

APPLICATION NO.	P20/S4360/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	16.11.2020
PARISH	NUNEHAM COURTENAY
WARD MEMBER(S)	Sam Casey-Rerhaye Elizabeth Gillespie
APPLICANT	Mr Simon Wheeler
SITE	Land to South West of Cowley Substation Nuneham Courtenay, OX44 9PA
PROPOSAL	Installation of renewable led energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements.
OFFICER	Nicola Smith

UPDATE FOLLOWING PLANNING COMMITTEE

In accordance with the requirements of Section 77 of the Town and Country Planning Act 1990 it is necessary to refer this planning application to the Secretary of State . The application is located in the Oxford Green Belt and comprises development which, falls within the definition of “Green Belt development” as set out in paragraph 4 of the Town and Country Planning (Consultation) (England) Direction 2009.

An update to the report was given at the Planning Committee meeting 12 December 2021 and an amended resolution was considered and agreed as follows:

“Grant planning permission subject to: (i) Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009; and (ii) Subject to the application not being called-in by the Secretary of State for determination, grant planning permission subject to conditions”.

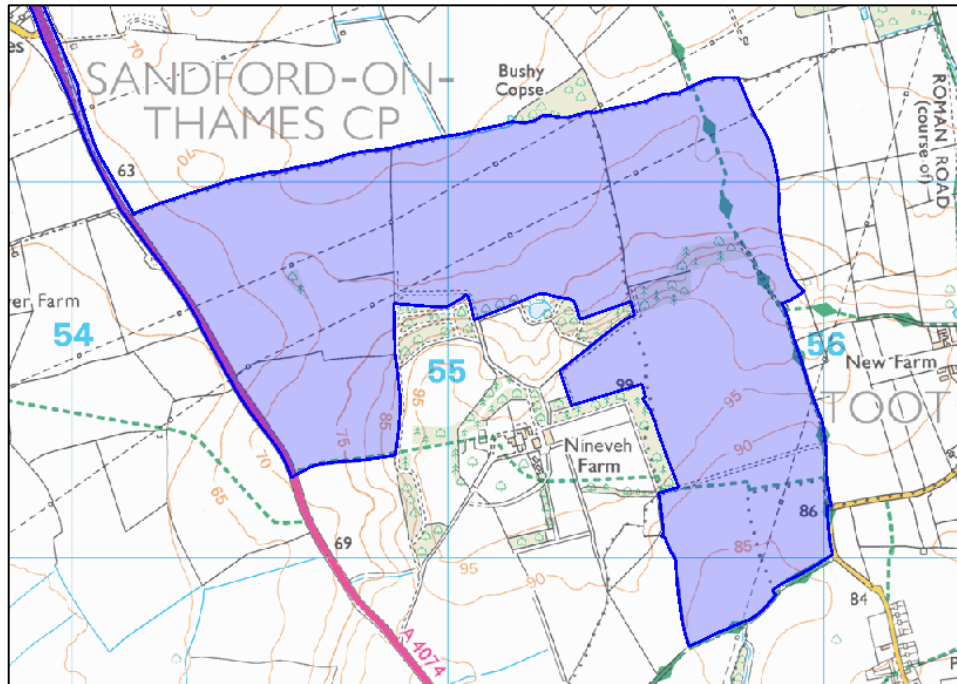
Following the meeting the application was duly referred to the Secretary of State and a decision issued by the National Planning Casework Unit on 6 January 2022 advised that the Secretary of State would not intervene in the case.

1.0 INTRODUCTION AND PROPOSAL

- 1.1 Officers recommend that planning permission is granted. This report explains how officers have reached this conclusion.
- 1.2 The application is referred to the Planning Committee as the officer recommendation conflicts with the views of the Parish Councils in which the application site is located. The application site extends over three Parishes Nuneham Courtenay, Toot Baldon and Marsh Baldon. The application is also being referred so that Planning Committee can consider the cumulative impacts of solar farm proposals in the District.
- 1.3 This 123-hectare site (excluding the grid connection route), which is shown on the OS extract **attached** as **Appendix A**, is located to the south of the Oxford Science Park

and to the north of Nuneham Courtenay village. The site consists of 6 arable fields which are categorised variously as Grade 2 (very high quality), Grade 3a (high quality) and Grade 3b (moderate quality) agricultural land. Most of the land surrounding the site is also in agricultural use.

- 1.4 The site is wholly located within the Oxford Green Belt.
- 1.5 The site is crossed by two public rights of way, TOOFP14 crosses the site in an east – west direction between fields 5 and 6, and TOOFP03, forms part of the Oxford Green Belt Way running in a north – south direction along the edge of field 5 and through field 4, as shown on the OS extract below.

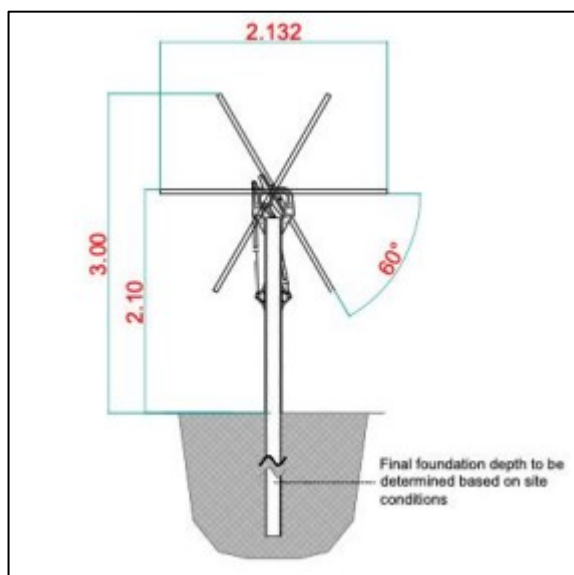


- 1.6 The site is considered to be within the setting of a number of heritage assets, including the Registered Park and Garden at Nuneham Courtenay, four Conservation Areas, numerous listed buildings and two Scheduled Monuments. Consideration should also be given to the City of Oxford's protected views.
- 1.7 The application proposes the construction and operation of a solar photovoltaic farm with battery storage and associated infrastructure. Cowley substation is located some 500 metres to the north east of the application site, into which the proposed development would connect. The panels would generate up to 45 megawatts (MW) of power, enough to power approximately 11,700 homes. Based on the scale and nature of the proposal, it is Environmental Impact Appraisal (EIA) development and the application is therefore accompanied by an Environmental Statement (ES).
- 1.8 Planning permission is sought to operate the plant for 40 years, after which it would be decommissioned and the land returned to its previous state. The development includes the following equipment:
 - Solar photovoltaic (PV) panels, ground mounted onto a piled tracking sub structure;
 - 14 inverter/transformer stations distributed evenly across the solar farm
 - String combiner boxes to combine multiple strings of PV panels;
 - Approximately 20 battery storage containers measuring approximately 12m x 2.4m and 2.9m in height;
 - Compacted crushed stone internal tracks;

- 2.2m high security deer type fencing and gates to enclose the parameters of the site and allow sheep to graze securely;
- Security and monitoring CCTV/infra-red cameras mounted on fence posts along the perimeter of the site;
- Substation measuring approximately 12.5m x 5.5m and 4.2m in height
- Underground and cable tray cabling to connect the panels, inverters and battery storage to the proposed on-site substation;
- Underground cable connecting the on-site sub-station to Cowley Substation;

The solar panels would be laid out in rows with gaps of approximately 2-6 metres between each row, mounted on a tracking structure which is fixed into the ground by pile-driven posts, meaning no concrete is used.

