sits 300m to the south of Rycote Lane Farmhouse.
- 6.20 The SODC Conservation Officer advises the most important part of the setting of the Cowhouse is its relationship with the other farm buildings within the farmstead, however, the open agricultural fields in its wider surroundings do contribute to a degree to the context and setting of this building. The applicant's heritage statement para 5.19 notes that the Cowhouse is best appreciated from the agricultural fields to the south-east (the application site), and it is agreed that this is the most unspoilt aspect given the modern additions to the farm.
- 6.21 Whilst the landscape further to the south of the barn would be altered by the introduction of modern solar panel equipment. The impacts have been appropriately mitigated by the preserving a substantial buffer zone between the listed building and the solar development in these key viewpoints. The area of solar panels also avoids the topographically higher area of land immediately adjacent to the listed Cowbarn. As a result, the Conservation Officer advises the proposal will have a low level of less than substantial harm to the significance of the Listed building. I agree with that assessment.
- 6.22 Having regard to paragraph 199 of the NPPF, great weight is attached to the significance of the Grade II Listed Cowhouse and its protection. In accordance with paragraph 200 of the NPPF, there is a very low level of less than substantial harm arising to the significance of the Cowshed. However, the public benefits outweigh this level of harm, which include generating renewable energy and assisting a transition to low carbon energy generation, providing a stable and local energy supply, enhancing energy security, provision of some opportunities for employment and the proposal's significant contribution to net-

zero targets set by national government and mitigating the climate emergency set by the council.

- 6.23 As such, 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 asset in accordance with Policy ENV6 (Historic Environment). The Conservation Officer has confirmed the proposal has minimised the harm to the significance of the Listed buildings to a very low level of just 1 (Grade II Listed Cowshed) and has demonstrable public benefits that outweigh the less than substantial harm, in accordance with Policy ENV7 (Listed buildings). The proposal is in accordance with the development plan for the district.
- 6.24 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. There is no significant adverse effect on heritage assets, in accordance with Policy DES9 (Renewable Energy).

### **Landscape and Visual Impact**

- 6.25 Policy DES9 (Renewable Energy) encourages schemes for renewable and low carbon energy generation and associated infrastructure at all scales, including domestic schemes. Proposals will be supported provided that they do not cause a significant adverse effect to the landscape, both designated AONB and locally valued. Moreover, Policy ENV1 (Landscape and Countryside) seeks to protect South Oxfordshire's landscape, countryside and rural areas against harmful development. It states that "*Development will only be permitted where it protects and where possible enhances features that contribute to the nature and quality of South Oxfordshire's landscape*". An Ordnance Survey map of the area is included in **Appendix 1** for reference.
- 6.26 The proposed development is not located within a designated landscape, such as an Area of Outstanding Natural Beauty or its setting. Notwithstanding this, the application site is in open countryside, which demonstrates characteristics which are considered to be worthwhile by the local community. However, although the proposal is located in the open countryside, the area is not considered to be a 'valued landscape' in accordance with paragraph 174 of the NPPF. It does not demonstrate a particular definable character or key attribute that elevates it in status or importance above the surrounding open countryside.
- 6.27 The proposed development is located within a wider open countryside setting known as the Landscape Character Area 3, The Clay Vale, and largely within Landscape Character Type 19, Undulating open vale. A small part of the site,

one field in the south-eastern corner, is within Character Type 20, Undulating Semi-enclosed Vale. Key characteristics of character type 19 include:

- Low-lying, undulating or gently rolling landform.
- Large-scale farmland, mostly under intensive arable cultivation.
- Typically large fields, with rectilinear pattern of field boundaries.
- Weak structure of tightly clipped or gappy hedgerows, with few hedgerow trees.
- Open, denuded and exposed character, with high intervisibility.
- Distinctive elevated and expansive character on higher ground, with dominant sky and long views.
- Predominantly rural character but some localised intrusion of main roads (including M40/A40), overhead power lines and built development

