

# PLANNING

ELECTRONIC  
VERSION

## Planning Decision

P20/S4360/FUL

Mr Simon Wheeler  
c/o Aardvark EM Limited  
Higher Ford  
Wiveliscombe  
Taunton  
TA4 2RL

## PLANNING PERMISSION

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Application No : **P20/S4360/FUL**

Application proposal, including any amendments :

**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 (additional information January, March, August, September 2021) and amended plans received 10 November 2021.**

Site Location : **Land to South West of Cowley Substation Nuneham Courtenay OX44 9PA**

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South Oxfordshire District Council hereby gives notice that **planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. That the development hereby approved shall be carried out in accordance with



the details shown on the following approved plans, except as controlled or modified by conditions of this permission:

Site Location Plan A SO1.A Rev v.i.  
Site Location Plan B SO1.B Rev v.i.  
Site Location Plan C SO1.C Rev v.i.  
Site Plan Proposed SO2.0 Rev18  
Topographical Plan Field 1&2 SO13.1 Rev v.b  
Topographical Plan Field 3 SO13.2 Rev v.b  
Topographical Plan Field 4 SO13.3 Rev v.b  
Topographical Plan Field 5 2013-D007d Rev v.a.  
Topographical Plan Field 6 SO13.5 Rev v.b  
Auxiliary Transformer SO10.0 Rev01  
Inverter Elevations & Roof Plan Proposed SO4.0 Rev01  
Battery Container Elevations & Roof Plan Proposed SO12 Rev01  
Elevations CCTV Proposed SO11.0 Rev 01  
Elevations Control Room Proposed SO09.0 Rev01  
Elevations PV Proposed SO3.0 Rev 01  
Elevations Substation Proposed SO8.0 Rev01  
Internal access road detail SO5.0 Rev01  
Junction Arrangement A4074 Access SK01 RevC  
Section & Details Weather Station Proposed SO7.0 Rev01  
Fence and Gates elevations SO6.0 Rev02  
Softworks Plans Overview 7427\_SK\_016C  
Softworks Plans Planting Schedule\_1 7427\_SK\_024  
Softworks Plans Planting Schedule\_2 7427\_SK\_025  
Softworks Plans Planting Sheet\_1 7427\_SK\_017  
Softworks Plans Planting Sheet\_2 7427\_SK\_018  
Softworks Plans Planting Sheet\_3 7427\_SK\_019  
Softworks Plans Planting Sheet\_4 7427\_SK\_020  
Softworks Plans Planting Sheet\_5 7427\_SK\_021  
Softworks Plans Planting Sheet\_6 7427\_SK\_022 Rev B  
Softworks Plans Planting Sheet\_7 7427\_SK\_023 Rev B

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

3. Planning permission is hereby granted for a temporary period of 35 years from the date of the first commercial export of energy. No later than one month after the first commercial export of energy the applicant shall supply written notice to the local planning authority. Following the expiry of the 35 years temporary period all ancillary equipment and structures shall be decommissioned and removed from the site within 12 months in accordance with the Decommissioning Method Statement agreed pursuant to Condition 19.

Reason: Because of the temporary nature of the development and in order to safeguard the amenities of the area and protect the rural character of the area

in accordance with Policies STRAT6, ENV1, DES1 and DES9 of the South Oxfordshire Local Plan 2035.

4. Prior to the commencement of the development hereby approved a scheme for the landscaping of the site, including the planting of live trees and shrubs, the treatment of the access road and hard standings, and the provision of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. These details shall include schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, and an implementation programme. The scheme shall be implemented by no later than the first planting season following the First Export Date and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.

Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.

5. Concurrent with the submission of comprehensive details of the proposed landscape works, a maintenance schedule and a long term management plan (for the life of the development), for the soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include:
  - a) Details of long term design principles and objectives.
  - b) Management responsibilities, maintenance schedules and replacement provisions for existing retained landscape features and any landscape to be implemented as part of the approved landscape scheme
  - c) A plan detailing which areas of the site the Landscape Management Plan covers and also who is responsible of the maintenance of the other areas of the site.
  - d) Summary plan detailing different management procedures for the types of landscape on site e.g. Wildflower meadows, native or ornamental hedgerows.