- 1.9 The Site plan showing field numbers, and the proposed, landscape masterplan are **attached** as **Appendix A** and **B** respectively. The application is also accompanied by several technical documents including the Environmental Statement (ES) and Glint and Glare assessment. The application is also accompanied by a Statement of Community Involvement which provides details of the pre-application public consultation undertaken with local communities. These supporting documents can be reviewed on the council's website at the following link:
<https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P20/S4360/FUL>
- 1.10 The application has been updated on several occasions during the planning application process, with additional information submitted in relation to heritage, ecology, landscape and archaeology. The application plans were also revised during the application process to increase the buffers to the public footpaths and to remove panels from field 6 due to its status as Grade 2 Agricultural land.
- 1.11 The proposal uses relatively new tracking technology, which are described by the applicant as highly efficient, where the panels, aligned on a north-south row, track the movement of the sun throughout that course of the day. The panels would tilt from east facing in the morning to west facing in the afternoon, thereby maximising the amount of solar radiation they can absorb throughout the day. They are also bifacial, meaning they absorb light on both sides. As shown in the diagram below, which is taken from the submitted plans:



- 1.12 The Design and Access Statement submitted in support of the application states “*The panel technology also utilises high efficiency monocrystalline cells meaning fewer panels are required to be installed on the site to achieve the target capacity. The combination of high-efficiency bifacial panels and the tracking system increases the production of electricity from the site by 20- 25% compared to static, monofacial systems.*”

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 2.1 A summary of the latest responses received to the proposal is below. A full copy of all the comments made including those in respect of previous iterations of the proposals can be seen online at:

- 2.2 Parish Councils, local residents and interest groups:

Marsh Baldon and Toot Baldon Parish Councils	<p>Object</p> <ul style="list-style-type: none"> • The application is contrary to national policy as the harm to the green belt outweighs the benefits • The application is contrary to local plan policies • The application is contrary to the Baldons Neighbourhood Plan
Nuneham Courtenay Parish Council	<p>Object</p> <ul style="list-style-type: none"> • Loss of countryside • Damage local amenity • Compromise the setting of Nuneham Courtenay • Unavoidable landscape harm • Adversely affect wildlife • Dominate the landscape • Unacceptable loss of Green Belt • Compromise the separation of the proposed Grenoble Road development and Nuneham Courtenay
Sandford-on-Thames Parish Council	<p>Object</p> <ul style="list-style-type: none"> • Loss of open countryside and unacceptable landscape harm • Damage to local amenity, in particular from public rights of way • The land should be used for food production • Loss of Green Belt
Garsington Parish Council	<p>No objections</p> <ul style="list-style-type: none"> • Support the environmental management plan
Neighbour representations	<p>A total of 50 comments were received in objection to the proposed development, 39 comments in relation to the original submission and a further 11 in response to the amendments to the scheme. The comments on planning matters are summarised as follows:</p> <ul style="list-style-type: none"> • Impact on the openness of the Green Belt • The application conflicts with the policies in the recently adopted South Oxfordshire local plan 2035 for

	<p>protecting the landscape and countryside and the policy for safeguarding the Green Belt.</p> <ul style="list-style-type: none">• Combined with the proposed Grenoble Road development this will drastically affect the Green Belt south of Oxford.• The Proposed Development is not a form of sustainable development.• It is twice the land size yet would produce the same amount of electricity as similar schemes covering half the area currently under consideration by SODC s planning department.• The siting on the North slope makes this even more inefficient and this project will mean the extensive use of batteries, which will need replacement and disposal.• Adverse impact on biodiversity• Significant landscape and visual impact• The raised nature of the site will mean the visual amenity of the site will have a detrimental impact.• Potential noise impact of the tracker panels• There are many more suitable locations• Impact on the amenity of local residents• A wildlife corridor, recreational and visual amenity will be replaced by a noisy, sterile eyesore• This application is contrary to Green belt policy and will create an industrialized appearance whose footpaths will be unattractive to walkers.• Most energy demand is during the evening and winter months, when solar generation is at its lowest. The UK's natural advantages are in wind and wave, not solar.• The special landscape character of the Baldons is clearly threatened by this proposal.• Contrary to the Baldons Neighbourhood Plan• Loss of agricultural land, some of the land proposed for the farm is of prime agricultural value.• The detrimental effects outweigh any environmental benefits• it is not credible that the site will be returned to its former use after decades of operation• Harm would be caused to the character and heritage assets of the neighbouring villages• The proposals do not illustrate the full extent of the effects of the solar farm on the views and character of the area• This proposal represents an industrial development and contravenes and conflicts with the policies in the recently adopted South Oxfordshire local plan.• There are no special circumstances that would justify this proposal• Nuneham Courtenay cannot cope with the extra traffic that this development will generate during and after the completion• Potential flooding risk
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	<ul style="list-style-type: none"> • The choice of site appears to have been influenced by the proximity of the Cowley substation, but this is not enough to justify and outweigh the damage to the land, the Green Belt, and the environment. • The proposal would set a precedent for more development • There is no indication that the impact on the soil and its Carbon capturing capacity has been taken into account. • The footpaths would be enclosed by fences • Adverse impact on local heritage • The proposed landscaping is unacceptable and inadequate <p>3 comments have been received in support of the proposal; their comments are summarised as:</p> <ul style="list-style-type: none"> • The Proposed Development represents a clear form of sustainable development, • South Oxfordshire District Council, have declared a Climate Emergency and this application proposes precisely the type of new energy infrastructure needed to help counter that very serious threat. • The solar farm would provide the equivalent annual electrical needs of approximately 13,000 family homes and displace circa 23,000 tonnes of carbon dioxide per annum. • The Proposed Development will provide significant biodiversity enhancements • This application has carefully designed mitigation measures to minimise landscape and visual impact • The field where the panels are proposed is screened from the road by a hedge; it is unlikely to be a significant eyesore.
Oxford Preservation Trust	<p>Object</p> <ul style="list-style-type: none"> • Whilst the principle of renewable led energy is strongly supported, this is not an appropriate site for a development of this nature • It is a prominent slope on the edge of Oxford and one which will be highly visible in the landscape surrounding the city • Loss of Green Belt • Impact on the Historic Landscape of Oxford • Impact on Residential Amenity • Further comments submitted in response to amendments re-iterate the above concerns and suggest the Council should have a strategy for solar farm development.
Baldons Green Belt Group	<p>Object</p> <ul style="list-style-type: none"> • Contrary to national, and local policies regarding renewable energy • conflicts with the policies in the recently adopted South Oxfordshire Local Plan 2035 for protecting the

	<p>landscape and countryside and the policy for safeguarding the Green Belt.</p> <ul style="list-style-type: none"> • it would have an extremely adverse impact on the historic setting of Oxford • It would be highly visible and intrusive to drivers on the A4074 • Harm to the openness of the green belt • Serious adverse effect on the historic environment • Significant adverse effect on the residential amenity of the residents of the Baldons and Nuneham Courtenay, those that live in the existing Grenoble Road estate, and of those that will, in the future, live in the planned new development at Grenoble Road • Block any visual openness from the planned new settlement [Grenoble Road] towards the villages of Nuneham Courtenay, Marsh Baldon and Toot Baldon. • It would effectively lead to a coalescence of settlements and a continuous swathe of development over Green Belt • A further response to the amendments re-iterates the previous concerns.
<p>CPRE Rights of Way)</p>	<p>Object</p> <ul style="list-style-type: none"> • Harm to the attractive hilly landscape with wide views, through which rights of way pass • Renewable energy can be achieved by systematically including PV systems in newly-built housing and industrial developments
<p>South Oxfordshire District of Campaign to Protect Rural England (CPRE)</p>	<p>Object</p> <ul style="list-style-type: none"> • CPRE Oxfordshire is opposed to solar farms in the countryside for the damage they do to the landscape • The proposed solar farm is unacceptable in principle, it is contrary to local & national planning policies and there are no exceptional circumstances to support its approval. • The development will result in a significant loss of open countryside, loss of amenity value and a visual intrusion within the Oxford Green Belt. • The development will result in an alien industrial intrusion into the presently open views of the attractive countryside from the A4074 & the Public Rights of Way (PRoWs). • The proposed industrial development is inappropriate in the countryside, it will have a significantly adverse effect on the landscape, is contrary to the first four purposes of the Green Belt and takes valuable agricultural land out of worthwhile production. • The development will increase the visual & actual expansion of the built form of Oxford into the Green Belt and towards the villages of the Baldons & the historic settlement of Nuneham Courtenay on top of the planned development of 3,000 houses at Grenoble Road
<p>Oxford Science Village</p>	<p>Object</p>