- 6.28 In summary, the site demonstrates most of these characteristics. Key characteristics for the semi-enclosed vale (type 20) are similar but with a stronger hedgerow structure and moderate intervisibility.
- 6.29 The site is located in open countryside on the north side of the A40 between Milton Common and Tetsworth. It comprises ten arable fields divided by hedges and occasional hedgerow trees, and a block of woodland. It adjoins the A40 to the south and a section of Rycote Lane (A329) to the north. The M40 runs parallel with the A40 close to the southern boundary. Surrounding land use is largely arable. The settlement of Milton Common extends to the south-west corner of the site along the A40. The land rises across the site from around 70m AOD in the south-eastern corner to over 100m at the western side. Moreover, to the east of the site is an extensive amenity landscape associated with Oxford Golf Club. The proposed solar panels will be at a maximum height of 3m (9ft9in) from the ground.
- 6.30 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which is generally in accordance with technical guidance. The LVIA identifies that landscape mitigation would be provided as part of the proposal, including hedge and tree planting throughout the site. There are no proposals to remove trees, woodland or hedgerow as part of the proposals. Associated infrastructure and fencing will avoid trees and their root protection areas. The LVIA acknowledges that there will be some visibility of the proposals from the surrounding landscape, and the SODC landscape officer confirms this will be the case where panels are located in the most elevated parts of the site.
- 6.31 The aspects of the proposed development located on the lower parts of the site will lead to a limited perceived change to the pattern of the landscape. The site's landscape and boundary features would be retained and protected. Areas of concern raised by the council's landscape officer were the western-most field, parts of the north of the site and a small parcel to the east. In response, the applicant proposed to enhance tree planting and remove parts of the north field at the highest elevation to reduce visibility. The highest parts of the western-most field will also be visible but this area has been retained in the proposal, as has a corner to the south east of the site. The panels have been moved back from the northern boundary.

- 6.32 Having regard to the type of wider landscape described above, which is relatively undulating and low lying. The proposal is most noticeably visible from public rights of way on motorway bridges crossing the M40 approximately 1.5-2km in distance from the site. There are also very short sections of views of the proposal from a public right of way to the south-west of the site on the opposite side of the motorway. The northern and western parts of the site will also be visible on the ridgeline from sensitive viewpoints in the wider surrounding area, however, these are long distance views of 1-1.5km +.
- 6.33 Closer views from the public rights of way to the east of and south of the site will be affected, but these views will be restricted and filtered by topography and vegetation. The introduction of landscape planting and mitigation into the proposal would limit the impact of the proposals on the public rights of way. The experience of users of the public rights of way would change, but this would not be significantly adverse on the landscape experience. The overall enjoyment of the countryside would be retained. It should also be noted that this experience for users of rights of way would be aligned to other parts of the district where solar farms have been constructed.
- 6.34 The LVIA concludes there would be no cumulative visual effects between the site and other permitted solar farm proposals at Cornwell and Harlesford. In the Council's view there is likely to be some visual cumulative effect arising from the proposals when viewed from travelling along the motorway and the public rights of way network around the proposal. Limited assessment of this has been provided by the applicant, however, officers have assessed the proposals and it is considered there will be a degree of cumulative effect on change to the area arising from cumulative impacts. Having regard to visual and landscape impact, the proposal is in accordance with Policy DES9 and Policy ENV1.
- 6.35 In conclusion with respect to landscape impact, the proposed development is not located in a landscape designation, and it is not within a valued landscape. It is located in the open countryside within undulating open vale and undulating semi-enclosed vale, to which there will be a small degree of negative impact to the landscape character and a visual impact. The context of the site is such that the proposal will not lead to significant adverse effects on the landscape, either individually or cumulatively.
- 6.36 The proposal is in accordance with Policy DES9 (Renewable Energy) and Policy ENV1 (Landscape and Countryside). The degree of change to the landscape will not be dissimilar from other solar arrays development permitted elsewhere in the district. Conditions are recommended to ensure that landscape mitigation is implemented, properly managed and maintained. There is no significant adverse effect on the landscape, in accordance with Policy DES9 (Renewable Energy).

### **Ecology and Trees**

- 6.37 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.

