

## **Agenda**

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Date: 16 June 2025

Website: www.whitehorsedc.gov.uk

A MEETING OF THE

## **Planning Committee**

WILL BE HELD ON WEDNESDAY 25 JUNE 2025 AT 7.00PM MEETING ROOM 1, ABBEY HOUSE, ABBEY CLOSE, ABINGDON, OX14 3JE

You can watch this meeting on the council's YouTube channel.

#### **Members of the Committee:**

Max Thompson (Chair)

Val Shaw (Vice Chair) Jenny Hannaby Mike Pighills Ron Batstone Scott Houghton Jill Rayner Cheryl Briggs Robert Maddison

Substitute Councillors

Paul BarrowAmos DuveenSarah JamesSue CaulLucy EdwardsViral PatelRobert CleggOliver ForderJudy Roberts

Andy Cooke Katherine Foxhall

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Nick Bennet, Head of Legal and Democratic



#### 1. Chair's announcements

To receive any announcements from the chair, and general housekeeping matters.

#### 2. Apologies for absence

To record apologies for absence and the attendance of substitute members.

#### **3. Minutes** (pages 4 − 8)

To adopt and sign as a correct record the Planning Committee minutes of the meeting held on 16 April 2025.

#### 4. Declarations of interest

To receive declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest in respect of items on the agenda for this meeting.

#### 5. Urgent business

To receive notification of any matters which the chair determines should be considered as urgent business and the special circumstances which have made the matters urgent.

#### 6. Public participation

To receive any statements from members of the public that have registered to speak on planning applications which are being presented to this committee meeting.

## Planning applications

All the background papers, with the exception of those papers marked exempt/confidential (e.g. within Enforcement Files) used in the following reports within this agenda are held (normally electronically) in the application file (working file) and referenced by its application number. These are available to view at the Council Offices (Abbey House, Abbey Close, Abingdon, OX14 3 JE) during normal office hours.

Any additional information received following the publication of this agenda will be reported and summarised at the meeting.



## **Summary Index of applications**

Site Address	Proposal	Page.	
7. P25/V0149/FUL – Land off B4016 Appleford, OX14 4PQ	Erection of a 300 MW Battery Energy Storage System (BESS)	9 - 53	

## **8. Appeals Information** (page 54)

To receive the appeals information report from the head of planning.

**Recommendation:** to consider and note the appeals information report.

## **Minutes**

of a meeting of the

## **Planning Committee**



held on Wednesday, 16 April 2025 at 7.00 pm in Meeting Room 1, Abbey House, Abbey Close, Abingdon, OX14 3JE

#### Open to the public, including the press

## Present in the meeting room:

Councillors: Val Shaw (Vice-Chair), Paul Barrow, Ron Batstone, Cheryl Briggs, Jenny Hannaby, Scott Houghton, Robert Maddison, Mike Pighills and Jill Rayner Officers: Luci Ashbourne (Democratic Services Officer), Holly Bates (Team Leader – Applications), Adrian Duffield (Head of Planning), Nathalie Power (Planning and Development Officer) and Matthew Williams (Democratic Services Officer)

#### Remote attendance:

Councillors: Diana Lugova

Officers: Bertram Smith (Broadcasting Officer)

#### 188 Chair's announcements

The chair welcomed everyone to the meeting, outlined the procedure to be followed and advised on the emergency evacuation arrangements.

### 189 Apologies for absence

Apologies for absence were received from Councillor Max Thompson, who was substituted for by Councillor Paul Barrow.

#### 190 Minutes

**RESOLVED:** to approve the minutes of the meeting held on 26 February 2025 as a correct record and agree that the chair sign these as such.

#### 191 Declarations of interest

Councillor Jenny Hannaby declared that in relation to agenda item 7 application number P25/V0063/FUL, she was a member of Wantage Town Council but was not part of their Planning Committee. Councillor Hannaby was confident that this did not pre-determine her decision, and that she felt confident to take part in the debate and vote on the application.

### 192 Urgent business

There was no urgent business.

### 193 Public participation

The committee noted the list of members of the public who had registered to speak at the meeting.

# 194 P25/V0063/FUL - Wantage Lawn Tennis Club, Manor Road, Wantage, OX12 8DW

The committee considered planning application P25/V0063/FUL:

Provision of two uncovered Padel courts and one Pickleball court to replace one existing tarmac tennis court to an existing established tennis club. Courts to be surrounded by new chain link fencing to match the style, colour and height of the existing chain link fencing. The works will include the relocation of two existing floodlight columns.

Consultations, representations, policy and guidance, and the site's planning history, were detailed in the officer's report, which formed part of the agenda pack for the meeting.

The planning officer presented the report to members.

The application was to replace one of the existing tennis courts with two padel ball courts and one pickleball court, with the existing court area to be extended by seven metres to the west.

Existing and proposed site plans were shown. The padel courts would be enclosed by glass and metal mesh panels, four metres in height. A retaining wall of 0.5 metres in height would be erected around the top corner of the pickleball court and the existing chain link fencing, of 2.8 metres high, would be extended to enclose the site. Two existing floodlights would be relocated on the site.

Example images from the submitted application of pickleball and padel ball were shown. Pickleball could be played on the existing tennis courts with additional lines and temporary nets and would use a plastic ball with holes. Padel ball would be played on an enclosed court and would use a ball similar to tennis but less pressurised and slightly smaller size.

Main concerns raised related to neighbour amenity, specifically noise disturbance and potential traffic issues. The Lawn Tennis Association had been consulted and they had provided the Sports and Play Construction Association (SAPCA) code of practice which advised that padel courts be located at least 30 metres from neighbouring properties to ensure there is no noise disturbance. The closest properties to this application would be 60 metres away.

The scheme would meet SAPCA standards for padel ball and while there did not appear to be any specific SAPCA standards for pickleball this could already be played on the existing tennis courts. The Environmental Protection team had raised no objection on noise grounds or relating to the floodlights. No objection had been received from Oxfordshire County Council as highway authority.

The proposal aligned with the development plan and was recommended for approval.

Sarah Simmonds spoke in objection to the application.

Members asked who owned the car park at the application site and were advised that the Council owned the land but Wantage Tennis Club managed and maintained the site.

Members requested clarification on the noise levels, specifically the minimum recommended distance to neighbouring properties. The planning officer explained that the SAPCA guidance stated that for properties within 30 metres of the court, a noise assessment would need to be carried out. For this application the nearest properties were 60 metres away and as such no noise assessment would be required. If there were any concerns or complaints about the noise it would be a matter to be investigated under other legislation, for example Environmental Health rather than a planning consideration.

Members enquired about the hours of use and were advised that it was understood the opening hours were from 7.00am to 10.00pm Monday to Saturday and 8.00am to 9.30pm Sunday. Members were advised that as the proposal met the standards set out in the SAPCA guidance it would not be suitable to include a condition to curtail the opening times.

A motion, moved and seconded, to approve the application was carried on being put to the vote.

The debate acknowledged that there had been no technical objections and members were satisfied that if the noise did become problematic then complaints could be made to Environmental Health.

**RESOLVED:** to approve planning application P25/V0063/FUL subject to the following conditions:

- 1. Commencement 3 yrs Full Planning Permission
- 2. Approved plans Pre-commencement
- 3. Tree protection

Compliance

- 4. Materials in accordance with application
- 5. Floodlights installation
- 6. Floodlights hours of use

Automatically applied under Schedule 7A of the TCPA(1990) • General Biodiversity Net Gain Condition

### 195 P25/V0153/HH - Vale Cottage, High Street, Uffington, SN7 7RP

The committee considered planning application:

Installation of freestanding electric vehicle charger

Consultations, representations, policy and guidance, and the site's planning history, were detailed in the officer's report, which formed part of the agenda pack for the meeting.

The planning officer presented the report to members.

The application was for a freestanding electric vehicle (EV) charging point to be located within the curtilage of a listed building. The application site was located within the conservation area.

Site plans were shown highlighting the proposed position of the EV charger and indicative images of the type of charger to be used.

The conservation team had raised no objections and the proposal was recommended for approval.

Members asked whether the reason this application had been presented to the Planning Committee was because the applicant was a district councillor. The officer confirmed that was correct.

A motion, moved and seconded, to approve the application was carried on being put to the vote.

Members acknowledged that no objection had been raised by the conservation team.

**RESOLVED:** to approve planning application P25/V0153/HH subject to the following conditions:

- 1. Commencement 3 yrs Full Planning Permission
- 2. Approved plans
- 3. Materials in Accordance with application

#### 196 Appeals Information

The committee received the appeals information report from the head of planning.

Members asked if the performance rate, relating to appeals, was in line with other districts. The Head of Planning advised that while there had been an increase in appeals, due in part to the changes put forward by government, we were in a good position nationally. The committee were advised that the quarterly performance data would be presented to the committee at a future meeting.

A member queried the appeal for 16 Cumnor Hill which stated it had been a delegated decision, however it had gone to committee. The Head of Planning advised they would follow that up.

Following the meeting, the Head of Planning confirmed that the original decision relating to the appeal for 16 Cumnor Hill was a committee decision.

The committee agreed to note the report.

The meeting closed at 7.32 pm

APPLICATION NO. P25/V0149/FUL

SITE Land off B4016 Appleford, OX14 4PQ

**PROPOSAL** Erection of a 300 MW Battery Energy Storage

System (BESS)

**AMENDMENTS** Transport Technical Note submitted 14/05/2025

Outline Battery Safety Management Plan

submitted 07/02/2025.

An Archaeological Evaluation Report submitted

09/06/2025.

APPLICANT TBC 001 Ltd

**APPLICATION TYPE** FULL APPLICATION

REGISTERED 29.1.2025
TARGET DECISION DATE 30.4.2025
PARISH APPLEFORD
WARD MEMBER(S) Peter Stevens
OFFICER Amanda Rendell

#### 1.0 **INTRODUCTION**

- 1.1 This application seeks full planning permission for the erection of a 300MW Battery Energy Storage System (BESS).
- 1.2 The application has been called in to Planning Committee by Cllr Stevens on the grounds that it is significant development that will affect the residents of Appleford. The representations from the Parish Council also conflict with the Officer recommendation, which is that planning permission should be granted.
- 1.3 Site Description, surroundings and designations.

The application site measures 5.6ha and is situated on the southern side of the B4016 outside the village settlement of Appleford which lies 1km to the northwest. Didcot lies approximately 2.45km to the south of the site (see *figure 1* below). The site is not allocated either in the Local Plan or a Neighbourhood Plan.