Partners (Land at Grenoble Road)	<ul style="list-style-type: none"> • Further evidence that the solar farm will not prejudice the delivery of the adjacent Strategic Allocation is required • Potential impacts on amenities of the Strategic Allocation, including its residents, users of the public open spaces that it will provide and also users of the public rights of way that will pass through it. • Further comments submitted in respect of the amendments re-iterate previous concerns and comments that: it does not adequately identify and assess the potential effects on the future development that will take place within the strategic allocation; the mitigation proposed by the addendum is undeliverable as it relies on land outside of the applicant's control; and the proposed mitigation is not adequate to address the significant effects on the Strategic Allocation.
Gardens Trust	<p>Object</p> <ul style="list-style-type: none"> • the proposal will have a significant effect on the setting of the Grade I registered park.
Georgian Group	<p>Object</p> <ul style="list-style-type: none"> • adverse harm to the Registered Park and Garden, conservation area, several designated heritage assets and views to Oxford City.

2.3 Technical Consultees:

Insight & Policy (Climate Action Lead Officer)	<p>Support</p> <ul style="list-style-type: none"> • Achieving the national net zero carbon target will require the removal of virtually all fossil fuels from the energy mix. • It will become increasingly important that electricity is supplied from low and zero carbon sources including solar and wind energy. • There is a strong case for locating energy generation as close as possible to demand • To meet our Climate Emergency target of zero carbon by 2030 we need to reach South Oxfordshire's full potential for renewable energy infrastructure.
Conservation Officer	<p>There would be a low level of harm to the significance of various heritage assets of high significance. Officers must be satisfied that the public benefits of the scheme clearly and demonstrably outweigh the harm to the heritage assets</p>
Historic England	<p>No objection</p> <ul style="list-style-type: none"> • The development would cause minor losses of significance to some designated heritage assets.
Countryside Officer	<p>No objection</p> <ul style="list-style-type: none"> • subject to a condition requiring the submission of a Construction Environment Management Plan (CEMP)

Drainage Officer	<p>No objection</p> <ul style="list-style-type: none"> subject to a condition requiring the submission of a detailed sustainable drainage scheme
Forestry Officer	<p>No objection</p> <ul style="list-style-type: none"> subject to a condition ensuring trees are protected during development
Contaminated Land	<p>No objection</p>
Landscape Architect	<p>No objection</p> <ul style="list-style-type: none"> Subject to conditions securing the landscape mitigation as proposed.
Natural England	<p>No objection</p> <ul style="list-style-type: none"> Natural England considers that the proposed development will not have significant adverse impacts on protected landscapes or designated sites and has no objection.
Environment Agency	<p>No objection</p> <ul style="list-style-type: none"> subject to condition requiring that development is carried out in accordance with the Flood Risk Assessment and the mitigation measures it details
Oxford City Council (Planning)	<p>Objection</p> <ul style="list-style-type: none"> Concerns about the scale and location of the proposal in the Oxford Green Belt summarised as follows: Impact of the proposal on the Green Belt Size and scale of the proposal Landscape impact
Oxfordshire County Council Single Response	<p><i>Transport Development Control</i></p> <p>No objection</p> <ul style="list-style-type: none"> Subject to conditions requiring improvements to the access, visibility splay details and a Construction Traffic Management Plan (CTMP) <p><i>Lead Local Flood Authority</i></p> <p>No objection</p> <ul style="list-style-type: none"> Subject to conditions set by the South and Vale Drainage team. <p><i>Archaeology</i></p> <p>No objection</p> <ul style="list-style-type: none"> Subject to conditions requiring an archaeological watching brief and written scheme of investigation, and that no development is carried out in the mitigation area.

3.0 RELEVANT PLANNING HISTORY

3.1 [P19/S3264/PEJ](#) - Other Outcome (19/05/2020)

The proposed development will comprise the following; construction and operation of a grid connected solar PV farm, with battery storage and other associated infrastructure.

[P20/S0562/FUL](#) - Approved (13/05/2020)

Installation of 33kV Underground Cable (as amended by plans received on 20 April 2020)

[P20/S0002/PEJ](#) - Other Outcome (12/02/2020)

Proposed Temporary Installation of a Battery Storage and Peaking Gas Development

[P19/S0623/FUL](#) - Approved (19/07/2019)

Construction and operation of a 49.9MW battery storage facility, access road and hard surfacing; and a habitat management area on land to the South of the existing Cowley substation. As clarified by Applicant's email dated 3 April 2019 and as further clarified and amended by Botanical Report, Habitat Management Plan, Updated Net Gain Assessment accompanying Agent's letter dated 29 May 2019 and Agent's letter dated 15 July 2019.

[P17/S4225/PEM](#) - Other Outcome (08/01/2018)

Installation of a battery-based energy storage facility (with maximum charge and discharge rate of up to 49.99mw) together with transformer, parking area, CCTC, landscaping, security fencing and associated infrastructure and equipment.

[P93/W0548/OH](#) - Approved (17/11/1993)

Erection of 33kV overhead electricity line

[P93/W0327/OH](#) - Approved (18/08/1993)

Erection of 33kv overhead line

[P62/M1209/OH](#) - Other Outcome (12/04/1965)

COWLEY - OXFORD 132 KV LINE

[P63/M0502](#) - Approved (22/08/1963)

400/132 KV ELECTRICITY SUB-STATION WITH ACCESS

[P63/M0183](#) - Approved (15/05/1963)

ESTABLISHMENT OF A 400/132 KV ELECTRICITY SUB-STATION AND CONSTRUCTION OF ACCESS ROAD.

[P60/R1573/OH](#) - Other Outcome (04/02/1960)

OVERHEAD LINES IN THE PARISHES OF WARBOROUGH, DORCHESTER, DRAYTON ST.LEONARD, TOOT BALDON, STADHAMPTON, GARSINGTON, OXON AND BRIGHTWELL-CUM-SOTWELL AND MUNICIPAL BOROUGH OF WALLINGFORD. VOLTAGE 33,000 A.C.

[P59/M0426/OH](#) - Other Outcome (04/02/1960)

OVERHEAD LINES WARBOROUGH, DORCHESTER, DRAYTON ST. LEONARD, TOOT BALDON, STADHAMPTON, GARSINGTON, OXON AND BRIGHTWELL-CUM-SOTWELL AND MUNICIPAL BOROUG H OF WALLINGFORD. VOLTAGE 33,000 A.C.

[P58/M0449/OH](#) - Other Outcome (11/08/1958)

OVERHEAD LINES SANDFORD-ON-THAMES VOLTAGE 11,000 A.C., AND 415/240 A.C.

[P55/M0064/OH](#) - Other Outcome (25/05/1955)

OVERHEAD LINES IN THE PARISHES OF LITTLEMORE AND SANDFORD-ON-THAMES. VOLTAGE 11, 000 A.C. AND 415/240 A.C.

[P53/M0060/OH](#) - Other Outcome (08/05/1953)

OVERHEAD LINES IN THE PARISH OF SANDFORD-ON-THAMES VOLTAGE 11,000 A.C. AND 415/2 40 A.C.