The schedule and plan shall be implemented in accordance with the agreed programme.

Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.

6. Prior to commencement of the development hereby approved, the existing means of access onto the A4074 shall be improved and laid out and constructed strictly in accordance with the local highway authority's specifications and all ancillary works specified shall be undertaken.

Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

7. A Construction Traffic Management Plan (CTMP), which shall include wheel washing facilities, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved CTMP shall be implemented prior to any works being carried out on site and shall be maintained throughout the course of the development. The CTMP shall state the times at which plant or material will be delivered to the site.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times and in accordance with Policy TRANS of the South Oxfordshire Local Plan 2035.

8. Prior to the commencement of any development, the applicant, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any groundworks taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF (2021).

9. Following the approval of the Written Scheme of Investigation referred to in condition 8, no development shall commence within the area identified as being archaeologically sensitive, as defined in the WSI, without the appointed archaeologist being present. Once the watching brief has been completed its findings shall be reported to the Local Planning Authority, as agreed in the Written Scheme of Investigation, including all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF (2021)

10. Prior to the commencement the development, including vegetation clearance or any ground works, a construction environmental management plan for

Biodiversity (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Update ecological surveys for relevant habitats and species, including an update badger surveys which is no older than 6 months. Update surveys shall follow national good practice guidelines.
- b) Risk assessment of potentially damaging construction activities.
- c) Identification of relevant biodiversity protection zones .
- d) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction.
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication.
- h) Use of protective fences, exclusion barriers and warning signs.
- l) Protected species licencing requirements (if any).

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To minimise the impact of development on biodiversity, in accordance with Policies ENV2 and ENV3 of the SOLP35 and paragraphs 170 and 175 of the NPPF.

11. Prior to the commencement of any site works or operations, including demolition and site clearance relating to the development hereby permitted, an Arboricultural Method Statement and accompanying Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Arboricultural Method Statement must include the following:

- (1) A specification of any pruning or tree surgery works to any trees to be retained, to prevent accidental damage by construction or demolition activities;
- (2) The specification and location of temporary tree protective fencing and any ground protection required to protect all retained trees in accordance with the current edition of BS 5837 "Trees in relation to design, demolition and construction", and details of the timing and duration of its erection;
- (3) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;
- (4) The route and method of installation of drainage or any underground services in the vicinity of retained trees; Consideration will be made to avoid siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no

alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with the current edition of NJUG 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees'.

(5) The details and method of construction of any other structures such as boundary walls in the RPA of retained trees and how these relate to existing ground levels;

(6) The details of materials and method of construction of any roadway, driveway, parking, pathway or other surfacing within the RPA, which is to be of a 'No Dig' construction method, in accordance with the principles with in Arboricultural Association Guidance Note 12 The use of cellular confinement systems near trees , and in accordance with current industry best practice; and is appropriate for the type of roadway required in relation to its usage.

(7) Provision for the supervision of ANY works within the RPA of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details with the agreed measures being kept in place during the entire course of development.

Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.

12. The proposed vision splay shall be formed, laid out and constructed in accordance with detailed plans, which shall be submitted to the LPA and approved in writing by the Local Planning Authority prior to the commencement of the hereby permitted and the land within the splay shall not be raised or allowed to grow above a maximum height of 600 millimetres (due to slope) above the carriageway.

Reason: in the interest of highway safety and in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.

13. Prior to the First Export Date surface water drainage works shall be carried out in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. Before the drainage scheme is submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment shall be submitted to the Local

Planning Authority. Where a sustainable drainage system is to be provided, the submitted scheme shall include the following:

1. - information about the design storm period and intensity, the method - employed to delay and control the surface water discharged from the site, - and measures taken to prevent pollution of the receiving groundwater - and/or surface watercourses;
2. - a timetable for its implementation;
3. - a management and maintenance plan for the lifetime of the development - - i.e. arrangements for adoption by any public authority or statutory - undertaker and any other arrangements to secure the operation of system - throughout its lifetime.