- 1.4 The site is relatively flat and level and occupies a previously cultivated agricultural field enclosed on all sides by a mix of trees and hedgerows with two (one formal and one informal) entrances along the northern boundary. It is accessed via the B4016 to the north. The eastern boundary runs adjacent to Moor Ditch which flows into the River Thames approximately 1.2km north of the site. A tributary of Moor Ditch runs along the southern boundary of the site. Immediately east of Moor Ditch is the National Cycle Route 5 which also acts as a public right of way (ref: 189/44/20). A railway line runs north/south approximately 160m west of the site at its nearest point.
- 1.5 Currently, the nearest residential property lies 260m to the north-west of the site on Appleford Road. To the east of Moor ditch lies planned residential development in South Oxfordshire: P15/S2902/O- up to 1880 homes,

P19/S0021/O (part of P15/S2902/O) -up to 150 homes. The closest new homes would be currently approximately 120m east of the application site.

1.6 The nearest businesses are located to the east at Pearith Court and Farm on the B4016 and are categorised as Class 2 (general industrial) businesses. The closest of these is 376 m to the east of the site. To the west of the railway line is the Sutton Courtenay Landfill Site (approximately 310m at its nearest point) and, beyond this and visible on the skyline are chimneys from within the Didcot Power Station site.

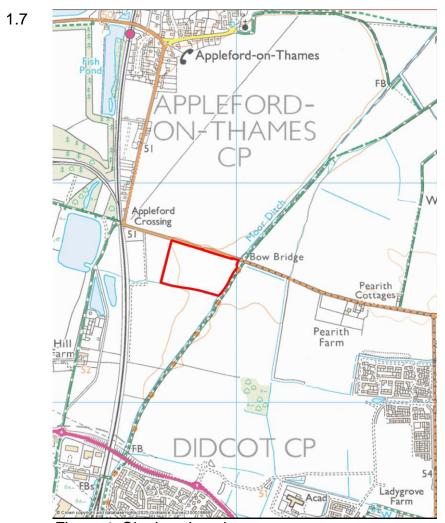


Figure 1: Site location plan.

- 1.8 The site lies within Flood Zone 1 and Flood Zone 2 with a minor area of Flood zone 3 in the east.
- 1.9 The site itself is not subject to any statutory ecological designations, and there are no ecological designations within 2km of the Site. In respect of the historic environment, ten heritage assets (one scheduled monument and nine Grade II Listed Buildings) are within 1k of the site.
- 1.10 The application is accompanied by an Agricultural Land Classification Report which has determined the land within the study area to be predominantly subgrade 3b (76.8%) with some subgrade 3a (23.2%) in the west.

1.11 The application lies within a mineral strategic resource area.

#### **Proposal**

- 1.12 The application proposes the installation of a 300MW Battery Energy Storage System (BESS) which will ultimately connect to the Didcot substation approximately 1.2km to the south-west of the site via underground cable (the proposed connection is not part of this application instead being dealt with via appropriate notification through statutory provisions). It proposes the construction of modular battery units and associated infrastructure.
- 1.13 The BESS units will measure approximately 6.1m in length, 2.4m width and 2.9m in height. The units are typically of metal construction and are proposed to sit on 300mm concrete bases. Overall height of the BESS unit when installed would be 3.2m. The BESS units typically comprise batteries, battery management system, thermal management system and a fire suppression system.
- 1.14 The proposed BESS would not produce electricity itself. The purpose of the facility is to use energy storage technology to store surplus electricity to feed back into the grid as required during peak periods of demand. The development will contribute to local and national 'net zero' targets and will operate at a maximum capacity of 300MW.
- 1.15 Along with the BESS units a number of other pieces of infrastructure are required on site comprising:
  - District Network Operator (DNO) 400 kv protection and control room
  - BESS 33KV substation
  - Inverters housed within pre-fabricated metal containers (AC Twin skid) typically finished in a grey or green colour.
  - Private 400kV transformer station (in substation area)
  - BESS Low Voltage control room and auxiliary transformers:
  - Welfare cabins;
  - Temporary construction compound;
  - Earthworks to provide suitable topography for development, landscape and drainage purposes;
  - Access is achieved via the existing access off the B4016 with an additional emergency access proposed off the B4016. Internal access tracks circulate areas of infrastructure
  - Drainage infrastructure including an attenuation pond proposed in the south-eastern corner of the site
  - Creation of 'platform(s)' to support the energy storage systems;
  - Landscape and ecological planting scheme
  - Security fencing and Closed Circuit Television (CCTV) on 3-4m high poles.
  - Low level external lighting for night-time safety and security.
  - The operational lifespan of the development is 45 years after which it would be decommissioned and the BESS removed.

- 1.16 The application is supported by a number of technical assessments and reports including a Statement of Community Involvement (SCI). Further to original submission of the application, the following amendments/additional information has been submitted:
  - Outline Battery Safety Management Plan submitted 07/02/2025.
  - A further Highways technical note was submitted on 14/05/2025 to address Highways concerns.
  - An Archaeological Evaluation was submitted on 09/06/2025 following discussion with County Archaeologists.
- 1.17 The applicant has not been able to fix all of the details of the development at this stage as the final technology selection and layout would be determined by an appointed contractor. The applicant has therefore sought to incorporate sufficient design flexibility into the application in relation to the dimensions and structures. This is an accepted practice with BESS development schemes. Therefore, the application has been submitted with mainly illustrative plans showing how the development would appear, and the illustrative layout shown in **Appendix 1** indicates how the site is likely to be laid out.
- 1.18 Assessment of this application has therefore been undertaken adopting the principles of the 'Rochdale Envelope'. This approach is a way of assessing a proposed development where uncertainty exists, and necessary flexibility is sought. It involves assessing the maximum parameters for the elements where flexibility is required and provides a worst-case scenario. For example, the footprint of the battery storage facility has been fully assessed on the basis of the illustrative layout plan originally submitted but may actually cover a smaller area (discussed later on in the archaeological section of this report). This is also an approach Officers have accepted for the development of a solar-voltaic farm at Harlesford Farm, Tetsworth (P20/S3245/FUL).
- 1.19 To provide clearly defined parameters, the attached plan at <u>Appendix 2</u> defines where certain infrastructure would be located but there is flexibility in terms of the layout within each zone. <u>Appendix 3</u> shows how the equipment is likely to appear and <u>Appendix 4</u> shows the site sections.

#### 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

This application has been advertised by the council as:

- Major development
- 2.1 The table below provides a summary of the key comments made by consultees and these are expanded on the main body of the report where necessary. Full responses can be viewed on our website at <a href="https://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a>.

2.2 Statutory consultee responses

Appleford On	Objection
Thames Parish	Raise a number of concerns regarding the application:
Council	Cumulative impact from HIF, nearby housing
	development and other noisy/dusty operations i.e.
	landfill

	<ol> <li>Inadequate shielding given the location is the entry point to the village. Long term effective screen is required.</li> <li>Loss of agricultural land and potential assimilation of Didcot into Appleford.</li> <li>Uncertainty on the need for elevated cabling to the BESS units over the rail line. Visual impact</li> <li>Lack of community benefit.</li> <li>Industrial development in rural location.</li> <li>Fire risk and potential danger to neighbouring residential area.</li> <li>Query ability of applicant to carry out development.</li> </ol>
Oxfordshire County Council- Highways	09/06/2025- <b>No objection</b> . Additional transport technical note submitted 14/05/2025 and further clarification from agent has addresses outstanding concerns.  03/03/2025- <b>Objection</b> subject to further information regarding: visibility splays, swept path analysis, long sections, stage 1 road safety audit and safeguarding of proposed route 15.
Oxfordshire County Council- Lead Local Flood Authority	24/02/2025-No objection.

## 2.3 Professional external consultees responses

Environment Agency	25/05/25- <b>No objection</b> subject to conditions: 1) Development to be carried out in accordance with submitted Flood Risk Assessment and 2) Surface Water disposal scheme, 3) Surface water drainage scheme 4) landscape and ecological management plan.
Oxfordshire County Council- Archaeology	09/06/2025- <b>No objection</b> . A further archaeological evaluation report is considered acceptable based on the reduced footprint 05/03/2025- <b>Objection</b> on the grounds that the results of an archaeological field evaluation comprising trenched evaluation need to be submitted 24/02/2025- <b>Objection</b> on the grounds that the results of an archaeological field evaluation comprising trenched evaluation need to be submitted. of battery storage units.
Oxfordshire Fire & Rescue Service	Comment that sufficient water supplies for firefighting operations should be provided and information on this

	available at the entrance to the compound for the fire and rescue service.
Newt Officer - Nature Space Partnership	11/06/2025-District Licence Report issued by NatureSpace confirming agreed processes and protocols. 03/06/2025-A NatureSpace Report is due to be submitted which contains mandatory conditions and informatives that must be used in the decision notice in order to comply with the Council's District Licence. 04/03/2025-Further information requested in the form of either: • A NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence. or; • Provide further information (survey information on waterbodies with ecological connectivity), rule out impacts to great crested newts, or demonstrate how any impacts can be addressed.

# 2.4 Vale of White Horse District Council officer responses

Ecology	15/04/2025- <b>No objection</b> subject to clarification over need for multiple vehicular accesses and surface water drainage proposals.
Drainage	04/06/2025- <b>No objection.</b> 02/04/2025-Further information requested regarding flood design levels.
Trees	18/04/2025-No objection
Landscape	04/2025-No objection
Heritage	25/02/2025- <b>No objection</b> . No harm to significance of built heritage assets.
Contaminated Land	13/02/2025-No objection.
Environmental Protection	27/02/25-No objection

## 2.5 **Public/other responses**

Local Residents	BESS should be located on a brownfield site close to Didcot Power Station.      Landscape and Apathetic Impact Industrial
	<ul> <li>Landscape and Aesthetic Impact-Industrial appearance. Lack of screening.</li> </ul>
	<ul> <li>Proximity to small rural village and wildlife reserve/community orchard</li> </ul>

	<ul> <li>BESS should not be sited in area of flooding.</li> <li>Unacceptable noise</li> <li>Cumulative impact with other existing/planned development</li> <li>Fire Risk and emission of gases and adverse health effects.</li> <li>Traffic and Infrastructure strain on area. Long construction period of increase traffic</li> <li>Security and lighting impact.</li> <li>Impact on heritage</li> <li>Opportunity to create an off road foot and cycle way along the northern edge would be of interest.</li> <li>Adverse impact on property values and liveability</li> </ul>
National Grid plant Protection	Draw attention to utility infrastructure in locality.
SGN Plant team	Draw attention to utility infrastructure in locality.
Network Rail	No objection. Advice is provided on works in the vicinity of Network Rail land.

## 3.0 RELEVANT PLANNING HISTORY NONF

#### 4.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The Town and Country Planning (Environmental Impact Assessment)
  Regulations 2017 requires Local Planning Authorities to screen infrastructure
  projects above a certain size to determine whether significant effects on the
  environment are likely and whether an Environmental Statement is required.
- 4.2 The screening threshold and criteria for energy projects include where the overall area of the development exceeds 0.5ha. As the proposed development exceeds the relevant threshold and criteria, the proposal has been screened under reference P24/V2588/SCR. The Council issued a formal screening opinion on 15 January 2025 which confirmed that the submission of an Environmental Statement in connection with this development was **not** required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. All matters can be considered during the normal planning application process.