[P52/M0072/OH](#) - Other Outcome (15/01/1953)

OVERHEAD LINES IN THE PARISHES OF GARSINGTON, DENTON AND LITTLE MILTON

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 Officers have considered the size and nature of the proposed development, the characteristics of the site and cumulative impacts. Based on the likely environmental impacts of the development, the development is considered to be Environmental Impact Assessment (EIA) development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4.2 A positive Screening Opinion was issued on 29 July 2020, which confirmed that the proposals are EIA development. An Environmental Statement (ES) has therefore been submitted with this planning application. The specific environmental topics scoped into the ES include landscape and visual impact, and cultural heritage. Officers have taken the ES into account.

5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

In the case of South Oxfordshire, the Development Plan is the South Oxfordshire Local Plan 2035, which was adopted in December 2020 and any “made” Neighbourhood Plans within the relevant geographical area. The Baldons has a made Neighbourhood Development Plan, the development is partially within the designated are of the made Neighbourhood Plan. Nuneham Courtenay does not have a made Neighbourhood Plan.

5.2 **South Oxfordshire Local Plan 2035 (SOLP) Policies:**

STRAT1 - The Overall Strategy

STRAT6 - Green Belt

STRAT11 - Land south of Grenoble Road

EMP10 - Development in Rural Areas

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

ENV4 - Watercourses

ENV5 - Green Infrastructure in New Developments

ENV6 - Historic Environment

ENV7 - Listed Buildings

ENV8 - Conservation Areas

ENV9 - Archaeology and Scheduled Monuments

ENV10 - Historic Battlefields, Registered Parks and Gardens and Historic Landscapes

ENV11 – Pollution – Impact from Existing / Previous Land Uses

ENV12 - Pollution - Impact of Development on human health, the natural environment and/or local amenity

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES9 - Renewable Energy

TRANS4 - Transport Assessments, Transport Statements and Travel Plans

TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

Baldons Neighbourhood Plan

Policy 1 - General principles

Policy 3 - Local Gaps

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

Developer Contributions SPD

5.4 National Planning Policy Framework and Planning Practice Guidance

5.5 Other Planning Guidance/Documents

- 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
- Oxfordshire Energy Strategy
- National Infrastructure Commission - Net Zero - Opportunities for the Power Sector
- Oxfordshire County Council (OCC) Position Statement for Major Development Proposals for Ground-mounted Solar PV Arrays
- BRE's Planning Guidance for Large Scale Ground Mounted Solar PV Systems
- The Solar Trade Association's Solar Farm 10 Commitments

5.6 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**
- **Green Belt - very special circumstances**
- **Landscape and visual impact**
- **Impact on heritage assets**
- **Ecology and trees**
- **Loss of agricultural land**
- **Residential amenity**
- **Access and Transport**
- **Environmental matters (flooding, drainage)**
- **Cumulative impacts**
- **Other material planning considerations**

Principle of Development

- 6.2 There is a strong national and international agenda to reduce CO2 emissions through the generation of energy from renewable sources. National planning policy on renewable energy development is set out in the National Planning Policy Framework (NPPF) at paragraphs 152 - 158 and Planning Practice Guidance: Renewable and Low Carbon Energy (PPG). National guidance on proposals affecting the Green Belt is set out in the NPPF at paragraphs 147-151 and Planning Practice Guidance: Green Belt
- 6.3 In respect of renewable energy the NPPF, at paragraph 152, sets out its support for renewable energy development. It states that *“The planning system should support the transition to a low carbon future in a changing climate, ... It should help to: ... support renewable and low carbon energy and associated infrastructure.”*
- 6.4 The NPPF continues at para. 158, *“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.”*
- 6.5 The PPG 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.”*
- 6.6 The PPG adds that *“renewable energy developments should be acceptable for their location.”* and that *“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.*
- 6.7 Recently, national policy has been updated by the Government in 'The Ten Point Plan for a Green Industrial Revolution' (November 2020), and in the 'National Infrastructure Strategy' (November 2020), and in the Energy White Paper (December 2020). Most recently, on 19th October 2021, the Government published its policy paper Net Zero Strategy: Building Back Greener, which addresses power generation in chapter 3i, specifically mentioning solar power as a priority in the second of its points under the title “Our Key Commitment.”
- 6.8 In short national guidance provides positive encouragement for renewable energy projects, stating that the planning system should support the transition to a low carbon future and should support renewable and low carbon energy and associated infrastructure. When determining applications for renewable and low carbon development local planning authorities should approve such applications if its impacts are or can be made acceptable. In principle, therefore, there is policy support for development of this nature. However, the overall acceptability of development is dependent on other material considerations, including the principle of the development in the Green Belt.

6.9 In respect of Green Belt, the NPPF states at paragraph 137 *“The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”* Paragraph 138 of the NPPF sets out the five purposes of the Green Belt:

(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

(c) to assist in safeguarding the countryside from encroachment;

(d) to preserve the setting and special character of historic towns; and

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.10 The NPPF addresses the appropriateness of locating renewable energy developments in the Green Belt at paragraph 151, which states: *“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”*

6.11 In terms of local policy, the South Oxfordshire Local Plan 2035 (SOLP 2035) does not identify suitable areas or specific sites for renewable or low carbon energy projects. Policy DES9 of the SOLP 2035 is concerned with renewable and low carbon energy and 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 and 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 assets, including development within their setting;*
- iii) openness of the Green Belt;*
- iv) the safe movement of traffic or pedestrians; or*
- v) residential amenity.*

6.12 Policy STRAT6 of the SOLP 2035 follows national policy in relation to Green Belt, stating: *“To ensure the Green Belt continues to serve its key functions, it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

Green Belt - very special circumstances

6.13

Due to the size and nature of the development officers consider that the proposal is inappropriate development in the Green Belt. National and local policy is clear, therefore, that for this application to be successful, there must exist very special circumstances to justify the use of Green Belt land for this proposal. In particular SOLP 2035 Policy DES9 supports proposals which do not cause significant adverse effects to the openness of the Green Belt.

- 6.14 The NPPF states at paragraph 148 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”* Very special circumstances is therefore the outcome of the planning balance exercise where the harms are clearly outweighed by the benefits.
- 6.15 In the case of solar farm development and other renewable energy proposals, the NPPF guides Local Planning Authorities by the statement in paragraph 151 *“Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”*. It is therefore necessary to look at the openness of the Green Belt and establish if there would be harm arising from the proposal, and then balance that against the wider environmental benefits, thereby concluding if very special circumstances exist or not. Further impacts of the development are explored in subsequent sections.

