

Planning Addendum for Solar Development and Associated Works.

Land at Nuneham Solar Farm.

On behalf of RES Ltd.

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1. Introduction

1.1. This Planning Addendum has been prepared to address the comments raised by the Local Planning Authority and those raised statutory consultees following the conclusion of the statutory consultation period for Application Reference P24/S1336/FUL.

1.2. This proposal is for a solar development (PV) farm on land at North-west of Nuneham Courteney, South Oxfordshire. This development would have the capacity of up to 49.9MW of renewable energy. In summary, the proposal would provide 49.9MW of clean and renewable (low carbon) energy, enough to power over 13,000¹ homes annually and saving an estimated 800,000² tonnes of CO₂ over the lifetime of the project compared to electricity from fossil fuels like gas. The description of development is:

“Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains – known as Nuneham Solar Farm.”

1.3. This report addresses the following matters:

- National Planning Policy Framework Update – Section 2
- Ecology – Section 3
- Drainage – Section 4
- Highways – Section 5
- Other Matters and Planning Balance – Section 6
- Summary and Conclusion – Section 7

1.4. This submission provides an update outside of the ES submission to provide clarification to points raised by statutory consultees.

¹ The homes equivalent figure has been calculated by taking the predicted average annual electricity generation of the site (based on RES assessments Nuneham Solar Farm has a predicted capacity factor of 11.23%) and dividing this by the annual average electricity figures from DESNZ showing that the annual GB average domestic household consumption is 3,239 kWh (January 2024).

² Carbon reduction is calculated by multiplying the anticipated average amount of electricity generated by Nuneham per year by the number of tonnes of carbon which fossil fuels would have produced to generate the same amount of electricity using DESNZ's "all non-renewable fuels" emissions statistic of 424 tonnes of carbon dioxide per GWh of electricity supplied in the Digest of UK Energy Statistics (July 2023) Table 5.1.

2. National Planning Policy Framework Update

- 2.1. The recent issuing of a consultation on the revisions to the NPPF and draft amendments to the NPPF carries full weight as a recent expression of intent from the Government. The most recent version of the NPPF states that the 'planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimize vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.' This remains unchanged.
- 2.2. The proposed NPPF does, however, make meaningful changes in terms of the planning balance.
- 2.3. The revisions to the NPPF include (amongst revisions to paragraph numbers) at Paragraph 164 that 'Local planning authorities should support planning applications for all forms of renewable energy and low carbon development. When determining planning applications for these developments, 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 proposal's contribution to renewable energy generation and a net zero future.* (text underlined to identify proposed changes)
- 2.4. This is a major step forward, the previous NPPF did not provide such a weighting, leaving decision makers to determine the weight to be given to renewable energy generation (against other matters).
- 2.5. Finally, and also of merit, the proposed NPPF at paragraph 164(b) has removed the word 'significant' when recognizing that all projects provide a valuable contribution to cutting greenhouse gas emissions.

Green Belt

- 2.6. As is evident by the number of application and appeals for renewable energy generation, the Green Belt has an active role to play in the delivery of Government's ambitions. With there likely to be increased demand for 'grey belt' to be used for housing development, greenfield sites within the Green Belt can only continue to become common – particularly when existing grid infrastructure is present in such locations.
- 2.7. Paragraph 154 of the proposed NPPF remains unchanged and continues to state that '*when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.*'
- 2.8. It is considered that this shows a clear direction of travel at a national level in support of renewable energy generation in England.

3. Ecology

- 3.1. This section seeks to address the comments made by The South and Value Ecology Team dated 10th June 2024.
- 3.2. The supporting letter provided by Clarkson and Woods (Appendix 1) provides a response to all comments made. With regards to skylark mitigation, an area measuring 8.85 hectares to the north of the red line boundary, but under the ownership, that is potential available for skylark compensation habitat. As discussed within the submission, this area can be enhanced for skylarks by adopting sympathetic management which would provide optimal vegetational height and structure for skylarks to nest in. Under such a regime, it is likely that the land could support a density of territories at the upper range of densities found on lowland farmland (0.5 pair per hectare), or 4 to 5 pairs. It is therefore considered that this, in combination with the previously discussed increase in foraging opportunities, would certainly adequately compensate for impacts on skylarks ensure Policy ENV2 is satisfied.
- 3.3. It is acknowledged that Ecology forms part of the Environmental Statement. This information should be read in conjunction with and supplements the ecological assessment that has already been provided as part of the application. The submission does not however represent new ecological assessment work that would constitute new information necessitating re-consultation on the Environmental Statement.