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

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

Vale of White Horse Local Plan 2031 Part 1 (LPP1) policies:

CP1-Presumption in favour of sustainable development CP3-Settlement Hierarchy CP7-Providing supporting infrastructure and services CP15-Spatial Strategy for South East Vale Sub-Area

CP16 b-Didcot Garden Town

CP17-Delivery of Strategic Highway Improvements within the South East Vale Sub-Area

CP18-Safeguarding land for Transport Schemes in the South East Vale Sub-Area

CP33-Promoting sustainable transport and accessibility

CP35- Promoting public transport, cycling and walking

CP37-Design and Local Distinctiveness

CP38-Design Strategies for strategic and major development sites

CP39-The Historic Environment

CP40-Sustainable design and construction

CP41-Renewable Energy

CP42-Flood Risk

**CP43-Natural Resources** 

CP44-Landscape

CP45-Green Infrastructure

CP46-Conservation and improvement of biodiversity

A Regulation 10A review (five year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

Vale of White Horse Local Plan 2031 Part 2 (LPP2) policies:

**DP11-Community Employment Plans** 

**DP16-Access** 

DP17-Transport Assessments and Travel Plans

DP20-Public Art

**DP21-External Lighting** 

DP23-Impact of Development on Amenity

**DP25-Noise Pollution** 

DP26-Air Quality

DP27-Land affected by contamination

DP29-Settlement character and gaps

**DP30-Watercourses** 

DP31- Protection of public rights of way

**DP36-Heritage Assets** 

DP39-Archaeology and scheduled monuments

CP47A-Delivery and Contingency

#### 5.2 **Neighbourhood Plan**

There is no Neighbourhood Plan for Appleford.

#### 5.3 Emerging Joint Local Plan 2041

The council has prepared a Joint Local Plan for South Oxfordshire and Vale of White Horse, which, once adopted, will replace the existing local plans. The Joint Local Plan was submitted to the Secretary of State on 9 December 2024 for independent examination. Stage 1 hearing sessions for the JLP took place 3 – 5 June 2025. Stage 2 hearing sessions are due to take place in Autumn 2025,

subject to the outcome of the stage 1 sessions. Following the stage 2 hearing sessions the conclusion of the examination is anticipated in Q1 2026.

In line with paragraph 49 of the NPPF, decision-makers may give weight to relevant policies in emerging plans depending on several factors: the stage of preparation, the extent of unresolved objections, and the degree of consistency with the NPPF. The starting point for decision taking however remains with the policies in the current adopted plan.

The Joint Local Plan is at an advanced stage of preparation and carries some weight. Where unresolved objections have been received on policies, limited weight should be applied, but where there are no unresolved objections, moderate weight can be applied. Full weight should only be applied, where relevant, following the outcome of the independent examination and adoption of the Joint Local Plan.

#### 5.4 Supplementary Planning Guidance/Documents

- Clean Power 2030 Action Plan (UK Government-Department for Energy Security and Net Zero)
- South Oxfordshire and Vale of White Horse Landscape Character Assessment 2024
- Joint Local Design Guide
- Developer contributions

## National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

Of particular relevance is chapter 14 'Meeting the challenge of climate change, flooding and coastal change.'

#### **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been considered in the processing of the application and the preparation of this report. The recommendation of approval has been taken within the scope of normal planning policy and will not detrimentally impinge on the human rights of the applicant or any other person. If planning permission is granted, the decision will have been made in a legitimate and balanced way in respect of human rights.

#### Equality Act 2010

In determining this planning application, officers have had regard to the council's equality obligations including its obligations under Section 149 of the Equality Act 2010. The proposal will not cause detrimental harms to any person with protected characteristics and if planning permission is granted, the decision will have been made in a legitimate and balanced way in respect of equality.

#### Procedural Fairness Test

The proposal has been subject to statutory consultation with neighbours, internal and external consultees and advertised by site notice and press notice.

Representations on the application have been received and taken into account in recommending the application for approval.

#### 6.0 PLANNING CONSIDERATIONS

#### 6.1 The relevant planning considerations are:

- Principle of development
  - -need for the development
  - -site selection and consideration of and alternative sites
- Impact on landscape
- Impact on ecology
  - -BNG
- Drainage and Flood Risk
  - -Sequential Test
- Impact on trees and hedges
- Effect on living conditions of residents
- Impact on highways and proposed access
  - -Rights of Way
- Archaeology and heritage
- Best and Most Versatile Agricultural Land (BMV)
- Cumulative Impact
- Other Matters
  - -Fire Safety
  - -Minerals
  - -Community Benefit
- Pre-commencement Conditions

#### 6.2 Principle of development

The NPPF states that the planning system should support the transition to net zero by 2050. Paragraph 161 of the NPPF states that the planning system should support renewable and low carbon energy and associated infrastructure. 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 168 - 169 and Planning Practice Guidance: Renewable and Low Carbon Energy (PPG).

#### 6.3 Paragraph 168 of the NPPF states:

- "When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future:
- b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;

- c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site".
- 6.4 Battery storage is a low carbon technology that can help to reduce carbon emissions. They are important for the replacement of fossil fuels with renewable energy as they use batteries (i.e. lithium-ion batteries) to store electricity at times when supply is higher than demand.
- 6.5 National Planning Policy Guidance (PPG) on renewable and low carbon energy states that "Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity".
- 6.6 The PPG states "The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them." The PPG adds that in considering locations for renewable and low carbon energy, Local Planning Authorities will need to consider the requirements of the technology and critically the impact on the local environment, including from cumulative impacts.
- 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. At a local level, Policy CP41 of the LPP1 encourages schemes for renewable and low carbon energy generation. Planning applications for such development will be supported whether they do not cause a significantly adverse effect to landscape, biodiversity, the historic environment, local residential amenity and the safe movement of traffic and pedestrians. In principle, therefore, there is policy support for this development.

#### 6.8 Need for the development

The government has committed to achieving a zero-carbon electricity system by 2030. The Clean Power 2030 Action Plan sets out that to successfully deliver this commitment will require rapid deployment of new clean energy capacity across the whole of the UK. The ambition to significantly increase wind and solar power will need to be complemented by flexible capacity, including 23-27 GW of battery capacity.

- 6.9 The Clean Power 2030 Action Plan states that, as of Q4 2024, the current installed battery storage capacity in the UK was 4.5 GW. A significant increase in capacity is therefore required to meet the government's aim of 23-27 GW.
- 6.10 The proposed BESS would add 300MW of capacity providing a critical supporting role in the delivery of low carbon energy generation. This is through the provision of energy storage, which will enable an efficient and flexible energy supply to meet peak energy demands within the local power network. This would provide a positive contribution towards the aim of achieving a zero-carbon electricity system by 2030.
- 6.11 Both national and local policy are supportive of schemes that will assist in the transition to a low carbon future. A BESS does comprise critical infrastructure for maintaining the existing stability of the grid, as well as enabling a greater supply of intermittent renewable energy to be stored and released on the local and national grid network. In this regard, the proposed development would support a low carbon future and the principle of such development is supported. However, the site is not allocated for this purpose and the BESS will need to be considered against the criteria in policy CP41 of the LPP1, and the Local Plan as a whole and alongside national policy and guidance which states that "renewable energy developments should be acceptable for their location". In addition, the site lies within the Didcot Garden Town Masterplan Area. Policy CP16b of the LPP2 requires that proposals within this area will be expected to demonstrate how they positively contribute towards the achievement of the Didcot Garden Town Masterplan Principles which set out a number of criteria that development proposals would be expected to meet-design, rural character, landscape and green infrastructure, transport and movement, heritage, and social and community benefits. These matters are discussed below.
- 6.12 Site selection and consideration of alternative sites.

  The application is accompanied by an Alternative Site Search Assessment (ASSA). This assesses sites on their capability and connectivity to grid availability and with regard to the loss of agricultural land.
- 6.13 The application site is not allocated for development, and neither does the plan allocate or identify potentially suitable areas for renewable or energy storage infrastructure. Whilst low carbon energy generation is supported under CP41, this is on the proviso that they do not cause a significantly adverse effect to the surrounding environment.
- 6.14 The availability of a direct connection to the transmission network is a key consideration for a BESS of this scale. The Didcot substation has sufficient import and export capacity whilst having feasible connection options and constraints that would not render the project economically unviable.
- 6.15 Concerns have been expressed from local residents regarding the choice of agricultural land for the development over brownfield sites. Three sites associated with the former Didcot Power Station were identified as possible locations owing to their proximity to the substation and being brownfield land.

However, these areas were found to be already master planned for other developments such as the Didcot Data Campus project.

- 6.16 Over a wider area, constraints such as green belt, flood risk, impact on heritage assets, National Landscape, existing and proposed waste operations also reduced the site options. As a result, a total of 14 sites were shortlisted.
- 6.17 In summary, no deliverable sites were found within the urban area. Whilst it was acknowledged that part of this site lies in Flood Zone 2 and a scheduled ancient monument it located to the north, it was chosen for its size and proximity to Didcot Power Station. It is not within a valued landscape or close to the North Wessex Downs national landscape. The loss of agricultural land is considered further on in the report.

#### 6.18 Impact on Landscape

Policy CP44 of the LPP1 seeks to ensure that key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and where possible enhanced, in particular:

- i. features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies
- ii. important landscape settings of settlements
- iii. topographical features
- iv. areas or features of cultural and historic value
- v. important views and visually sensitive skylines, and
- vi. tranquillity and the need to protect against intrusion from light pollution, noise, and motion.
- 6.19 The site does not fall within any internationally, nationally, regionally or locally designated landscape. The North Wessex Downs are situated 1.75km to the south-east at its nearest point. It lies within the National Character Area (NCA) 108: Upper Thames Clay Vale although a very small part actually lies within this area. The Landscape Character Type (LCT) 13: Lower Vale and specifically LCT13b: Abingdon to Didcot Lower Vale.
- 6.20 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). Officers are of the opinion that the greatest visual impacts are likely to be those from views obtainable from the adjacent public right of way along the eastern boundary. It is accepted that for both landscape and visual effects there will be slightly higher impacts during the construction phase due to the machinery including cranes and movement associated with the building process. Once the proposal is no longer efficient and viable the entire facility could be removed. In terms of its duration, the BESS would be required for a period of 45 years and the land can be restored to its current condition after the lifetime of the development.
- 6.21 The site would be set against the backdrop of the power station and landfill site in views looking south-west. The development would be situated in a changing landscape with the north-east Didcot Strategic Site abutting the eastern

boundary. There is a proposed Nature Park to be located to the east of Moor Ditch with new areas of housing located beyond to the east.