- 6.38 The Environmental Statement reports that the habitat on site to be primarily impacted by the proposed development is cultivated arable field. This habitat is of lower ecological value. There are other habits on the site of greater value, including watercourses, woodland and hedgerows. Some loss of hedgerow is required for access and a small amount of hedgerow will be removed to install the cable connection.
- 6.39 In accordance with district-wide mapping, there are likely to be Great Crested Newts on the site, to which the applicant has secured a licence from the Great Crested Newts District Licensing Scheme. Mitigation measures will be used to safeguard individual newts, but some impacts are likely which will be mitigated through the district licensing scheme. The biodiversity metric associated with the proposal indicates a 37% net gain in biodiversity, with features to be retained and enhanced. Planning conditions are required to secure appropriate district licensing and protection of biodiversity.
- 6.40 Policy ENV1 (Landscape and Countryside) and Policy ENV2 (Biodiversity), protect important trees on the site. Most trees on the site are mature trees found in hedgerows. Trees have been identified within this report as having veteran features. These are shown in the notes section of the report as T5, T13, T20, T21, T36 and T38. There are many other trees on the site that have significant arboricultural and landscape value. Some of them are mature high quality oak trees. These are retained as part of the proposals with development, including CCTV, fencing, hard surfacing and solar panels avoiding root protection areas.
- 6.41 The site comprises several ordinary watercourses, to which a 10m buffer either side is to be protected from development, in accordance with Policy ENV4 (Watercourses). As considered above, the proposals avoid impacts on trees and hedgerows, retaining key mature trees. The district licensing scheme has been entered into and can be secured by condition. As such, the proposal is in accordance with Policy ENV1 (Landscape and Countryside) and Policies ENV2 and 3 (Biodiversity). Details of the biodiversity conditions are provided at the end of this report. There is no significant adverse effect on biodiversity, in accordance with Policy DES9 (Renewable Energy).

### **Residential Amenity**

- 6.42 Policy DES6 (Residential Amenity), requires that development proposals demonstrate that they will not result in any adverse impacts on the amenity of neighbouring uses. Most of the land surrounding the site is in agricultural use and the proposal would not result in any conflict with this use. There are residential properties adjacent to the application site in the west corner along London Road (A40), to the south on the opposite side of the A40 and to the north along Rycote Lane (A329).

- 6.43 The closest dwellings to the application site are Heath House (adjacent to the north-west on London Road), Radford House to the north, and Lobbersdown Farm to the north and east. Lower Lobbersdown Farm is also relevant, which is located approximately 100m to the south and east. With regards to Heath House, the proposed layout indicates the panels will be approximately 220m from Heath House itself at their closest point, and around 100m from land associated with it, which aerial images indicate has been a paddock in open countryside use since around 1999/2000.
- 6.44 With regards to reflections and visibility of the solar panels, a desk-based assessment has indicated there may be some theoretical impacts arising from glint and glare to two properties. Geometrically impacts are possible to Heath House to the north and west of the site, and Lower Lobbersdown Farm to the south and east of the site. These could arise when the weather conditions create clear and sunny skies, and the angle of the sun aligns against the panels with a clear view between the receptor and solar panels. The proposal is supported by evidence in an Environmental Statement, including an assessment of visibility and reflections.
- 6.45 The potential impact to Heath House arising from the original proposal could be possible for up to 10 minutes on any given day when a solar reflection is geometrically possible on a clear and sunny day. This event of up to 10 minutes could possibly occur between 05:55 and 06:52 from mid-March to September. The occurrence would also be seen from the general direction of the sun, with the sun considerably brighter, reducing the actual visibility of the reflection.
- 6.46 The potential impact to Lower Lobbersdown Farm arising from the original proposal could be possible for up to 10 minutes on any given day when a solar reflection is geometrically possible on a clear and sunny day. This event of up to 10 minutes could occur between 17:39 and 18:13 from mid-March to the end of September. The occurrence would also be seen from the general direction of the sun, with the sun considerably brighter, reducing the actual visibility of the reflection. Existing vegetation will filter and screen views.
- 6.47 In both cases, the geometrically possible impact is predicted to be low, having regard to the circumstances above, with no material impact on residential amenity arising. However, whilst the potential impacts are considered not to be materially harmful, the applicant has proposed further mitigation in the form of additional tree planting as part of the biodiversity enhancements and also removed additional solar panels from the proposed development to the west.
- 6.48 As such, visibility from the ground floor of Heath House would not be possible and with tree planting in-between the receptor and panels any intervisibility would be obstructed and filtered. On that basis it would be possible to conclude no theoretical potential impacts towards Heath House. With regards to Lower Lobbersdown Farm, the applicant is proposing tree and hedge planting which will further reduce the impact by obstructing and filtering views, in addition to the existing vegetation and buildings. It is possible to conclude the impact is low, which is not materially harmful to residential amenity. Adequate tree