4. Flood Risk and Drainage

- 4.1. This section seeks to address the comments made by the Lead Local Flood Authority (LLFA) dated 25th June 2024 and the South Oxfordshire and Vale of White Horse District Council Drainage Team dated 26th June 2024. The enclosed Addendum Note (Appendix 2) seeks to address comments made by both consultees.
- 4.2. In addressing the LLFA comments, all MicroDrainage calculations have been updated to include a Cv value of 0.95 and the surface water drainage strategy has also been updated to reflect the increased storage requirements.
- 4.3. The District Council Drainage Team comments have also been updated calculations and swales shown on the submitted drawings. Furthermore, an Operation and Maintenance Manual has been prepared that provides general advice which provides general advice and typical details for the operation and management of SuDS and mitigation features on site and will need to be reviewed and revised following the appointment of the site's management company. The applicant is happy to accept a suitably worded condition to secure the provision of this manual.
- 4.4. It is also acknowledged that the District Council Drainage Team have made specific reference to Policy ENV4 of the South Oxfordshire Local Plan. This reference is made in relation to a 10m wide buffer being provided watercourses for the enhancement of biodiversity and maintenance access. As discussed within the ecological works (Appendix 1), no buildings associated with the proposals will be constructed within a least 10m of the ditch banks, meaning permanent overshadowing of the water will not occur. As the operational scheme will be anticipated to result in a betterment of the ditches for biodiversity, by reducing

pollution and encouraging biodiversity along the bank tops, the proposals can be considered in line with Policy ENV4. Similarly, as discussed in the supporting Drainage Addendum Note (Appendix 2) the proposed 3m easement will be upheld ensuring maintenance access to the watercourses. This is considered sufficient to ensure maintenance access is not impacted by the proposed development.

5. Highways

- 5.1. This section seeks to address the comments made by Oxfordshire County Council dated 21st June 2024.

Access

- 5.2. In addressing the comments from Oxfordshire County Council the existing access into the site has been widened to 8m for a distance of circa 45m which allows for two vehicles to wait. This is shown on RES DRAWING NUMBER O4531-RES-ACC-DR-PT-001 Rev 1, Figure 17 Site Entrance Layout. This therefore addresses the request from Oxfordshire County Council of the access is required to be "widened for a distance of 35m, to allow 2 No. vehicles to wait".
- 5.3. To address the comments that "...the visibility spays of 4.5m x 215 m in both directions, the highway boundary extents and the swept paths of a 16.5 m articulated vehicle entering/exiting the site are provided on a topographical survey base...", drawings have been prepared. RES DRAWING NUMBER O4531-RES-ACC-DR-PT-001 Rev 1, Figure 17 Site Entrance Layout shows the visibility splays and highway boundary on the topographical survey base, and RES DRAWING NUMBER O4531-RES-ACC-DR-PT-002 Rev 1, Figure 18 Site Entrance Tracking. It is considered that these drawings address the Oxfordshire County Council comments.

Construction Access & Construction Traffic Management Plan (CTMP)

- 5.4. Oxfordshire County Council have commented that they consider that "...where the track travels into the site from the access, this is required to be provided at a width of 5.5m to enable large delivery vehicles to pass side by side."
- 5.5. It is not considered necessary to provide this length of access track at a width 5.5m. The access track within the site is provided at a width of 4m, with a section 8m wide for a length of 45m at the site entrance, circa 90 to 100m beyond this within the site there is a further section of "widening/passing bay" and circa 85 to 90m beyond this within the site there is a further section of "widening/passing bay". This is shown on RES DRAWING NUMBER O4531-RES-ACC-DR-PT-001 Rev 1, Figure 17 Site Entrance Layout.
- 5.6. This access track layout is considered to be fit for purpose for the site, there are areas along the access track within acceptable distances of each other for vehicles to see each other as they travel in and out of the site and pull in to allow larger vehicles to pass each other unhindered. The speeds of vehicles within the site will be low, the numbers of construction vehicle trips are not considered significant and will be managed to limit the vehicles travelling into and out of the site along this access track, and during operation the anticipated vehicle trips will be minimal.

- 5.7. It is therefore considered that a width of 4 m with the widened areas at the site entrance and along the access track is adequate.