- 6.22 With regard to CP44, the proposed development would have an impact on the local landscape on site and in the immediate vicinity of the site due to the change of the field character from undeveloped to developed. However, this proposed development is predominately low level in scale, and the higher elements are located to the rear of the site away from Appleford Village, reducing the potential visual impact. Fencing and the proposed built elements are also kept away from the site boundaries, which will reduce the visual impact of the proposals. The scheme also proposes to enhance the planting along the site boundaries with tree and buffer planting, this will help soften the proposals.
- 6.23 Due to the low-level nature of the proposed development and scale relative to the surrounding area, Officers are of the view that the development would not cause a level of unacceptable landscape and visual harm that would warrant refusal under Policy CP44 Landscape and CP41 Renewable Energy.
- 6.24 Whilst concern is expressed by the Parish Council regarding the visual impact of the site on the approach to Appleford, the Landscape Officer does not raise an objection and a comprehensive landscaping scheme is proposed. Further details will also be secured by planning condition on external appearance, fencing/access gates, size of planting stock, and opportunities to further close gaps/views into the site (if necessary) once the final layout of equipment is confirmed.

#### 6.25 Impact on Ecology

Policy CP46 of the LPP1 seeks to protect important ecological receptors (designated sites, protected species, priority habitats, etc.) and secure net gains for biodiversity. Where adverse impacts on important ecological receptors are likely, development must meet the criteria outlined under the policy to be acceptable. Net losses of biodiversity will not be supported.

- 6.26 Policy DP30 of the LPP2 seeks to protect the districts watercourses and requires new development to be buffered from watercourses by a minimum of 10 metres. Culverting of watercourses is not supported and opportunities to deculvert sites should be explored.
- 6.27 The application is supported by an ecological assessment report, biodiversity net gain report, and riparian mammal report. Officers are satisfied that impacts on statutory or locally designated sites are unlikely to occur as a result of the proposed development.
- 6.28 The primary habitat to be impacted by the proposed development is arable cropland within the centre of the parcel. This habitat is not a constraint to development.
- 6.29 The proposal will involve the loss of some lengths of the northern hedgerow to create the access points into the site and accommodate larger vehicular entrances. Along with the main access in the north-eastern corner of the site

which is proposed at the site of an existing field access with gate, a second emergency access is proposed more centrally along this boundary at an existing ungated field access to comply with best design practice in terms of fire risk. This access would be 3.7m wide with 6m junction radii. With regard to policy CP46, it is accepted that whilst these hedgerows are priority habitats, the secondary access is necessary to provide safe access for multiple fire engines to attend the site at different access points, should the need arise. With regard to policy CP46, it is therefore considered that the loss of these lengths of hedgerow is justified as the application proposes enhanced planting along site boundaries with tree and buffer planting which will in turn provide additional biodiversity habitats in compensation. The site will benefit from biodiversity enhancements (species rich grassland, scrub, tree planting) which will be secured through s106 legal agreement, which it is considered will mitigate against the loss of the sections of hedgerow.

- 6.30 Two watercourses demarcate the eastern and southern boundaries of the application site. The footprint of the BESS itself is set back from these watercourses by at least 10 metres in accordance with the requirements of policy DP30. The current surface water drainage strategy shows that the attenuation basin would be within 10m of a riverbank and discharge via headwall into the Moor Ditch which is valuable for wildlife and supports otter, a European protected species and is suitable for water vole. Whilst the proposed drainage arrangements are an acceptable solution from a drainage perspective, the proximity of the position of the SUD's basin to the riparian corridor is noted. In response to this matter the Environment Agency have recommended that a planning condition be imposed requires a revised drainage scheme to be submitted in order to mitigate the impact on the river corridor and its habitat and it is considered that this will allow for further discussion around alternative design solutions.
- 6.31 The EA have also recommended that a condition be imposed requiring the submission of a Landscape and Ecological Management Plan (LEMP). This is considered reasonable and necessary by officers to ensure the proposal accords with policy CP46.
- 6.32 Whilst bat surveys have recorded Barbastelle on the site, Officers are content that the proposals themselves would not result in an adverse impact on the species (through severance of commuting corridors or loss of foraging resource) but it is essential that boundaries of the site remain completely dark. The development should remain unlit, apart from very few exceptions within the centre of the development which would need to be sensitively designed (2700k colour temperature, PIR controlled, low level, shielded). This matter can be strictly controlled with planning conditions.
- 6.33 With regard to breeding birds, Officers are content that habitats of value to most species (hedgerows and riparian corridor) are mostly being retained and that the foraging value (from wildflower grassland creation) increase is likely to compensate for the loss of any low number of skylark territories onsite.

- 6.34 Officers are satisfied that impacts on other species can likely be avoided with sensitively working methods, secured with a planning condition.
- 6.35 NatureSpace have informed that the development falls within the amber impact risk zone for great crested newts. In line with advice from Natural England, on the basis that there is a reasonable likelihood that great crested newts will be impacted by the development proposals, the applicant has entered into the District Licencing scheme via a NatureSpace Certificate which sets out a number of conditions that will need to be included in any planning consent.

#### 6.36 Biodiversity Net Gain (BNG)

The application is subject to mandatory BNG within the meaning of Schedule 7A of the Town and Country Planning Act 1990. This secures the submission of the 'Biodiversity Net Gain' which is a document which describes how 10% BNG is going to be achieved. Officers are satisfied that the baseline habitats have been appropriately recorded in the submitted statutory metric and BNG will be secured by the deemed pre- commencement condition.

- 6.37 A planning obligation is required to secure the establishment and long-term maintenance of the significant on-site habitat creation proposals. A legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) if therefore being drafted to meet the BNG requirement and include implementation of a Habitat Management and Monitoring Plan (HMMP) for 30 years on and off site biodiversity.
- 6.38 With regard to the Rochdale Envelope principle, and the need for flexibility in the layout/design, further to the results of the Archaeological Evaluation, the developable area is likely to be reduced to protect assets. This has had positive implications on the BNG which has increased from 70.47% to 113.22% BNG Subject to the above, it is considered that the proposals are acceptable in terms of impact on ecology and biodiversity net gain in accordance with policies.

#### 6.39 **Drainage and Flood Risk**

Policy CP42 of the LPP1 seeks to ensure that development provides appropriate measures for the management of surface water as an essential element of reducing future flood risk to both the site and its surroundings.

- 6.40 The application site lies within Flood Zones 2 & 3 as defined by the NPPF as having a medium and high probability of flooding respectively. In accordance with the NPPF and PPG, the application is accompanied by a Flood Risk Assessment (FRA) which shows that ground levels at the development site are generally above the identified design flood level and therefore the risk of fluvial flooding to and from this development is considered low.
- 6.41 The Environment Agency has not raised any objections to the proposed development in respect of drainage subject to the imposition of conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment (FRA), scheme for containing and disposal of surface water (including firewater), and a revised surface water drainage scheme to address concerns raised in respect of ecology (as mentioned above).

6.42 Further to the submission of additional information confirming that the development will not result in the loss of flood plain, the Drainage Engineer has no objection. No objections are received from the Lead Local Flood Authority (LLFA). Therefore, the development is in accordance with policy CP42 of the LPP1.

#### 6.43 Sequential test

The site is not allocated, therefore it has not been specifically assessed within the Strategic Flood Risk Area (SFRA). The sequential test is therefore based on the EA flood zones and information contained within the SFRA.

- 6.44 The site is considered to be 'low' fluvial and tidal flood risk. No significant risks have been identified from any of the other sources assessed. Therefore the site is considered to be acceptable for development.
- 6.45 With regard to the exception test, and criteria a) the proposed development has the potential for significant beneficial economic and climate change effects that will benefit at a local level. In respect of criteria b) the SUD's strategy demonstrates that the development would be safe, without increasing floor risk elsewhere and that a positive reduction in flood risk would be achieved through the proposed drainage system. It is therefore considered that the application complies with policy CP42 of the LPP1.

#### 6.46 Impact on trees and hedges

The proposals include the retention of all significant trees and hedgerows on site, limiting removals to two short sections of hedgerow to facilitate site entrances and visibility splays. Officers are satisfied that the loss of these two short sections of hedgerow can be adequately mitigated against as shown on the submitted landscaping and planting plans. From an arboricultural perspective the proposals are in compliance with policies CP44 of the LPP1 and CP37 of the LPP2 and the Council's Joint Design Guide 2022, ensuring the conservation and enhancement of the special character of the area and promoting the integration of the proposals within the context and character of the local landscape.

#### 6.47 Effect on living conditions of residents

Policy CP44 of the LPP1 refers to the tranquility of the landscape which should be protected from harmful development and highlights the need for protection against light pollution, noise and motion.

- 6.48 Policy DP23 of the LPP2 requires development proposals to demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts in relation to the following factors:
  - i. loss of privacy, daylight or sunlight
  - ii. dominance or visual intrusion
  - iii. noise or vibration
  - iv. dust, heat, odour, gases or other emissions

- v. pollution, contamination or the use of / or storage of hazardous substances; and
- vi. external lighting.
- 6.49 The nearest existing residential properties are approximately 260m to the north west of the site. Planned development at Nobel Park to the east of the site would be approximately 120m from the development.
- 6.50 The facility will have a total power input/ output of up to 300 MW in accordance with the grid connection agreement with the National Grid. The facility will be available (notwithstanding maintenance) on a 24/7 basis, although it will not operate continuously. Duration and capacity of operation will depend on the power generation and storage requirements of the market and network, with typical demand occurring at peak times of the day, morning and evening.
- 6.51 Concern has been expressed regarding noise impact from the development, particularly in conjunction with the planned Didcot to Culham Road. The application is accompanied by a noise assessment which sets out how the inverter units have been intentionally located away from potential noise sensitive receptors. Transformers vary in scale, but these are also intentionally located in the south-west corner of the site within the setting of the landfill site and power station, away from potential noise sensitive receptors. Environmental Health have not raised any objections to the proposed development and a condition can be imposed to require development to be undertaken in accordance with the submitted noise assessment. It is therefore considered the development accords with policies CP44 of the LPP1 and DP23 of the LPP2.
- 6.52 The CTMP states that the proposed construction hours would be 08:00-18:00 Monday to Friday, and 08:00-13:00 on Saturdays. There would be no construction activities on Sundays or Public Holidays. Once operational there will be minimal on-site activity and the development will be monitored remotely and will not require any permanent staff to be located on site. The operational phase is expected to require one maintenance visit per month using a small van or car.
- 6.53 A planning condition will also be imposed to require details of any external lighting to be installed at the site in order to minimise any adverse affects on residential amenity and ecology.