Reason: To ensure the effective and sustainable drainage of the site in the interests of public health and the avoidance of flooding (Policy CP42 of the adopted Local Plan 2031 Part 1 and Policy DP23 of the adopted Local Plan 2031 Part 2).

14. No development shall be undertaken within the area of archaeological preservation identified within the site, as referred to as HA2 and illustrated on Figure 7.13 of the Environmental Statement - Chapter 7: Cultural Heritage Addendum (Headland Archaeology 2021).

Reason - To safeguard the preservation of the identified area of archaeological importance on the site in accordance with the NPPF (2021) and Local Plan Policy.

15. The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:
  - There will be no raising of ground levels in Flood Zone 2 or 3
  - During the construction phase any excavated material will be stored outside of Flood Zone 2 and 3

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

#### Reasons

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided

16. The development hereby permitted shall be implemented in accordance with the recommendations of the updated Landscape Ecological Management Plan dated September 2021 and Landscape and Ecological Enhancement Plan dated August 2020 submitted with the application in all respects. All ecological

mitigation and enhancement features shall be delivered on site prior to first use and retained as such thereafter. Any variation shall be agreed in writing by the Local Planning Authority before such change is made.

Reason: To protect the important species on the site, in accordance with Policies ENV2 and ENV3 of the South Oxfordshire Local Plan 2035.

17. No external artificial lighting or other security measures other than those agreed as part of this permission shall be installed during the operation of the site as a solar PV and battery storage.

Reason: To protect the appearance of the area, the environment and wildlife, and local residents from light pollution in accordance with Policy ENV12 of the South Oxfordshire Local Plan 2035.

18. Should the solar panels not be used continuously for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the retention of development in the countryside that is not being used for its intended purpose in the interest of the appearance of the countryside in accordance with Policy ENV1 of the South Oxfordshire Local Plan 2035.

19. Not less than 12 months before the cessation of the development hereby permitted, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. The DMS shall include details of the removal of the panels, supports, inverters, cables, buildings and all associated structures and fencing from the site, and a timetable for their removal. The DMS shall also include a traffic management plan to address likely traffic impacts during the decommissioning period and details of the proposed restoration of the site. The site shall be decommissioned in accordance with the approved DMS within 6 months of the expiry of the 40 year period of planning permission.

Reason: Because of the temporary nature of the development and in order to safeguard the amenities of the area and protect the rural character of the area in accordance with Policies ENV1, DES1 and DES9 of the South Oxfordshire Local Plan 2035.

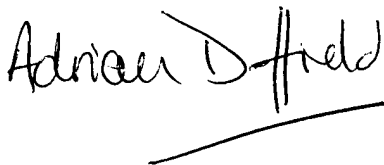
- NB: The grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal, the developer is required to contact the Council's public rights of way team for permission prior to undertaking any works.



NB: The above permission/consent may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of the pre-condition(s) have been met.

NB: This approval is specific to the details of the development as shown on the approved plans and other associated documentation. Unless otherwise agreed by the Council any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. As such the Council must be advised in writing of any proposed variations from the approved plans and other associated documentation at the earliest stage possible. A decision will then be made as to whether the changes can be dealt with as a minor revision to the approved details or whether a revised application is required.

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

A handwritten signature in black ink, appearing to read 'Adrian D. Field', with a horizontal line underneath it.

Head of Planning  
**11th January 2022**

## STATUTORY INFORMATIVE

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
Telephone : 0303 444 5000  
[www.planningportal.gov.uk](http://www.planningportal.gov.uk)  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

### **OTHER INFORMATION**

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)).

### **BUILDING OVER GAS MAINS AND SERVICES**

Please note before you plan to dig, or carry out building work within the SGN gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact the SGN Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone SGN with general plant protection queries. See SGN details below: Phone 0800 912 1722 or email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

For further information please refer to:

<https://www.sgn.co.uk/damage-prevention>

<https://www.sgn.co.uk/help-and-advice/digging-safely>