Openness of the Green Belt

- 6.16 The concept of openness is related to the underlying aim of Green Belt policy *“to prevent urban sprawl by keeping land permanently open...”* and to the purposes of the Green Belt, particularly (a) *to check the unrestricted sprawl of large built-up areas;* (b) *to prevent neighbouring towns merging into one another;* and (c) *to assist in safeguarding the countryside from encroachment;*. It is not necessarily a statement about the visual qualities of the land, although that may also be considered, it is also not necessarily reliant on the site being visible from public vantage points as development on an enclosed site could also be considered to harm openness.
- 6.17 At present the site consists of six arable fields as part of a functioning farm landscape, aside from the Nineveh Farm complex (central to the site but outside the application site area) there are no buildings that currently exist on the site. The site is not located adjacent to any residential properties, except the main Nineveh farmhouse and two cottages. The tree line at the highest part of the site separates fields 5 and 6 from fields 1-4 to the north, the site is generally enclosed from wider views. At present the site is considered to be open and contributing to the aims of the Green Belt.
- 6.18 The National Planning Policy Guidance includes guidance on what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt: *“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
 - *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*

- *the degree of activity likely to be generated, such as traffic generation.*”

- 6.19 With regard to visual impacts, these are explored in detail in paragraphs 6.28-6.34 below, however, the site’s visual connection to the wider landscape is limited by the extensive tree planting on the boundaries, which is proposed to be retained and enhanced by the scheme. In particular, the rising ground in the centre of the site (where no panels are proposed), and the established woodland that is situated on the ridgeline provide a degree of visual containment. However, two rights of way pass through the development site, including a National Trail (Oxford Green Belt Way), and the proposal would have a significant visual impact from these public vantage points. As set out in paragraph 6.15 above, a site does not have to be visible from a public vantage point for development to have an impact on openness.
- 6.20 With regard to the second point of the PPG guidance in paragraph 6.16 above, the application is for a 40 year operational period and the proposal is to revert the land back to agricultural use after that time. A condition can secure this, and some weight is given to this factor.
- 6.21 The third point of the PPG guidance quoted above factors in the degree of activity resulting from the proposed development. A solar farm, once constructed, requires little maintenance and the traffic and activity generated during the operational phase is minimal.
- 6.22 In relation to the purposes of the Green Belt, paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the most important attribute of Green Belts is their openness and permanence. Whilst the proposal here is low to the ground within a well screened and visually contained site officers consider that this built development would have an impact upon the openness of the Oxford Green Belt albeit for a long term temporary period.
- 6.23 The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In terms of site selection, Officers accept that a difficult balance has to be struck between finding sites of sufficient size with good grid connection, with acceptable landscape, residential amenity, ecology, hydrology or heritage impacts. The point of connection is a significant driver for site selection and contributing towards very special circumstances discussed below. Paragraph 006 of the NPPG advises that ‘Examples of considerations for particular renewable energy technologies that can affect their siting include proximity of grid connection infrastructure and site size.’
- 6.24 The site has been chosen following a selection procedure undertaken by the applicant. It is accepted that proximity to the grid/power lines is critical and that there is capacity at the nearby Cowley Substation. In South Oxfordshire much of the opportunity for renewable energy in proximity to the Cowley Substation lies within the Green Belt.
- 6.25 Wider environmental benefits
In 2019 the UK Parliament declared a national climate emergency as did several local authorities including South Oxfordshire (in February 2019). By producing enough power to supply the demand of 13,000 family homes and offset the production of 23,000 tonnes of CO² per annum, this proposal would clearly play a part in achieving emission targets at a local and national level. The benefits of this to the environment and the contribution this will make to the reduction of emission is clear. This is given considerable positive weight by Officers as a “very special circumstance”.

- 6.26 Solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide. Solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels. The government has committed to sustained growth in solar capacity to ensure that the UK is on a pathway that allows us to meet net zero emissions. As such solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector (as set out in Draft National Policy statement EN-3).
- 6.27 The use of the battery storage facility is considered to reinforce the power generation capacity of the solar farm. Energy will be stored at times of low demand and released when there is higher demand or when there is less power being produced in cloudy conditions. The tracker, bifacial panels also produce 20-25% more energy than standard panels. This is given some weight.

Landscape and Visual Impact

- 6.28 The proposed site is located within the Nuneham Courtney Ridge landscape character (LCA) area and within the Open Farmland Hills and Valley landscape character type (LCT). Although overhead transmission lines are present, the site and surrounding landscape are primarily rural and agricultural in nature and have a value for recreational activities as demonstrated by the presence of several public rights of way.
- 6.29 The application is supported by a Landscape and Visual Impact Assessment (LVIA) as part of the larger ES. The LVIA acknowledges that within the site there would be a potentially significant effect from those public rights of way passing through the site. The LVIA assesses that there would be no significant visual effects outside the boundaries of the site. This conclusion is not challenged by the Council's Landscape Officer. With the exception of field 4, the site is well screened from the surrounding area and views from surrounding public vantage points are limited to glimpses.
- 6.30 As described above, the site is crossed by two public rights of way. Footpath NUNFP07 originates at the A4074 and passes along the edge of the site at field 1, adjacent to the proposed skylark mitigation area, which is shown as tussocky grassland, in this location there is approximately 62 metres between the footpath and the fence line surrounding panels. This footpath continues through the Nineveh Farm complex, outside the site area. Where this footpath becomes TOOF14 it passes to the north of the retained farmland (field 6) and to the south of field 5, containing panels. The panels are proposed on the north side of the field boundary, thereby providing an offset from the footpath to the panels, varying from 21 metres to over 100 metres. The experience of travelling this footpath will be altered by the proposed development, but not detrimentally so due to the large landscape offset areas between the footpath and panel areas.
- 6.31 Footpath TOOF03 forms part of the Oxford Greenbelt Way National Trail and enters the site at the south close to the junction with footpath TOOF14 continuing northwards along the edge of field 5, with panels on one side, up to the wooded ridge and descending into field 4, passing through panels on either side. A corridor of 25-30 metres, described on the application plans as "Toot Baldon wildflower avenue" passes between panels on either side of the footpath.
- 6.32 At present the field is very flat and open with clear views in a northerly direction to Cowley substation and the southern edge of Oxford. Clearly the development of the field as a solar farm will change the experience of travelling along this footpath, however, the applicant has carefully considered how to create a suitable corridor for this national trail through the panels and has proposed a variety of planting including

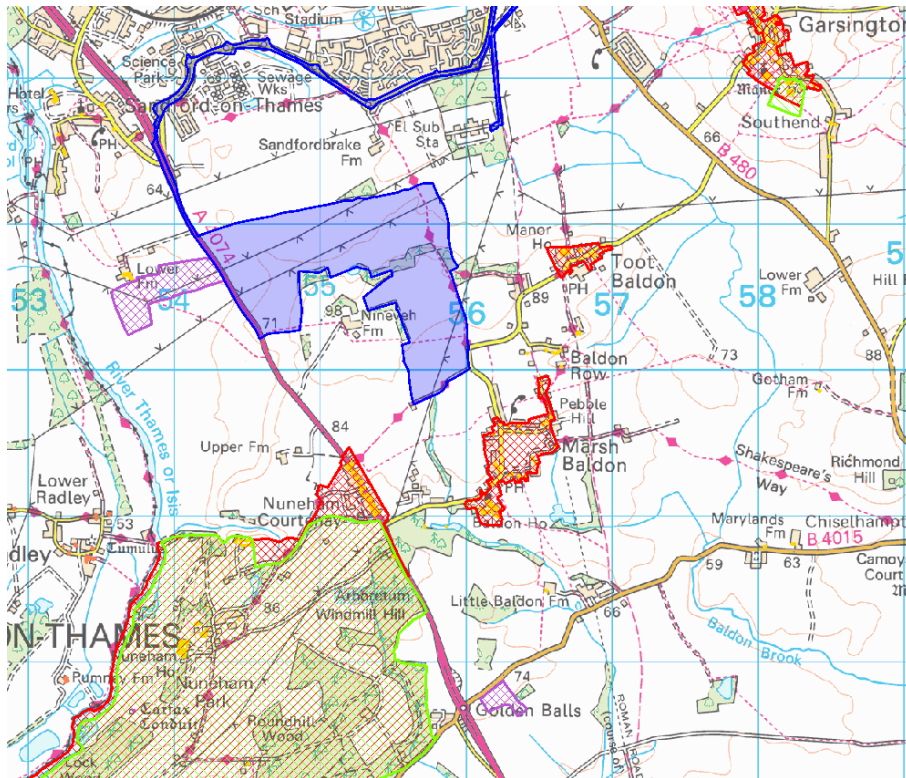
native species and wildflowers to the satisfaction of the Landscape Officer. The details of planting species and density throughout the site are secured by condition.