## 6.54 Impact on highways and proposed access

- Policy CP33 of the LPP1 actively seeks to ensure that the impacts of new development on the strategic and local road network are minimised to ensure that developments are designed in a way to promote sustainable transport access and to promote and support improvements to the network that increase safety and improve air quality.
- 6.55 Policy DP16 of the LPP2 requires evidence to demonstrate that acceptable offsite improvements to highway infrastructure can be secured where these are not adequate to service the development.

- 6.56 The Didcot Local Cycling and Walking Infrastructure Plan (October 2023) produced on behalf of South Oxfordshire and Vale of White Horse by Systra to support the Joint Local Plan 2041, identifies route 15 along the B4016 from Main Road, Appleford, and Sires Hill to Didcot Road. The project is funded by the Didcot Garden Town programme and aims to improve walking and cycling infrastructure for Didcot residents, workers and visitors alike.
- 6.57 In accordance with Policy DP17 of the LPP2, the application is accompanied by a Transport Statement which provides details of the access arrangements for the proposed development and the route that construction vehicles would take during construction of the BESS as well as the impact these construction vehicles would have on the local highway network. Further to this an additional technical note has been prepared to address further queries raised by Oxfordshire County Council (OCC) Highways Officers.
- 6.58 A Construction Traffic Management Plan (CTMP) has been prepared to support the proposal which confirms that the main construction period is likely to last between 18-22 months in total and associated traffic levels will fluctuate, depending on the type of activity. During the peak of the construction phase, it is anticipated there would be up to 6 two-way HGV movements per day, with up to 60 two-way construction staff vehicles per day. The HGV trips are anticipated to be spread across the 10 hour week day working days of Monday to Friday and the 5 hour Saturday only weekend working day, which is acceptable. The construction staff vehicle movements are expected to be made outside of the network AM and PM peaks and again, are acceptable.
- 6.59 Highways Officers have confirmed that the design of the construction access is acceptable as it is accepted that, given the limited frequency of the construction vehicles associated with the site and the type of vehicles, the visibility splay distance can be reduced to 2.4m. This would result in 2.4m x 162.3m visibility splays to the east and 2.4m x 147.1m to the west.
- 6.60 Whilst a CTMP has been submitted with the application, a condition will be imposed to require a revised document to be submitted to clarify the routing of construction traffic, frequency and delivery times of construction vehicles. A banksman will be required to control vehicles entering/leaving the site therefore a swept path analysis plan detailing HGV with an opposing car is not required. All vehicles will be required to enter/leave the site from the east via the A4130/Didcot and not routed through the adjacent village of Appleford.
- 6.61 In response to concerns raised regarding the stage 1 Road Safety Audit (RSA), the submitted CTMP confirms that construction vehicles will be able to enter and leave in a forward gear, even whilst one HGV is parked internally. No objections are therefore raised in this respect.
- 6.62 No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design and acceptable adoption standards will be subject to a full technical audit and planning conditions can be imposed to cover access arrangements and the CTMP.

Subject to such conditions, the proposed development accords with policies CP33, DP16 and DP17.

#### 6.63 Public Rights of Way

Policies CP37 of the LPP1, and DP16 and DP31 of LPP2, provide for the protection of and enhancement of cycling and pedestrian routes. It is acknowledged that footpaths 189/44/10 &106/6/10, 189/44/20 and bridleways 287/8/30 & 287/8/20 are all near or adjacent to the site. However, none are affected or within the site and it's boundary.

6.64 Further information has been provided to confirm that route 15 (as identified in the Didcot Local Cycling and Walking Infrastructure Plan) will be safeguarded with a 4m strip reserved for the future provision of the proposed hybrid foot/cycleway. It is acknowledged that the proposed permanent site access, if given planning permission/constructed, will be required to be taken into account with regard to any future Route 15 design/alignment. It is therefore considered that the development is in accordance with policies CP37 of the LPP1, and DP16 and DP31 of LPP2.

#### 6.65 Archaeology and Heritage

Policy DP36 of the LPP2 requires proposals for new development that may affect heritage assets to demonstrate that they conserve or enhance the special interest or significance of the heritage asset and its setting in accordance with policy CP39 of the LPP1 (which also seeks to protect the historic environment). Policy DP39 of the LPP2 seeks to ensure that development will not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.

- 6.66 The County Archaeologist had previously objected to the proposal in the absence of a pre-determination archaeological field evaluation which was required to more clearly ascertain the presence, location, date, extent, character and significance of any archaeological remains in order that the impacts of the proposed development on any such remains and their corresponding significance can be properly understood.
- 6.67 Further to this an Archaeological Evaluation Report has been produced and agreed by the County Archaeologist which has now removed their objection. This summarises the outcome of trial trench evaluation at the site and proposes some revisions to the layout of the battery storage units which makes provision for the preservation in situ of key areas of recorded significant archaeological remains on the site.
- 6.68 In accordance with the Rochdale Envelope principle, the only technical concern arising relating to the illustrative scheme originally presented related to archaeology. However, the submission of the additional evaluation report and proposed slightly reduced scheme to accommodate the findings of the evaluation report have now satisfied concerns and the objection has been withdrawn. The County Archaeologist has recommended that conditions are imposed, should planning permission be granted, to secure further archaeological investigation and record in advance those remains that are

- recorded within the development footprint and to safeguard the area of archaeological preservation as identified.
- 6.69 With regard to policies CP39 of the LPP1, and policies DP36 and DP39 of the LPP2, no objections are raised in respect of the impact of the development on heritage assets either directly or as a result of the proposals in their wider setting.

#### 6.70 Best and most versatile agricultural land (BMV)

The NPPF indicates under paragraph 187 that planning decisions should contribute to and enhance the natural and local environment by recognising the benefits of the best and most versatile agricultural land.

- 6.71 The Written Ministerial Statement (WMS) published in May 2024, titled 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land', sets out the importance of food security. It states that "due weight needs to be given to the proposed use of Best and Most Versatile land when considering whether planning consent should be granted for solar developments. For all applicants the highest quality agricultural land is least appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary."
- 6.72 Core Policy 43 of the LPP1 encourages development proposals to avoid the development of the best and most versatile agricultural land, unless it is demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas of poorer quality land in preference to that of higher quality land. Alternative sites have been assessed and considered earlier in the report.
- 6.73 The proposals would lead to a loss of circa 5.6ha of BMV agricultural land The loss of the agricultural land will be during the lifetime of the development, which is 40-50 years. Following this the development will be decommissioned and returned to its original state.
- 6.74 The application is accompanied by an agricultural land classification report which finds the site to be 76.8% subgrade 3b (moderate quality) and 23.2% subgrade 3a (good). The proposed development is predominantly located within the area of subgrade 3b land thereby avoiding the marginally higher quality subgrade 3a land.
- 6.75 It is not considered that the proposed development would significantly harm national agricultural interests to justify refusal of the application against policy CP43 of the LPP1 and the National Planning Policy Framework (December 2024).

#### 6.76 **Cumulative Impact**

Policy DP23 of the LPP2 states that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts.

- 6.77 There are several other planned developments in the local area including the consented Didcot to Culham River Crossing road scheme, part of which would run north/south, to the west of the railway line (approximately 300 m at its nearest point). In addition, a data centre has been approved and is under construction to the west of the Site, adjacent to Milton Park, whilst another has been granted a Development Consent Order (DCO) and will be located south west of the Site and on the western side of the railway. A third data centre is planned and would lie south west of the Site, between the other two which have been consented.
- 6.78 The site is located within a changing landscape, however no objections are raised from a highways in terms of strain on the infrastructure network, landscape or environmental health perspective. Therefore, the development accords with the provisions of policy DP23 of the LPP2.

#### 6.79 Other matters

Fire Safety

Concern has been expressed by local residents regarding the potential fire risk from lithium-ion batteries. The application is accompanied by an Outline Battery Safety Management Plan (OBSMP) which outlines key fire safety provisions, including measures to reduce fire risk as well as fire protection measures and systems for the proposed development. The development will be procured, designs, installed and operated to conform to the latest industry standards and good practice at the time if implementation. The BESS will be broken into discrete groups consisting of battery containers, inverters and transformers which is intended to separate and limit any fire.

6.80 No objections have been raised by Oxfordshire Fire and Rescue Service who comment that sufficient water supplies for firefighting operations should be provided an information on this made available at the entrance to the compound for the Fire and Rescue Service. It is further considered appropriate for a planning condition requiring the approval of a fire safety plan to ensure that all relevant information is provided to the Fire Service and that the development accords with the most up to date standards.

#### 6.81 Minerals

The application site is located within a designated Mineral Safeguarded Area (MSA) for sand and gravel. The application is accompanied by a Mineral Resource Assessment which concludes that the site is considered to be a non-preferred site for mineral extraction and given the calculated volumes and nature of the potential underlying mineral resource, there would be no overriding benefit to progress the site as an initial mineral reserve. No objections have been received from Oxfordshire County Council as Mineral Planning Authority.

#### 6.82 Community Benefit

Whilst concern has been expressed by local residents and the Parish Council regarding the lack of benefit to the community, it is not considered that any specific community benefit proposals would be appropriate in this instance. Developer contributions can only be sought towards the provision of necessary

infrastructure to mitigate the impact of the local community. The development proposes additional landscaping and will have biodiversity benefits. This is supported by a recent appeal decision in Swindon (APP/U3935/V/14/2216792) for a solar farm where the inspector states "The Secretary of State also agrees with the Inspector (IR398-399) that, although there is no evidence to indicate that there would be any benefit to the local economy during the lifetime of the solar scheme, further ecological enhancements to the airfield would be achieved which would add an additional small benefit to the scheme".

#### 6.83 Pre-commencement Conditions

In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, Section 100ZA (6) of the Town and Country Planning Act 1990(a) the Council is required to confirm agreement to all pre-commencement conditions which are set out in **Appendix 5**. These will all have been agreed by the applicant/agent in writing in accordance with the requirements of this legislation.

#### 7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 The application has been assessed on its merits, against the requirements of the adopted LPP1 and LPP2, and the National Planning Policy Framework. All relevant consultations have been undertaken and all responses received have been fully considered.
- 7.2 The development will contribute to local and national 'net zero' targets and will operate at a maximum capacity of 300MW. The proposal would have some landscape and impact, however this harm would be temporary and mitigated by additional planting. The development would also result in the loss of agricultural land, however the benefits are that the development will help with energy storage on a site near to the grid contributing to a clean power pathway which has significant public benefits. The development is generally of a profile which could be screened without adversely affecting the character of the area. The proposed development would not cause a significant adverse impact on the landscape and would comply with policy CP41 of the LPP1.
- 7.3 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. Planning permission is sought for 45years, and upon decommissioning of the infrastructure, the site would return to grassland. There are very limited socio-economic benefits arising from employment during construction and maintenance of the BESS.
- 7.4 The proposal would deliver a biodiversity net gain through habitat improvements and new habitats created and some moderate weight is also given to the ecological enhancements proposed.
- 7.5 The environmental and technical reports that form part of the planning application submission demonstrate that there would be no unacceptable environmental impacts, and there are no technical objections to the proposal.