planting mitigation, timing and specification details can be secured by planning condition, supported by appropriate evidence.

- 6.49 With regards to the other properties, the panels will be set back away from Radford House (north of the site adjacent to Rycote Lane) by approximately 50m, Lobbersdown Farm (north-east of the site) by approximately 70m and Lower Lobbersdown Farm (to the south of the site) by approximately 100m. Lobb Cottage (south-west) is set back from the London Road and panels are set back from the property. There will be no impacts arising to residential amenity of these properties.
- 6.50 Indeed, the landscaping strategy plans indicate additional planting to address areas of visual intrusion on the wider landscape and to assist in mitigating the impact on private views. This level of mitigation, including woodland blocks in the north-east corner and additional tree planting along the western boundary with Heath House would result in no unacceptable impacts on residential amenity. The level of visual change would be further mitigated over time as the planting establishes. The visibility of the panels would considerably reduce.
- 6.51 To conclude with regards to residential amenity, there would be no material harm arising from any reflections, which would be further mitigated by tree planting. The proposal incorporates screening adjacent to the boundaries of the site and within the site itself, including retained and enhance areas of woodland and hedgerow. No impacts on roads or aviation have been identified. Impacts from construction will be limited given the type of development proposed, however, impacts will be controlled by normal planning conditions for construction. As such, 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).

### **Access and Parking**

- 6.52 Policy TRANS5 (Transport) is the most relevant transport policy and, amongst other matters, this requires developments to provide a safe and convenient access. The site is approximately 112.8 hectares in size and comprises open fields used for agricultural purposes. It has three existing accesses in the form of simple field gates, of which one is located to the north along the A329 Rycote Lane and two are located to the south along the A40. No public rights of way run either through or immediately adjacent to the site.
- 6.53 As confirmed in paragraph 3.3 of the 'Transport Statement', vehicular access into the solar photovoltaic farm for both construction and operational traffic would be taken from along the A40 using one of the three existing field gates. This would be widened slightly to 6.0m to allow safe access. Suitable visibility plays are achievable. The County Council highways officer has reviewed the proposal and is satisfied that this access arrangement is suitable for the construction and operational phases of the development.



- 6.54 The application documents traffic movements during construction will equate to 8 two-way HGV movements on average per day in the context of a 6-day working week. There would be 20 two-way car movements to and from the site. During the operational phase of the development, the applicant confirms in paragraph 4.12 of the 'Transport Statement' that there would be one trip made per month by van or 4x4 type vehicle for monitoring and maintenance of the solar photovoltaic farm, if required.
- 6.55 The County Council highways officer has considered the impact of these trips and has concluded that they would not result in development HGV traffic causing a severe impact to the local highway network. 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).

### **Flood Risk and Drainage**

- 6.56 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 site is crossed by several ordinary watercourses, which require a 10m buffer either side to be protected from development for ecology purposes, in accordance with Policy ENV4 (Watercourses).
- 6.57 The primary risk of flooding on the site is from surface water and the existing risk of fluvial flooding arising from restricted flows off site through a culvert under the M40. The site is within Flood Zone 1 which has the least probability of flooding. There are small areas of high, medium and low risk of surface water flooding.
- 6.58 These risks can be adequately mitigated through an appropriate drainage strategy, including attenuation on the south boundary. As such, the council's drainage officer and the County Council as Lead Local Flood Authority have no objection to the proposal subject to a condition requiring details of a sustainable drainage scheme.