- 6.33 Concerns were raised by the Landscape Officer regarding the massing of the solar panels and further planting was requested along the field boundaries to break up the massing of the panels. Throughout the application process various revisions were submitted to overcome the concerns of the Landscape Officer these included:
- the widening of the green corridor containing the Oxford Greenbelt Way within fields 5 and 6;
 - increasing the offset from the watercourse between fields 2 and 3, and increasing planting along this corridor;
 - increasing the planting along the northern boundary;
 - providing more information about planting proposals.
- The Landscape Officer has confirmed that the revisions and additional information submitted as part of the application are acceptable subject to conditions
- 6.34 The landscape proposals are shown on the plan at **Appendix B**. The proposals for landscape enhancement largely consist of field boundary hedgerow enhancements, particularly on the northern, eastern and western edges of the site, as well as tree belt planting alongside the watercourses and habitat creation within the site. Native species are proposed with reference to the local area. This landscape screening will further reduce the long-distance views of the solar farm.

Impact on Heritage Assets

- 6.35 As set out in the introductory paragraphs above, the site is surrounded by a large number of heritage assets, including the following:
- Nuneham Park Registered park and garden
 - Conservation areas at Garsington, Toot Baldon, Marsh Baldon and the Nuneham Courtenay Estate
 - Scheduled Monuments at Lower Farm, and the Carfax Conduit (within Nuneham Park)
 - Listed buildings including 1 x Grade I, 5 x Grade II* and the village of Nuneham Courtenay

The relationship of the site (shaded blue) to these assets is shown on the plan below, where the conservation areas are hatched red, Nuneham Park in green, scheduled monuments in purple and listed buildings in yellow:



- 6.36 NPPF Paragraph 198 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.37 Both the applicant and the Conservation Officer agree that the significance of the heritage assets affected in this instance are high and therefore the LPA must give an accordingly high level of weight to protecting the heritage assets from harm in their decision-making process. Following a site visit, the Conservation Officer has agreed that there would be no impact on views from Carfax Conduit, Nuneham House (Grade II*) or the Temple of Flora (Grade II) due to the topography and tree screening.
- 6.38 It is agreed that part of Field 2 of the proposed development would be visible from Old Saints Church (within Nuneham Park) which is a grade II* listed building. This building has a north facing portico from which there are designed views across the parkland, pastoral landscape and distant Oxford. The view is expansive and contains modern infrastructure such as tall electricity pylons already, the proposed development would be seen in a very small area of this overall view, but like the pylons, would represent a further modern intrusion into what is otherwise an unspoilt pastoral scene. There would be a very low level of harm to the significance of the grade II* listed Old Saints Church
- 6.39 In terms of the Conservation Areas, the effects on the Garsington, Toot Baldon and Marsh Baldon Conservation Areas would be minor, affecting views from footpaths within the Toot and Marsh Baldon Conservation Areas only to a minor extent.
- 6.40 The Gardens Trust has raised concerns over the effect on the approach from Oxford to the village of Nuneham Courtenay. It is currently unspoilt open countryside from which built form and modern intrusions are not appreciable, which would be altered by the proposed development. It is considered that there would be a negative impact on the

setting and significance of the conservation area. However, the Conservation Officer considers that this is a lesser part of the significance of the conservation area of Nuneham Courtenay village and therefore the harm would sit at the lower level of the scale of less than substantial harm to significance. Historic England, however, state in their response that *“the concealed position of the village, not seen from Oxford, would not be undermined. The rural setting of the village would also largely remain intact and the appreciation of its rurality and separation from Oxford would remain appreciable.”*

- 6.41 Nuneham Park is a Grade I registered park and garden and is a historic designed landscape by a variety of garden designers including Lancelot ‘Capability’ Brown. The Park contains Nuneham House (Grade II* listed) as well as a variety of other listed structures and buildings. The buildings within the park, and the parkland landscape itself, are experienced only within the park with the exception of the gates to the Arboretum. Views out from the park contribute to its significance as it was designed to take advantage of its elevated position to enjoy views west over the River Thames and the countryside beyond as well as north towards Oxford. Both the Gardens Trust and the Georgian Group have objected to the application on the basis that the proposal would adversely affect the setting of the Park and the listed structures, expressing the opinion that the proposal would cause a high level of harm to the park and its setting as well as the setting of Nuneham House and the Carfax Conduit. However, the Council’s Conservation Officer and Historic England take a different view, that there would be a very low level of harm to the significance of the park
- 6.42 In terms of Archaeology, the site is located in an area of considerable archaeological interest. During the application process an archaeological investigation was undertaken and the results submitted to the County Archaeologist. The archaeological evaluation further clarified the date, extent and significance of a focus of Roman settlement and associated occupation activity that was recorded by prior geophysical survey within the central area of the application site. Beyond this settlement the evaluation has revealed little further archaeological activity, other than relating to earlier cultivation, across much of the remaining areas of the site. The County Archaeologist is content that the area identified as archaeological mitigation is sufficient to preserve the archaeological interest on the site and recommends three conditions.
- 6.43 Concerns have been raised by some objectors that the Historic core of Oxford would be adversely affected by the proposals. The Landscape and Visual Impact Assessment included in the ES confirms that the Proposed Development is not visible from the Historic Core. The Historic Core is located outside of the 1 km range of the Glint and Glare assessment and no glint or glare impacts on the Historic Core are predicted.
- 6.44 Overall, and considering all the heritage assets that may be affected by the proposal, the Conservation Officer concludes that there would be a low level of harm to the significance of various heritage assets of high significance. Paragraph 202 of the NPPF therefore applies “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
- 6.45 The public benefits of the scheme are examined in paragraphs 6.25-6.27 of this report and the Planning Balance section at 6.70-6.73 weighs those benefits against the less than substantial harm identified.

Ecology and Trees

- 6.46 The predominant habitat on the application site at present is arable land, which is subject to regular cultivation and consequently of a lower ecological value. Habitats of

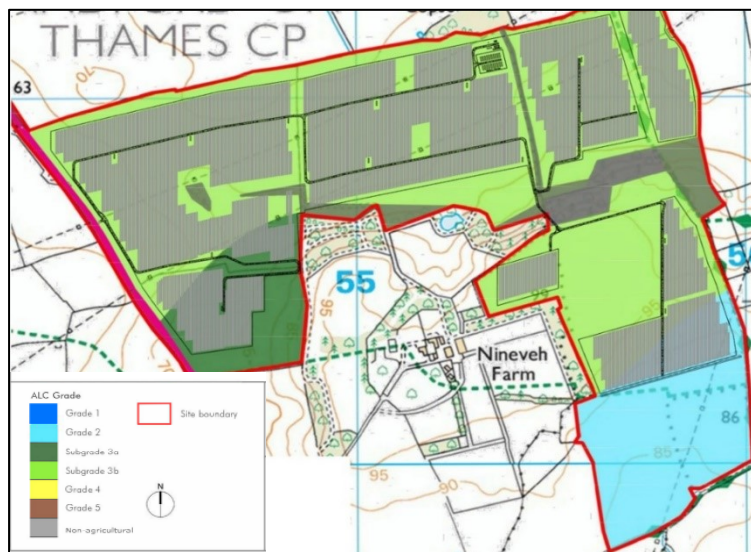
greater ecological value are mostly retained, and the proposed development includes significant areas of habitat creation. No trees are proposed to be felled, however approximately 40 metres of hedgerow is shown as being removed. Compensatory hedgerow planting is proposed within the site.