7.6 Having weighed up these factors, officers consider the benefits of the proposed development, the production of renewable energy for use by the technology centre along with proposed landscape mitigation benefiting both the site and wider landscape, would not have a detrimental effect on the environment. When considered against the Development Plan as a whole, the proposal represents a sustainable form of development and there are no valid reasons to withhold planning permission.

#### 8.0 **RECOMMENDATION**

- 8.1 To authorise the Head of Planning, in consultation with the chair of Planning Committee, to approve planning permission subject to:
  - the prior completion of a S106 Legal Agreement to secure the implementation of a Habitat Management and Monitoring Plan (HMMP) to secure BNG improvements for a period of 30 years and

ii) the planning conditions listed in **Appendix 5**.

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#### Appendix 5

#### **Planning Conditions:**

## 1 Commencement within 3 years.

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 Approved Plans.

That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans,

[INSERT],

except as controlled or modified by conditions of this permission.

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

## 3 Temporary period of 30 years.

This planning permission is for a temporary period of 40 years from the date of first operation of the development hereby permitted. Decommissioning of the Battery Energy Storage System, comprising discontinuance and removal of all buildings, works, uses of land and other development hereby permitted and the restoration of the land to its former condition shall take place within 12 months of the expiry of this permission.

At least 6 months before the planning permission is due to expire, a Decommissioning Method Statement (to include a timetable for implementation and a scheme to restore the land to its former condition) shall be submitted to and approved in writing by the Local Planning Authority. The site shall be decommissioned and restored in accordance with the approved statement.

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

## Removal if use ceases.

In the event the development ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for the removal

of the Battery Energy Storage System and any associated equipment, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The restoration scheme shall include details of the retention of any approved boundary treatment(s) and planting. The approved scheme of restoration shall then be fully implemented within 6 months of written approval being given.

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 ...

#### 5 Levels.

No development shall take place until details of existing and finished site levels relative to a fixed datum point on adjoining land outside of the application site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details

Reason: In the interests of the visual appearance of the development in accordance with Policies...

### 6 Development in accordance with FRA.

The development shall be carried out in accordance with the submitted flood risk assessment (ref 794-PLN-NPI-00196 rev 2 dated 11 November 2024) and the following mitigation measures it details:

 There shall be no built development within the 0.1% AEP flood extent in accordance with section 8 of the FRA, the topographic survey (drawing no UAU3449\_A, dated August 2024) and the illustrative site layout plan (drawing no 00196-0018-03, rev A, dated January 2025).

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.

**Reason** In accordance with paragraph 181 of the National Planning Policy Framework and Core Policy 42 of the Vale of White Horse Local Plan 2031. To prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of floodplain storage.

#### 7 Scheme to contain/dispose of surface water.

The development hereby permitted shall not be commenced until such time as a scheme to contain and dispose of surface water, including firewater, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: In accordance with paragraph 187 of the National Planning Policy Framework and Core Policy 43 of the Vale of White Horse Local Plan 2031. To prevent development contributing to unacceptable levels of pollution to the water environment

#### 8 Surface Water Drainage Scheme.

No development shall take place until a surface water drainage scheme for the site has been submitted to, and approved in writing, by the local planning authority. The scheme shall include the following elements:

- Scaled Diagrams of all surface water drainage infrastructure including attenuation basin/s, swales, outfall and headwall and pipe network. This should include planting plans (native species only, ideally of local provenance), bank and bed gradients (along both latitudinal and longitudinal planes).
- Substrate of the bed of the watercourse, vegetated swales and attenuation basin, including details of the existing geology and any intended substrate dressing.
- Details of the measures in place to prevent any adverse impacts.
- Details of maintenance regimes for the formal drainage infrastructure (i.e. headwall and pipe network) and the ecological features (attenuation basin and swales). This should include methods (i.e., how built up fine sediment is to be removed), frequency of the work, adequate financial provision, and named responsible body. For any ongoing maintenance work required in the 10 metre buffer zone, this should detail how works will be carried out in an ecologically sensitive way to safeguard the character and function of the watercourse and its associated riparian corridor.

The scheme shall be implemented in accordance with the approved details before the development is completed.

Reason In accordance with paragraphs 187 & 193 of the National Planning Policy Framework and Development Policy 30 of the Vale of White Horse Local Plan 2031. To avoid biodiversity harm and enhance the natural environment.

#### 9 Landscape and Ecological Management Plan.

No development shall take place until a Landscape and Ecological Management Plan (LEMP), including design specifications and design objectives, long-term management responsibilities, and maintenance schedules for all restored and landscaped areas, has been submitted to and approved in writing by the local planning authority. The landscape and ecological management plan must include a buffer scheme and be implemented as approved, and any variations must be agreed in writing by the local planning authority. The LEMP shall include the following elements:

- Details and illustrative diagrams of all enhancements to the watercourse and riparian zone and of any enhancement or creation of habitats created on site to support biodiversity gain.
- Outline a minimum buffer provision of 8 meters between the watercourse free from any construction or built development including, earthworks, formal landscaping, access tracks, lighting, footpaths and fencing.
- Detailed planting plans. Landscaping within 10 metres of the bank of the main river shall only be UK native species (ideally of local provenance).
- Details of how the 10 metre riparian corridor will be protected during development. This should include:
  - -The measures to be used to physically protect the zone during construction e.g. fencing.
  - -Any necessary pollution protection methods, particularly for dust, silt/sediment and other harmful substances such as oil that could otherwise pollute the watercourse.
  - -Any necessary mitigation for protected/priority species.
  - -Any mitigation measures for invasive species
  - -Responsible management bodies of riparian corridor
- Details of how the riparian corridor, habitats enhanced and/or created and the retained natural areas will be managed over the longer term. This should include:
  - -Maintenance techniques and methods (i.e., trimming of hedge proposed between the watercourse and SUDs feature)
  - -Maintenance schedules
  - -Adequate financial provision
  - -Named body responsible for management
- Protocols for the management and removal of invasive species.
- A timeline and schedule for the creation, enhancement, and ongoing management of habitats.

Reason: In accordance with paragraphs 187 & 193 of the National Planning Policy Framework and Development Policy 30 of the Vale of White Horse Local Plan 2031. To avoid biodiversity harm and enhance the natural environment.

# 10 Construction Environmental Management Plan for Biodiversity to be approved.

No development shall take place, including vegetation clearance or ground works, until a construction environmental management plan for Biodiversity (CEMP: Biodiversity) has been 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. Update surveys shall follow national good practice guidelines.
- b) Risk assessment of potentially damaging construction activities.
- c) Identification of 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.

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

# 11 Final landscaping to be approved

No development shall take place until 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 treatment (including gates and fencing) has been submitted to and approved in writing by the Local Planning Authority. 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, an implementation programme and long term management plan.

The scheme shall be implemented before the development is bought into operation 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.

# 12 Surface Water Drainage Details

# 12 Construction Traffic Management Plan.

The submitted and approved Construction Traffic Management Plan (CTMP) shall be implemented prior to any works being carried out on site and shall be maintained throughout the course of the construction.

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 the NPPF

## 14 Materials to be approved

Notwithstanding any description of materials in the application no works involving the use of any external facing materials shall take place until a full specification of materials to be used externally on the buildings, battery containers and inverters / transformers have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour, and texture of the materials. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.

# 15 SUD's compliance scheme

The development hereby permitted shall not be bought into operation until a SUDS Compliance Report prepared by an appropriately qualified engineer has been submitted to and approved by the Local Planning Authority. This must suitably demonstrate that the sustainable drainage system has been installed and completed in accordance with the approved scheme (or detail any minor variations).

This report should as a minimum cover the following;

- a) Inclusion of as-built drawings in dwg and pdf and shp format.
- b) Inspection details of key SUDS features such as flow controls, storage features and volumes and critical linking features or pipework undertaken, with appropriate photographs and evidence of inspections incorporated at each key stage of construction and on completion.
- c) Details of any remediation works required following the initial inspection.
- d) Evidence that that remedial works have been completed.
- e) Details of management plan set up to maintain and operate the system.

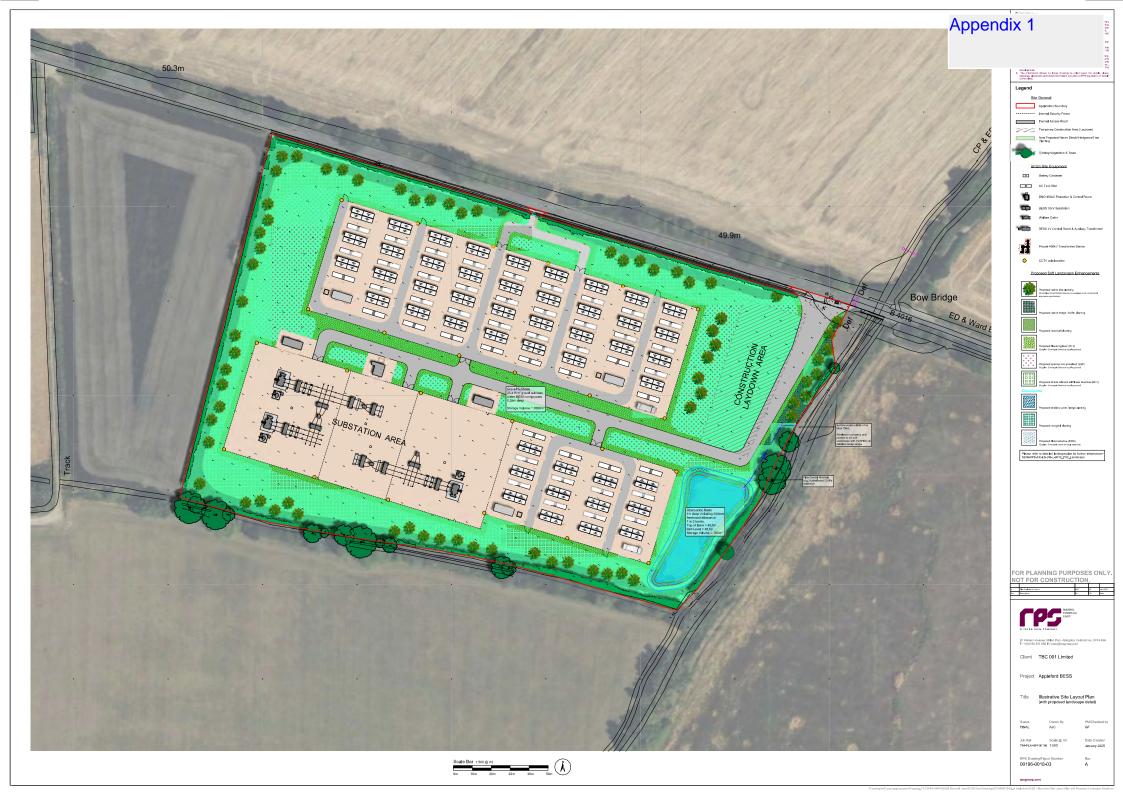
Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.