Public Right of Way (PROW)

- 5.8. It is acknowledged that comments have been made about providing a link passage to the between the PROW running through the development site and that on the adjacent side of the AO74.
- 5.9. The client team held a meeting with the County Council Public Rights of Way Officer, Mr McEwan-James in May 2023, within which it was discussed an initial diversion route shown on Council mapping was no longer feasible due to road safety issues and visibility from the other side of the road, looking north towards Oxfordshire. As such, we were advised that Officers have engaged with the estate on the other side of the A4074 and the existing footpath is to be aligned to meet the existing footpath running through our site.

6. Other Matters and Planning Balance

Point of Connection and Proposed New Tower

- 6.1. The Applicant will not be making any revision to the planning application in response to the Officer's comment regarding inclusion of the point of connection and new tower within the planning application..
- 6.2. The connection infrastructure in this area indicated outside the application red line is a matter for the DNO to consent and construct, as is the case with all similar energy generating facilities. The details of those connection works are not yet available from the DNO which is also likely to be the case with similar energy generating facilities.
- 6.3. The Applicant is aware in broad terms of what these connection works are likely to comprise and so against that broad description has included that connection area in the ES assessment area (but excluded it from the planning application) to allow impacts to be assessed at a similarly broad level. This is, in effect, an assessment of cumulative impacts between the as yet uncertain future grid connection works outside of the Applicant's control and the scheme for which it is seeking consent comprising the detailed works in the red line boundary that have been fully described in the ES, which the Applicant will construct and operate.
- 6.4. The ES and supporting plans make clear the grid connection is outside of the planning application and its red line boundary such that no one is, or could be, under the misapprehension that permission is being sought for these within this application but all participants in the planning process have such information as is presently available on which to make their assessment of, and comments upon, the impacts of the development.

Planning Balance

- 6.5. Following the works provided in the wider Planning Statement, this section seeks to build on the planning balance within the context of the changes to national policy and recent Case Law.

- 6.6. The NPPF as updated in December 2023, outlines at paragraph 156 that:
- “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include wider environmental benefits associated with increased production of energy from renewable sources.”*
- 6.7. As discussed in Section 1, the NPPF update acknowledges Local Planning Authorities should, give significant weight to the proposal’s contribution to renewable energy generation and a net zero future. (text underlined to identify proposed changes)
- 6.8. Weight needs to be afforded to the need of development as UK and international targets strengthen in reducing carbon emission from energy sources. It is also considered relevant to consider the weight that the Secretary of State and Inspectors have given to the benefits of renewable energy generation in determining recent appeals.
- 6.9. At Halloughton in February 2022 (Appeal Reference APP/B3030/W/21/3279533, paragraph 55), Inspector Baird afforded ‘significant weight’ to the early and significant contribution that the proposal could make to the imperative to reduce emissions by generating 49.9 MW of electricity from a clean, renewable source.
- 6.10. In December 2022, at Langford the Secretary of State allowed a 49.9MW solar farm and considered that weighing in favour of the proposal is the production of electricity which is afforded “significant weight” (Appeal Reference APP/Y1138/W/22/3293104, paragraph 26) .
- 6.11. Also in December 2022, at Bishops Itchington, ‘substantial positive weight’ was given by Inspector Major to the provision of clean renewable energy (Appeal Ref APP/J3720/W/22/3292579, paragraph 33).
- 6.12. In Chelmsford, also allowed in February 2023, the level of renewable energy generation arising from a 49.9MW solar farm in the Green Belt ‘weighs strongly in favour of the scheme’ (Appeal Reference APP/W1525/W/22/3300222, paragraph 86), and later in the decision, that the benefits of renewable energy ‘raise substantial benefits’ in favour of the proposal (paragraph 91).
- 6.13. At New Works Lane, Telford, the Secretary of State allowed a 30MW solar farm in March 2023 and considered that significant weight should be given to the production of electricity (Appeal Reference APP/C3240/W/22/3293667, paragraph 23).
- 6.14. At Wellington Telford, the Inspector in allowing the appeal for up to 49.9MW in May 2023 afforded “substantial weight” to the clean and secure energy offer (Appeal Reference APP/C3240/W/22/3308481, paragraph 43).
- 6.15. In June 2023, a 49.9MW solar farm was allowed at Scruton, Hambleton and the Inspector afforded “substantial weight” to the renewable energy benefit of the proposal (Appeal Reference APP/G2713/W/23/3315877, paragraph 46).
- 6.16. At Crays Hill, Basildon the Inspector allowed a 25.6MW solar farm in the Green Belt in August 2023 and in so doing applied “very significant weight” to the renewable energy generation and carbon savings (Appeal Reference APP/V1505/W/23/3318171, paragraph 25).