### **Gas Pipeline**

- 6.59 A high-pressure gas pipeline extends north-south to the east of the application site. It is proposed to retain a 15m buffer either side of the pipeline keeping it clear of development. Policy EP2 (Hazardous Substances) requires proposals in the vicinity of hazardous substances to ensure the health and safety of people. The council will seek to reduce the potential for conflicting land uses and promote safety and protection of the environment.
- 6.60 As the pipeline is a National Gas asset, they have been consulted on the application. They have confirmed in writing that there is no risk to the pipeline or proposed development if the 15m buffer is retained. Conditions can be used to secure a suitable construction method in the vicinity of the pipeline.

- 6.61 National Gas have confirmed they have no objection to the proposals subject to planning conditions to secure an easement to the pipeline, a deed of consent/indemnity agreement and associated protection measures. An earthing report is also required to protect the cathodic protection system used on the pipeline and to secure a right of access for maintenance. As such, the proposal is in accordance with Policy EP2 (Hazardous Substances).

### **Carbon Emissions Reductions and Net Zero Transition**

- 6.62 There is a recognised urgent need to transfer to renewable energy sources globally, including within Oxfordshire and South and Vale of White Horse Districts. This should be balanced with protection of the environment and landscape. The proposal makes a significant contribution towards achieving energy from renewables and whilst avoiding substantial harm on the landscape.
- 5.63 The proposed solar farm will help to meet national and district-level objectives for reducing carbon emissions and reducing reliance on fossil fuels. The UK Government has committed to meeting a legally binding target of net-zero carbon emissions by 2050. South Oxfordshire District Council has also declared a climate emergency with a target to be a carbon neutral district by 2030. The proposal will make a contribution towards achieving those targets.
- 6.64 The low carbon technology sector in Oxfordshire is advanced, utilising high quality technologies. With the Pathways to Net Zero Oxfordshire report indicating a clear route to net zero will include the expansion of solar generating capacity in Oxfordshire, whilst protecting and restoring ecosystems, the proposed development meets those aims. The proposal indicates a retention of agriculture on the site in addition to biodiversity enhancements on the land.

## **7.0 CONCLUSION**

- 7.1 The proposed development is for the installation and operation of solar arrays with a generation capacity of up to 49.9MW, together with all associated works, equipment and necessary infrastructure, on a 112.8 hectares site north of the A40 near Milton Common and Tetsworth. Permission is sought to construct and operate the proposed solar arrays and associated infrastructure for a period of 40 years.
- 7.2 Having regard to the policies of the Development Plan, the principle of development is supported and acceptable in accordance with Policy STRAT1 (Overall Strategy) and Policy DES9 (Renewable Energy), subject to there being no significant adverse effects on the landscape, biodiversity, heritage assets, traffic or residential amenity. These matters have been assessed throughout the report, where it is demonstrated the proposed development will be discernible change within proximity of the site, but this will not give rise to significant adverse effects.
- 7.3 Furthermore, the proposal will not result in the loss of Best and Most Versatile (BMV) Land (Grades 3a and above). Whilst 4.9 hectares of Grade 3a land

exists within the site, it will not be developed. Most of the remainder of the land, which is in 107 hectares in Grade 3b and not BMV land can also continue to be used for agricultural purposes such as grazing. As such, the proposal is in accordance with Policy DES7 (Efficient Use of Resources) and the NPPF. In addition, the applicant indicates improvements to the land for agriculture when operations cease has been secured as part of the contract to operate the solar farm.