### 16 Access arrangements

Prior to the use of the vehicular access points, visibility splays shall be provided in both directions in accordance with the approved detailed on Dwg Nos. 794-PLN-NPI-00196- DR-011 & 794-PLN-NPI-00196-DR-015 Reason: In the interest of highway safety (Policy CP37 of the adopted Local Plan 2031 Part 1 and Policy DP16 of the adopted Local Plan 2031 Part 2). 17 Details of a fire detection and suppression system to be approved The development hereby permitted shall not be brought into operation until full details of a fire detection and suppression system have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. Reason: In the interests of public safety, security and to protect the surrounding natural environment in accordance with policy 18 Details of external lighting. No external lighting shall be installed on site until a sensitive No external lighting shall be installed on site until a sensitive lighting strategy for bats has been submitted to and approved in writing by the Local Planning Authority. The strategy shall protect the conservation status of local bat populations, by: a) Identifying those areas/features on site that are likely to be both sensitive for bats and vulnerable to disturbance from artificial lighting including: known or potential breeding sites, resting places, foraging areas or important routes used to access key areas of their territory. b) demonstrating that the design and siting of the proposed lighting installation will not disturb or prevent bats using the areas identified in a) (through provision of appropriate lighting plans, isolux contour maps and technical specifications) All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy and retained as such thereafter. Reason: To avoid impacts on bats from insensitive external lighting in line with Policy Development to be carried out in accordance with noise report 19 The development hereby approved shall be constructed and operated in accordance with the acoustic assumptions and recommendations set out within the Noise Impact Assessment for Planning ..... Reason: To protect the occupants of nearby residential properties from loss of amenity due to noise disturbance and in accordance with Policy

# Vale of White Horse District Council – Planning Committee - 25 June 2025

20	Restriction on construction hours  The hours of operation for construction shall be restricted to 08:00-18:00  Monday to Friday and 08:00-13:00 on a Saturday. No work is permitted to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority.  Reason: To ensure that the development is not unneighbourly in				
21	accordance with Policy  Community Employment Plan				





# Appendix 3



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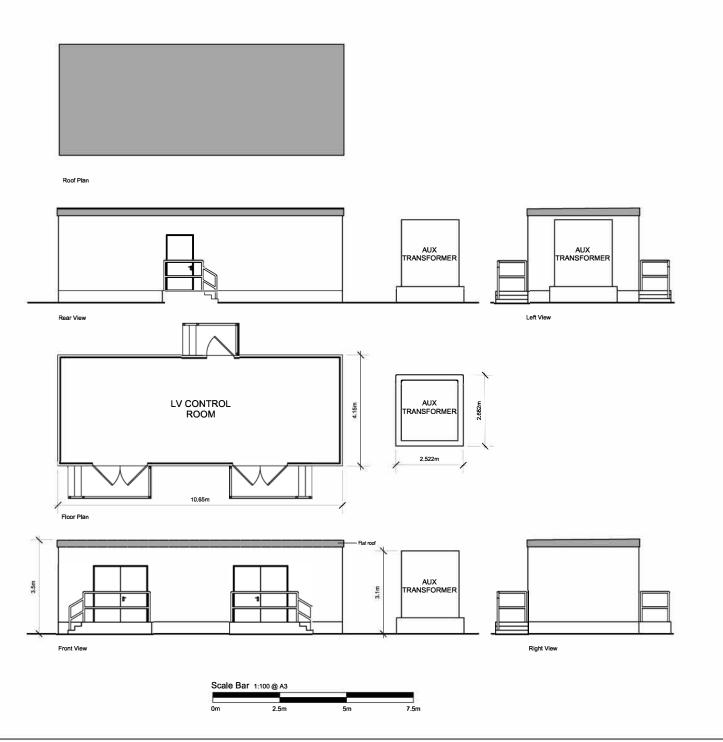
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itle Illustrative External Site Elevations

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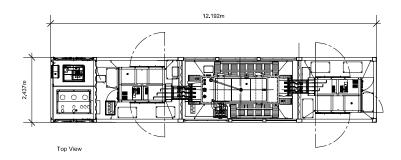
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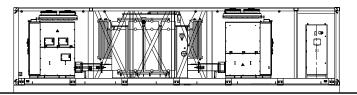
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#### Indicative BESS LV Control Room & Auxiliary Transformer Plans & Elevations

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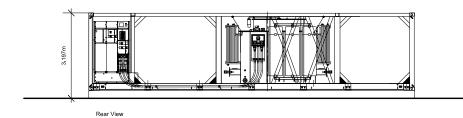
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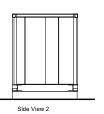




Side View 1



Front View





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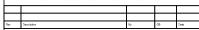
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Indicative AC Skid Unit Plans & Elevations

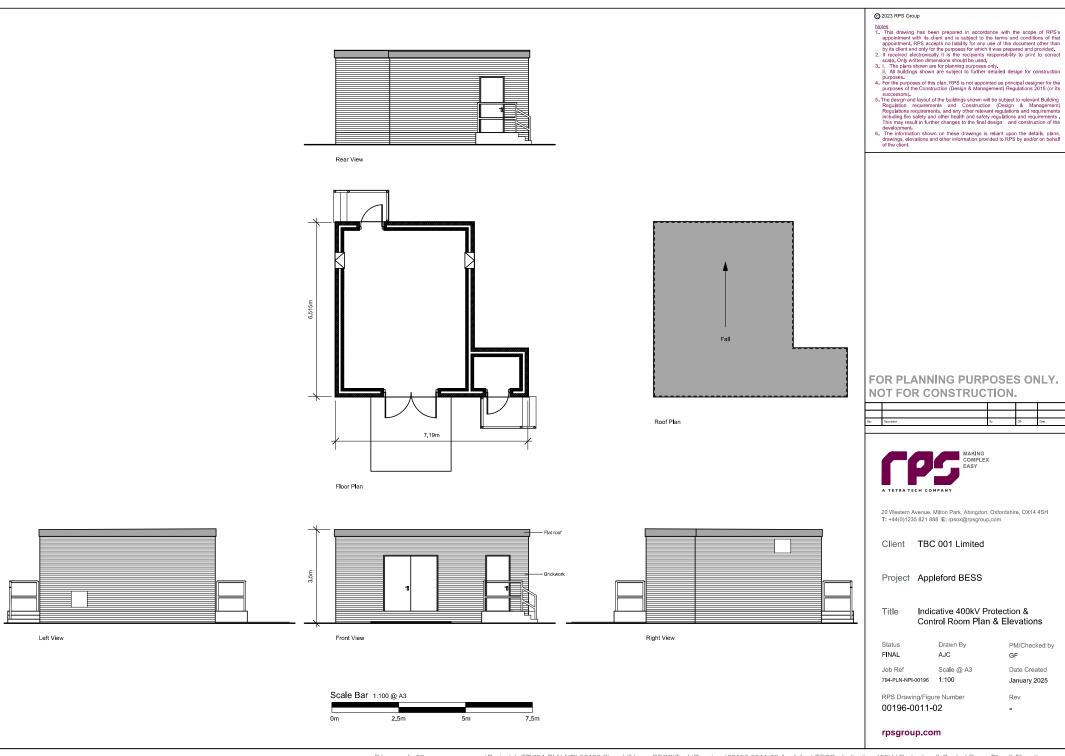
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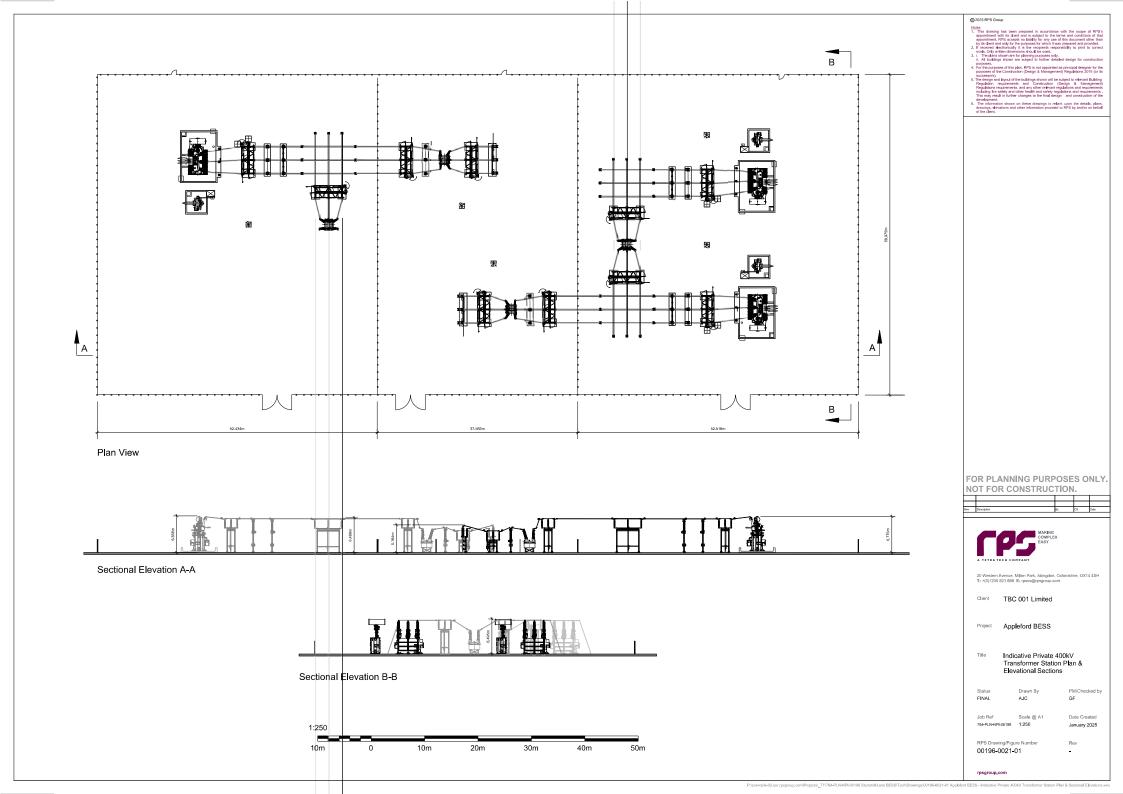
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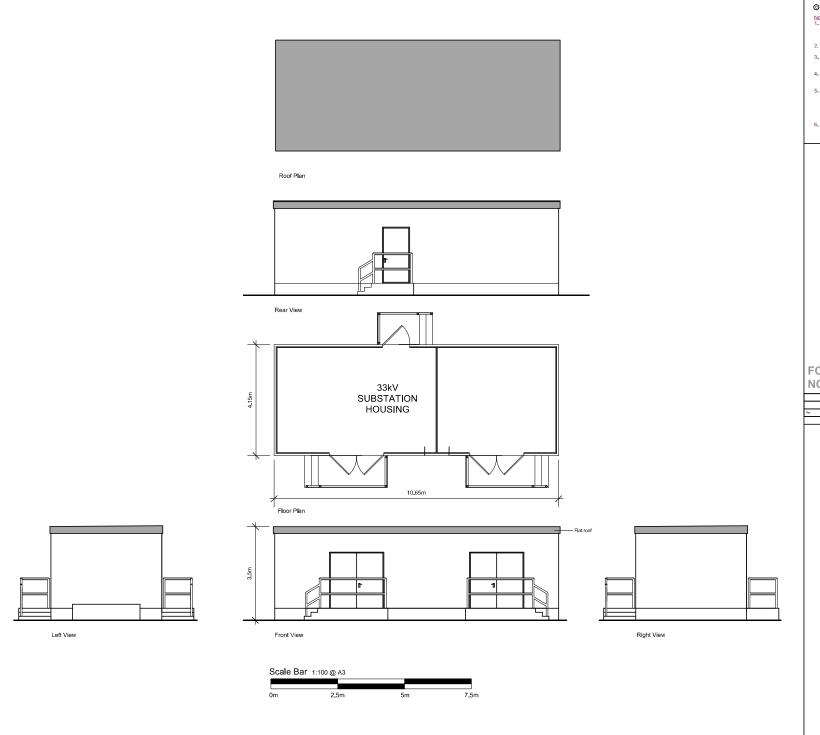
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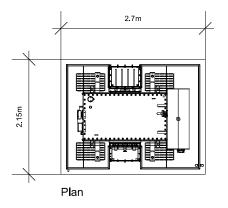
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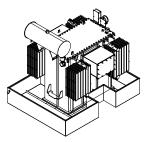
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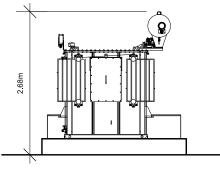
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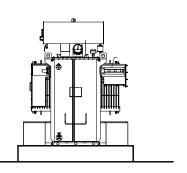
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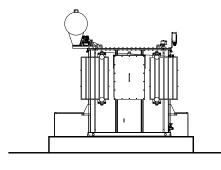
Typical ISO View