- 6.47 Ecological surveys and assessment have concluded that the proposed development will likely have impacts on badger, skylark and yellowhammer which require some degree of mitigation or compensation as detailed in the submitted Landscape and Ecological Management Plan.
- 6.48 The relevant SOLP 2035 policies in relation to ecology are ENV2 and ENV3 these policies seek to protect legally protected species through measures that avoid, mitigate or compensate for the adverse effects resulting from a development. They also seek to conserve, restore and enhance biodiversity and to provide new biodiversity features. The submitted biodiversity information indicates that a net gain of biodiversity (38.99%) will be achieved as a result of the proposed development. Officers are content that the requirements of the above policies are met.
- 6.49 In relation to trees, policy ENV2 of the SOLP 2035 also seeks to protect ancient woodland and veteran trees. And ENV1 requires development to protect, and where possible enhance policy features that contribute to the nature and quality of South Oxfordshire's landscapes, including trees, hedgerows and field boundaries. There are no trees on site that are subject to a Tree Preservation Order. The council's forestry officer has no objection to the development. As such, subject to a condition to secure appropriate tree protection during construction, Officers are satisfied that the proposal accords with the relevant policies.

Loss of agricultural land

- 6.50 As indicated by the PPG, Government policy is that large scale solar farms should be focused on previously developed and non-agricultural land. However, as acknowledged by the OCC Position Statement for Major Development Proposals for Ground-mounted Solar PV Arrays *"Oxfordshire is the most rural county in the South East; and applications may come forward on green field sites; these will need to be determined on a case by case basis."*
- 6.51 The OCC Position Statement continues: *"Where large scale solar PV farms are proposed on greenfield land, the developer should show that the use of agricultural land is necessary. Poorer quality land should be used in preference to higher quality land, and the Best and Most Versatile (BMV) agricultural land (grades 1, 2 and 3a) should be avoided. Where possible and viable, agricultural activity and other environmental/land management services should continue on the site."*
- 6.52 Policy DES7 of the SOLP 2035 requires new development to make provision for the effective use and protection of natural resources through several means including, *"avoiding the development of the best and most versatile agricultural land, unless it has been demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas or poorer quality land in preference to that of a higher quality"*
- 6.53 The application site is part of a wider farm estate comprising a total of 808 hectares over three holdings. The estate predominantly produces cereals, leguminous crops and oilseeds in rotation. The estate also manages a herd of approximately 350 red deer. The application site represents approximately 51% of the holding at Nineveh Farm and 15% of the whole estate.

- 6.54 The Agricultural Land Classification system classifies land into five grades numbered 1 to 5, with grade 3 divided into two subgrades (3a and 3b). Best and most versatile (BMV) agricultural land is considered to be land in grades 1, 2 and 3a. The proposed solar farm is located on land that is variously classified as Grade 2, Grade 3a and Grade 3b agricultural land. The Planning Statement and Chapter 9 of the Environmental Statement (ES) for the application identifies that the site is comprised of 16% Grade 2 land (19.7ha) 8% Grade 3a (10.3ha) and 70% Grade 3b (85.8ha). During the application process revised plans were submitted to remove panels from field 6, which is identified as being Grade 2 land. This reduces the amount of Grade 2 land covered by panels to 0.6 ha, contained as part of field 5.
- 6.55 The following map shows the ALC grades of the whole site:

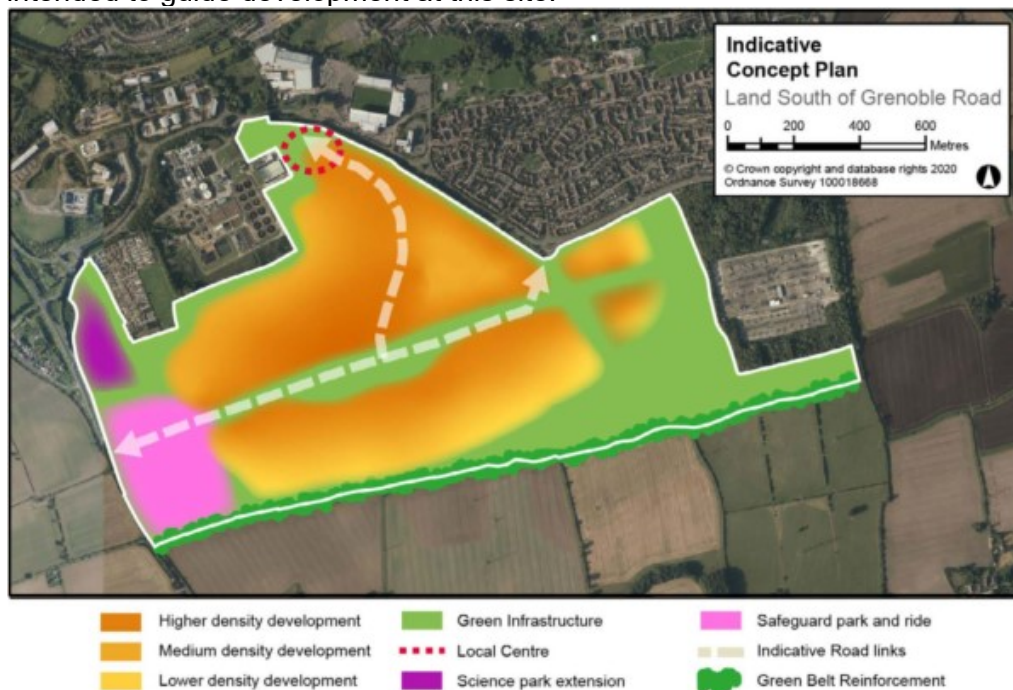


- The majority of the Grade 2 land has been removed from the area covered by panels. The small amount of grade 2 land remaining within the site to be covered by panels is considered acceptable as it forms part of a wider field and comprises a very small amount of BMV land. In total therefore, the development would utilise 10.9 ha of BMV agricultural land.
- 6.56 The proposed development would involve taking arable land out of intensive agricultural production and replanting the land with grassland for grazing sheep during the construction and operational phase, i.e for a period of 40 years. After the operational phase the land would be cultivated and returned to agricultural production by the estate. Whilst removing land from agricultural use could be a concern for food security reasons it should also be noted that soil can be degraded through intensive farming, and the proposal would allow a fallow period in which to recover, also allowing for a greater biodiversity on the site. Moreover the removal of the land from production is temporary, albeit 40 years, and reversible at the end of that time.
- 6.57 Latest advice from the Government, (National Policy Statement for Renewable Energy Infrastructure (EN-3) 2021) reiterates that *“ground mounted solar PV projects should utilise previously developed land, brownfield land, contaminated land, industrial land, or agricultural land preferably of classification 3b, 4, and 5 (avoiding the use of “Best and Most Versatile” cropland where possible) However, land type should not be a predominating factor in determining the suitability of the site location.”* The use of a

small area of BMV is factored into the planning balance as described in paragraphs 6.70-6.73.

Residential Amenity

- 6.58 Policy DES6 of the SOLP requires that development proposals demonstrate that they will not result in any adverse impacts on the amenity of neighbouring uses. In the case of this application, most of the land surrounding the site is in agricultural use and the proposal would not result in any conflict with this use. The Nineveh Farm complex is located close to the application site but is well screened and separated from fields with panels in and would not be adversely affected by the proposals. Other nearby properties are located at New Farm and Baldon Row, some 400+ metres from the site edge to the east.
- 6.59 The land immediately to the north of the application site is allocated in the SOLP as a strategic housing allocation known as Land at Grenoble Road and covered by policy STRAT11 of the SOLP. The concept plan below is taken from the SOLP, and is intended to guide development at this site.



It is noted that the promoters of this site have objected to the development, principally on the grounds that the supporting documentation does not adequately identify and assess the potential effects on the future development that will take place within the strategic allocation, that the proposed mitigation is not adequate to address the significant effects on the strategic allocation. As this strategic site is in the early stages of development no more detailed plans exist to indicate the location of housing or other development at the site, therefore the assessment is based on the concept plan as included in the Local Plan policy (above).