- 7.4 In accordance with paragraph 199 of the NPPF, great weight is attached to the significance of the Grade II Listed Cowhouse and its protection. In accordance with paragraph 200 of the NPPF, the very low level of less than substantial harm to the significance is justified by the important public benefits arising from the proposal. The public benefits outweigh this level of harm, which include generating renewable energy and assisting a shift to low carbon energy generation, providing a stable and local energy supply, enhancing energy security, provision of some opportunities for employment, and the proposal's significant contribution to net-zero targets set by national government and mitigating the climate emergency set by the council.
- 7.5 With regards to heritage and archaeology the proposal is, therefore, in accordance with Policy ENV6 (Historic Environment) Policy ENV7 (Listed buildings) and Policy ENV9 (Archaeology and Scheduled Monuments). There will be no significant adverse effect on heritage assets, in accordance with Policy DES9 (Renewable Energy).
- 7.6 With regards to landscape impact, the proposed will result in a discernible change to the area, including in some immediate and filtered views and some longer distance 1.5km+ views where it will be heavily filtered and limited in its effects. Moreover, the degree of change to the landscape will not be dissimilar from other solar arrays development permitted elsewhere in the district. The proposal is in accordance Policy ENV1 (Landscape and Countryside). There is no significant adverse effect on the landscape, in accordance with Policy DES9 (Renewable Energy).
- 7.7 With regards to biodiversity and trees, the proposal will result in a 37% biodiversity net gain on the site, which is in accordance with Policy ENV1 (Landscape and Countryside) and Policies ENV2 and 3 (Biodiversity). Details of the biodiversity conditions to ensure Great Crested Newts are protected and biodiversity enhancements are delivered are provided at the end of this report. There is no significant adverse effect on biodiversity, in accordance with Policy DES9 (Renewable Energy).
- 7.8 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). The proposal is in accordance with Policy TRANS5 (Transport). There is no significant adverse effect on highways, in accordance with Policy DES9 (Renewable Energy).

- 7.9 With regards to drainage and flood risk, the council's drainage engineer and the County Council as Lead Local Flood Authority have no objection to the proposal, subject to a condition requiring a detailed sustainable drainage scheme. The proposal is in accordance with Policy EP4 (Flood Risk) and Policy ENV4 (Watercourses). Protection measures for the gas pipeline within the site can be secured by condition in agreement with National Gas plant protection and the proposal is in accordance with Policy EP2 (Hazardous Substances).
- 7.10 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, 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 more localised impacts, with no significant adverse impact on the landscape, biodiversity and traffic. The proposal will contribute to social sustainability by avoiding adverse impacts on residential amenity. It will help to ensure a steady energy supply which the country requires.
- 7.11 To conclude, this is a development proposal which will avoid the loss of best and most versatile agricultural land, retain agriculture within and between solar panels, propose biodiversity enhancements, tree planting and suitably mitigate other possible impacts arising from the proposal. The proposed development is in accordance with the relevant policies of the South Oxfordshire Local Plan and National Planning Policy Framework. The proposal represents sustainable development, in accordance with the NPPF.

## **8.0 RECOMMENDATION**

**Approval** of planning permission subject to the following conditions:

### **Time limits and approved plans**

- 1. Commencement of development within 3 years**
- 2. Development in accordance with approved plans**
- 3. Temporary permission for a period of 40 years**

### **Pre-commencement conditions**

- 4. Submission of final details of layout, design, and scale of equipment**
- 5. Protection of gas transmission pipeline measures**
- 6. Archaeological Written Scheme of Investigation**
- 7. Programme of archaeological mitigation**
- 8. Sustainable drainage scheme details**
- 9. Construction traffic management plan**
- 10. Landscaping scheme and implementation**
- 11. Landscape and biodiversity management plan**
- 12. Tree protection measures**
- 13. Biodiversity enhancement plan**
- 14. Construction environment management plan for biodiversity**
- 15. Ecology district licence compliance certificate**

**Compliance conditions**

- 16. Compliance with ecology district licence**
- 17. Vision splay implementation and protection**
- 18. Construction traffic access implementation**
- 19. Lighting restriction**
- 20. Removal of solar panels in the event not used for 6 months**

**End of development condition**

- 21. Decommissioning Method Statement and restoration of the land plans. Works to be submitted prior to 6 months of the expiry of the 40 year permission and returned to agricultural use within 18 months.**

**Informative: District licence requirements**

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