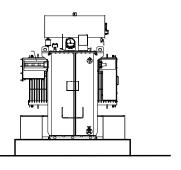




Typical Front Elevation

Typical Side Elevation





Typical Rear Elevation

Typical Side Elevation



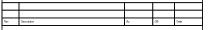
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#### Title Indicative 33kV Transformer Plan & Elevations

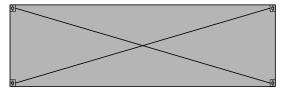
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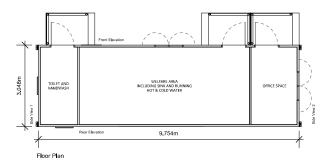
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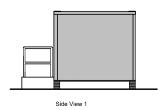


Roof Plan

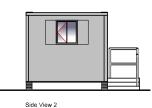


Front View









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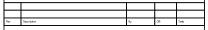
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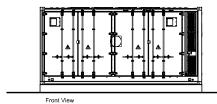
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#### Title Indicative Welfare Cabin Plans & Elevations

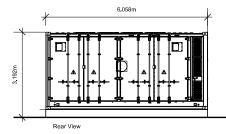
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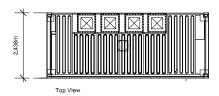




Side View 1











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20 Western Avenue, Milton Park, Abingdon, Oxfordshire, OX14 4SH T: +44(0)1235 821 888 E: rpsox@rpsgroup.com

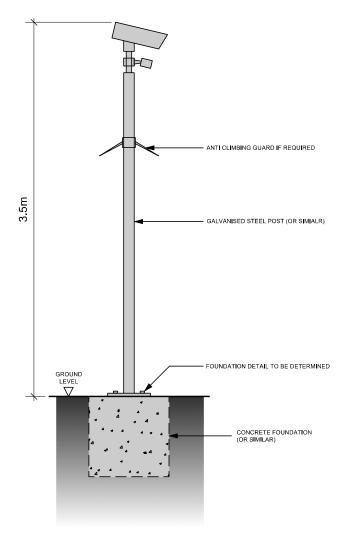
Client TBC 001 Limited

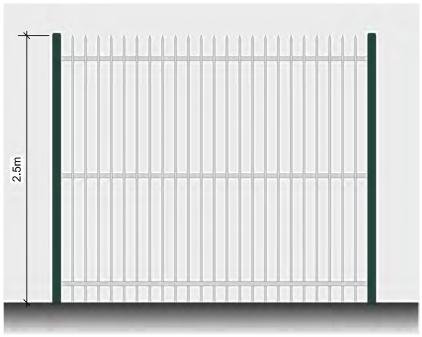
Project Appleford BESS

#### Title Indicative BESS Unit Elevations

Status Drawn By PM/Checked by FINAL AJC GF Job Ref Scale @ A3 Date Created 794-PLN-NPI-00196 1:100 January 2025

RPS Drawing/Figure Number Rev 00196-0004-02





Metal Palisade Security Fence

Elevation



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- Notes

  1. This drawing has been prepared in accordance with the access of RPS's appointment with its client and is subject to the terms and conditions of that appointment with its client and is subject to the terms and conditions of that many the client and only for the purposes for which it was prepared and provided.

  2. If received electronically it is the recipients responsibility to print to correct scale, Only written dimensions should be used.

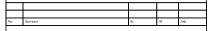
  3. I, The plans shown are for planning purposes only,
  ii, All buildings shown are subject to further detailed design for construction ourcoses.

- purposes.

  4. For the purposes of this plan, RPS is not appointed as principal designer for the purposes of the Construction (Design & Management) Regulations 2015 (or its 5. The design, and layout of the buildings shown will be subject to relevant Bulding Regulation requirements and Construction (Design & Management) Regulation requirements and Construction (Design & Management) Regulations requirements, and yother relevant regulations and requirements including fire safety and other health and safety regulations and requirements. This rangy result in further changes to the final design and construction of the
- In lay result in the changes to the lina design and constitution to development.

  6. The information shown on these drawings is reliant upon the details, plans, drawings, elevations and other information provided to RPS by and/or on behalf of the client.

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Client TBC 001 Limited

Project Appleford BESS

#### Title Typical CCTV and Security Fence Detail

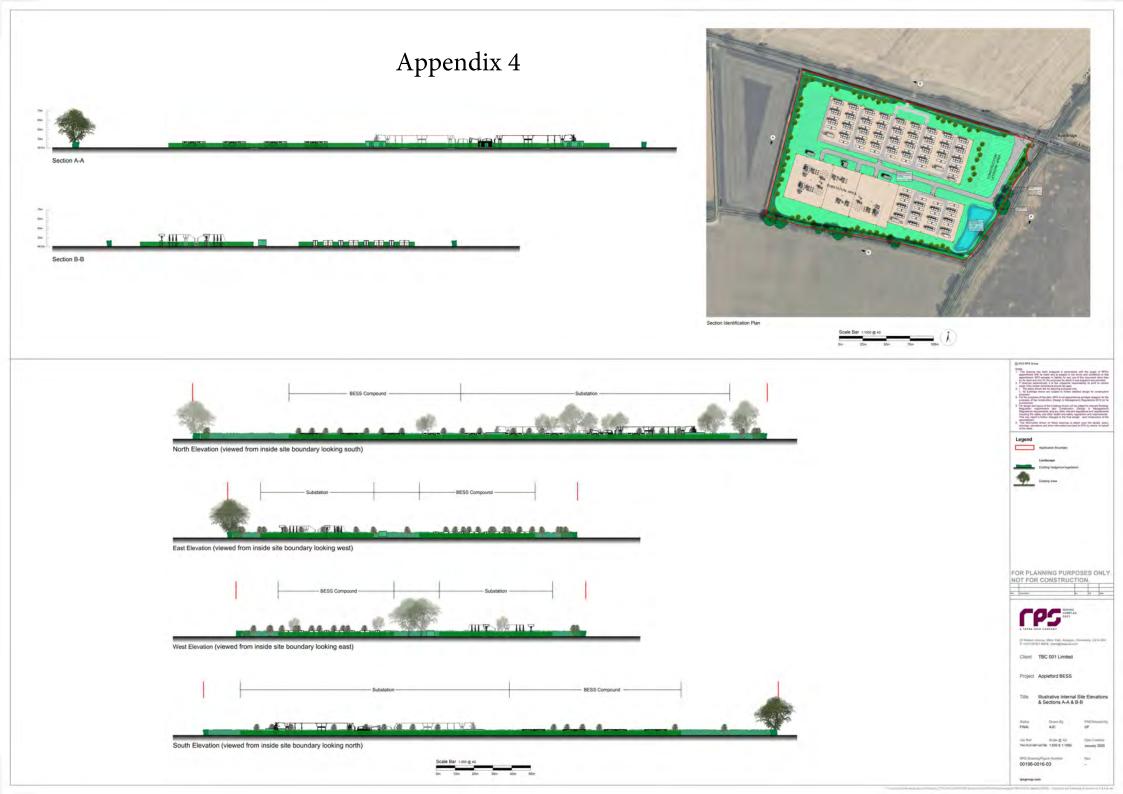
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January 2025 RPS Drawing/Figure Number Rev

00196-0019-01

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794-PLN-NPI-00196 1:25



# **VALE APPEALS DATA – MAY 2025**

Town/Parish	Location	Description of development	Council Decision	Appeal Date started and type	Reference
Wootton Parish Council	Broom Close, Old Boars Hill, Oxford	Two bedroom dwelling for guest accommodation for Broom Close	Delegated	Written Representations 2 December 2024	P24/V1310/FUL
Radley Parish Council	46-4 The Thatched Cottage Lower Radley ABINGDON OX14 3AY	Internal alterations to the existing house, external alterations to the existing dormer, and replacement of existing modern windows.	Delegated	Written Representations 2 May 2025	P25/V0151/HH
Radley Parish Council	46-4 The Thatched Cottage Lower Radley ABINGDON OX14 3AY	Internal alterations to the existing house, external alterations to the existing dormer, and replacement of existing modern windows.	Delegated	Written Representations 2 May 2025	P25/V0152/LB

APPEALS DECIDED						
Town/Parish	Location	Description of development	Decision and date	Appeal Decision & Date	Reference (link)	
Abingdon on Thames Town Council	Land at Radley Road, Abingdon	1 x illuminated digital advertisement display	Delegated 3 December 2024	Dismissed 28 May 2025	P24/V2231/A	