- 6.17. In September 2023 at Sherbourne, a solar farm of about 20MW was also allowed in the Green Belt and the Inspector considered that the proposal would provide a ‘very significant environmental benefit’ given the clear support given to renewable energy development from a number of sources (Appeal Reference APP/T3725/W/23/3317247, paragraph 34).
- 6.18. In November 2023, the Inspector afforded “very significant weight” to renewable energy production at Halse Road, Greatworth in respect of a 49.9 MW solar farm (Appeal Reference APP/W2845/W/23/3315771, paragraph 122).
- 6.19. Most recently Graveley Lane, Hertfordshire the Secretary of State allowed a 49.9MW solar farm and overruled the Inspector and placed “substantial weight” on the development’s contribution towards renewable energy generation (Appeal Reference APP/X1925/V/23/3323321, paragraph 18).
- 6.20. A further recent decision was made by the Secretary of State on 23 July 2024, granting approval to a called-in application for the installation of a solar farm and battery storage facility with associated infrastructure at Land to the West of Honiley Road, Honiley, Kenilworth. The proposal is located within the Green Belt. In considering the planning balance and concluding that very special circumstances were demonstrated, the Secretary of state took into account the contribution of the project to meeting the need for renewable energy, the benefits of generating electricity locally; the contribution to reducing dependency on other electricity generating power sources and the contribution to increasing renewable energy capacity in this area. These benefits associated with the provision of renewable energy were considered collectively to carry substantial weight. (Appeal Reference APP/T3725/V/23/3332671)
- 6.21. In reviewing these appeal decisions, there is very clearly a consistent approach from the Secretary of State and appointed inspectors in determining solar farm appeals over the last two years that either ‘significant’ or ‘substantial’ weight should be given to this benefit.
- 6.22. This clearly outlines that the provision of renewable energy development can be considered as very special circumstances in the determination of an application. It is then a matter of whether the benefits of Nuneham Solar Farm significantly outweigh the impacts on the openness of the Green Belt.
- 6.23. It is considered that the following benefits can be associated with the proposed development:
- Nuneham Solar Farm would provide 49.9MW of clean and renewable (low carbon) energy, enough to power 13,000 homes and saving up to 80,000 tonnes/year of CO₂ compared to electricity from fossil fuels.
 - Biodiversity Net Gains of 70.94% net gain in habitats, a 61.48% net gain in hedgerow habitats and a 24.32% net gain in watercourse habitats, as a result of the proposed development.
 - Retention of a scheme of the existing Public Rights of Way running through to the site.
 - Provision of a scheme of heritage interpretation boards adjacent to the Public Right of Way with a view towards the Schedule Monument.

- Economic benefits associated with investment and support for on-site employment during the construction period and with associated management and maintenance of the scheme.

6.24. Whilst it is accepted that there will be an inevitable temporary change of land use within the Green Belt to facilitate this development, and thus a reduction in the openness, the LVIA submitted with the development outlines that the visual impacts of this are likely to be localized and limited in nature. Furthermore, the development is temporary in its nature and reversible following its operational lifetime of 40 years.

6.25. It is therefore considered that the very special circumstances presented by the means of renewable energy generation and the benefits associated with the scheme outweigh the limited impact to the openness of the Green Belt in line with the NPPF.

7. Summary and Conclusion

7.1. As discussed within the Planning Statement, the proposed development supports the UK Government's intention to move to a low carbon economy, which represents a substantial benefit. The impacts of the proposal have been shown to be acceptable and, where necessary mitigation measures have been set out to reduce potential impacts of the proposed development.

7.2. RES have worked hard to address the comments made by statutory consultees. Where required changes have been made and additional information supplied to address comments and suggestions provided.

7.3. The significant benefits associated with this proposed, primarily through the generation of renewable energy to provide low carbon electricity, offsetting carbon emissions and a valuable contribution towards meeting the challenging obligations of the Government regarding renewable energy generation and also in the form of economic investment and ecological and landscape enhancement, are factors which weight heavily in favour of this development.

7.4. This Planning Addendum identifies the additional works that have been undertaken and the manner in which the scheme has been designed to represent a sustainable form of development which addresses all material planning considerations.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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