- 6.60 With regard to noise, a Noise Impact Assessment has been produced to accompany the planning application, which considers the potential noise generation from the plant associated with the panels. The assessment identifies that the proposal will give rise to noise levels that are typically below the measured day and night time background sound levels in the area, at the closest assessed residential receptors, including the closest point of housing identified in the above plan of the Grenoble Road site. The

amenity of surrounding residential properties would therefore not be adversely affected in terms of noise.

- 6.61 A Glint and Glare assessment has also been submitted with the application with particular reference to the users of the A4074, as well as the Grenoble Road site and other surrounding residents. Significant impacts on road users of the A4074 are not predicted due to a number of factors including chosen technology, the topography of the site and surrounding area, the design and layout of the development including new and enhanced hedgerow planting. Likewise, no significant impacts are predicted on existing residential properties, or those proposed at Grenoble Road.

Access and Transport

- 6.62 Access for the construction vehicles will be taken from an existing agricultural access on the A4074 serving Nineveh Farm. The A4074 has a 50mph speed limit in this location and acceptable visibility splays would be achievable.
- 6.63 Construction traffic will arrive and depart from the north, meaning that it will travel along Oxford's Eastern Bypass Road and along the A4074 itself. The construction period is estimated to generate 16 two-way HGV movements per day and is estimated to last approximately 30 weeks.
- 6.64 Drawing 2002-069/SK01/C contained within the Construction Traffic Management Plan shows the proposed access alterations, including required visibility splays and widening of the access to accommodate the turning movements of an HGV. There are no concerns over the access to the site from a Highway safety perspective. Post construction, there is little need for access to the solar farm for maintenance purposes and the trips generated by the post-construction access is not considered significant.

Environmental matters (flooding, drainage and contamination)

- 6.65 Policy EP4 of the SOLP 2035 considers flood risk and sets out drainage requirements for new developments. The main site is located in Flood Zone 1 and therefore considered at low risk of fluvial flooding. Flooding from other forms has been considered in sufficient detail within the report. There are several ordinary watercourses running through or along the boundary of the site. Buffer zones of 10 metres in accordance with SOLP policy ENV 4 are provided. 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.
- 6.66 Policy ENV11 of the SOLP 2035 is concerned with contamination. The council's contaminated land officer has reviewed the scheme and has not raised any concerns. Based on the recommendations of the council's specialist officers' I consider that the proposal is acceptable in terms of flood risk, drainage, and contamination.

Cumulative Impacts

- 6.67 The ES submitted with the application includes an assessment of the cumulative effects of the proposed solar farm and other developments. In this case only the consented scheme for Proposed Battery Storage Development at Cowley Substation (Application Ref: P19/S0623/FUL) has been considered. However, it is also identified that three strategic allocated sites lie within the extent of the ES study area, with corresponding policies set out in the SOLP as follows:
- Policy STRAT 11 – Land south of Grenoble Road
 - Policy STRAT 12 – Land at Northfield

- Policy TRANS3 – Safeguarding of land for Strategic Transport Schemes

The cumulative impact from these schemes has not been assessed as part of the Environmental Statement as they do not have planning approval.

- 6.68 Councillors will be aware that there are other schemes proposed and recently approved for solar farms within the district. Although not considered under the submitted assessment, Officers are satisfied that given the distance to the permitted site at Land to the North West of Stoke Talmage (P20/S3244/FUL) and the proposed Harlesford Farm, near Tetsworth (P20/S3245/FUL) together with the scale of this development, that there would be no cumulative impacts of the application proposal with the other proposed and permitted solar farms.

Other material planning considerations

- 6.69 The UK Government has committed to meeting a legally binding target of net-zero carbon emissions by 2050. The council has also declared a climate emergency with a target to be a carbon neutral district by 2030. The proposed solar farm will help to meet national and local objectives for reducing carbon emissions and reducing reliance on fossil fuels.

Planning Balance

- 6.70 Officers attach significant weight to the fact that the development is inappropriate development in the Green Belt. Further weight is attached to the harm caused by the development to the openness because of the presence of structures on land that is currently agricultural and free from obstruction. The harms identified to heritage assets as set out in paragraphs 6.35-6.45 above are also taken into account, and some weight is attributed to that harm. Limited weight is given to the loss of agricultural land due to the temporary nature of the proposal. The impact on the footpaths is also given some weight, however, this has been suitably mitigated by the proposals as described above.
- 6.71 In favour of the development, significant weight is attributed to the need to provide additional energy from renewable sources and the considerable wider environmental benefits associated with increased production from renewable sources as set out in detail above. Some limited weight is given to the time limited and non-permanent nature of the installation, however, the suggested lifespan of 40 years is a significant period. The decommissioning of the infrastructure would allow a return to farmland. Some moderate weight is also given to the ecological enhancements proposed.
- 6.72 *Very special circumstances - conclusion*
As described in paragraphs 6.13 -6.15 above, in order to outweigh the harm to the openness of the Green Belt, there must be very special circumstances for allowing the proposal. There are a number of examples of Local Planning Authorities and Planning Inspectors around the country as well as within the Oxford Green Belt finding that very special circumstances exist for solar development citing a variety of factors including:
- the contribution a solar farm would make towards renewable energy targets
 - the well screened nature of the site
 - limited harm to the surrounding landscape
 - the harm is temporary
 - visual impact could be mitigated by planting
 - the proximity to a substation with capacity
 - the benefits of the production of renewable energy along with the temporary nature of the development outweighed the harm to the Green Belt

- 6.73 All of these factors also apply to this application site. It is the Officer's opinion that the very special circumstances that weigh in favour of the development in this case are:
- the proximity to a substation that has capacity,
 - its temporary nature,
 - that the site is well screened from wider views
 - proposed planting will further screen the site
 - the contribution to low carbon energy generation
 - the net gain in biodiversity

On balance, officers consider that the harm caused by this proposal by reason of inappropriate development in the Green Belt is outweighed by the very special circumstances as set out above.

Pre-commencement conditions

- 6.74 The applicant has confirmed that they agree to the suggested pre-commencement conditions as detailed below.

7.0 CONCLUSION

- 7.1 The proposed solar farm would generate 45MW of renewable electricity which would be supplied to the National Grid, and the proposed battery stores would allow the export of energy to be evened out across the peaks and troughs of generation and demand. This would be a significant contribution towards addressing the Climate Emergency that the Council has declared, and towards meeting local and national policy on reducing carbon emissions and addressing climate change.
- 7.2 The proposal would also deliver a biodiversity net gain of 38.99% through habitat improvements and new habitats created.
- 7.3 Paragraph 151 of the National Planning Policy Framework (2021) states that very special circumstances that might justify an inappropriate development such as this in the Green Belt may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 7.4 As set out above, it is the Officer's opinion that, on balance, very special circumstances do exist to enable the justification of this proposal and that the harms identified in this report and listed at paragraph 6.70 above are outweighed by the public benefits the proposal would bring, particularly the contribution to energy generation.

8.0 RECOMMENDATION

That planning permission is **granted** subject to the following conditions:

- 1. Time Limit for commencement**
- 2. Approved Plans**
- 3. Temporary permission**

Pre-commencement

- 4. Landscaping details**
- 5. Landscape Management Plan**
- 6. Vehicular access improvements**
- 7. Construction Traffic Management Plan**
- 8. Archaeological watching Brief**
- 9. Implementation of Archaeological works**
- 10. Construction Environmental Management Plan**
- 11. Tree Protection**
- 12. Visibility Splay Details**

Prior to first use

13. Sustainable Drainage Scheme

Compliance

- 14. Archaeology protection**
- 15. Flood risk**
- 16. Wildlife Protection measures**
- 17. External lighting**
- 18. Removal of unused panels**

End of the temporary period

19. Decommissioning method statement

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