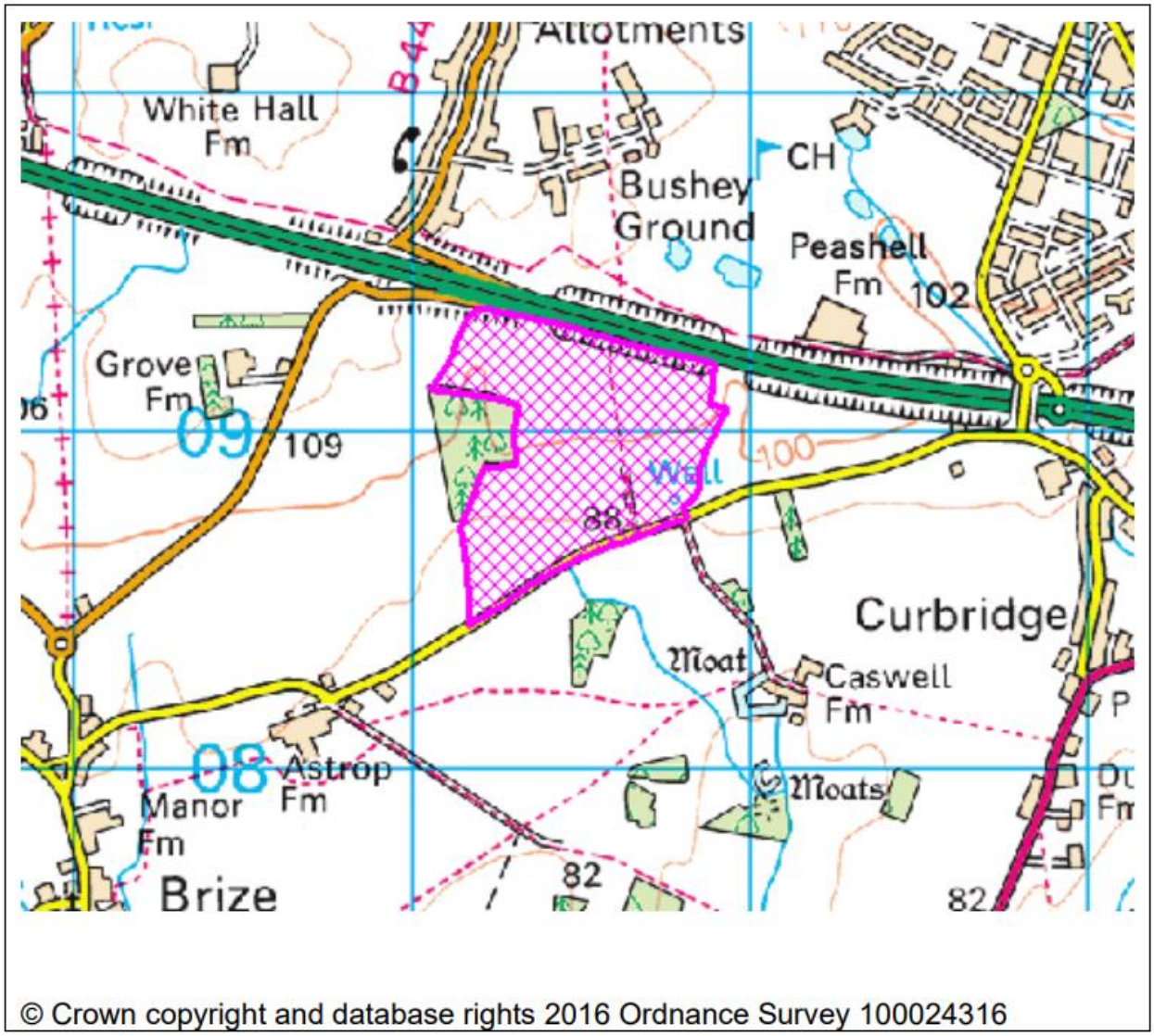
COMMITTEE REPORT

Application Number	24/03278/FUL
Site Address	Land (E) 431186 (N) 208772 Witney Road Brize Norton Oxfordshire
Date	9th October 2025
Officer	James Nelson
Officer Recommendations	Approve subject to Legal Agreement
Parish	Curbridge Parish Council
Grid Reference	431186 E 208772 N
Committee Date	20th October 2025

Location Map



Application Details:

Construction and operation of a ground-mounted solar farm with battery energy storage system (BESS) and associated infrastructure, access, ancillary works and landscaping

Applicant Details:
Witney Solar Limited

14b Tower 42
25 Old Broad Street
London
EC2N 1HN

1 CONSULTATIONS

MOD MOD (Brize Norton)	No objection subject to conditions.
District Ecologist	No objection subject to conditions and S106 obligations.
Env Health Contamination	No objection subject to conditions.
Env Health Noise And Amenity	No objection subject to condition.
Natural England	No objection- standing advice issued.
Newt Officer	No response received to date.
OCC Rights Of Way Field Officer	No objection.
Conservation And Design Officer	No objection- low level of less than substantial harm to the setting of heritage assets associated with Caswell Farm identified.
Major Planning Applications Team	Transport No objection subject to conditions. LLFA Objection on the grounds of insufficient information. Archaeology No objection subject to conditions. Fire No objection.
Wildlife Trust	Objection, in relation to the following issues: 1. Potential for serious impact on priority species breeding birds including skylark 2. Concerns relating to BNG, habitat creation and habitat management 3. Concerns relating to lighting 4. Concerns relating to fencing
Parish Council	Curbridge The Parish Council do not object to this application but wish to comment as follows: • Concern over the suitability of the Downs Road/Witney Road junction. This needs upgrading. The access to the construction site shows a suitable upgrade so the same

	should be expected for the Downs Road junction; • Concern over the cable route to the sub-station at Ducklington as not fully established and as yet unknown. This is expected to be along the road verge from the proposed solar farm to the Downs Road junction but unknown after that point. • Preference expressed to remove the stile (access over the A40) and provide a kissing gate to improve safety and access. There are no warning signs on the A40 for this footpath across the dual carriageway. This is an opportunity for the applicant and also the applicant for the Peashell Farm site (25/00144/OUT) to improve this footpath access and safety across the A40 (ref:185/11).
WODC Tree Officer	Independent review carried out by MCA Landscape on behalf of the LPA. No objection subject to amended landscape interventions as set out in Section 5.
WODC Planning Policy Manager	No response received to date.
Thames Water	No response received to date.
Oxfordshire Fire Service	See above.
Adjacent Parish Council	Brize Norton No objection.
Adjacent Parish Council	Minster Lovell Parish Council are concerned about the negative impact that the size and scale of this ground-mounted solar farm will have on the visual impact and amenity of the surrounding area in the open country-side. The application will lead to a loss of green open space, a rural country-side environment and animal habitat. The Council would expect that the energy generated is used to supply the existing local area and not stored up and allocated to future residential development. The Council would like to seek clarity about whether or not the storage of the energy from the proposed solar farm is on the site or whether it is being moved elsewhere for storage and if so how will it be moved? If cabling is going to be used for the movement of energy where will it be located? Minster Lovell Parish Council objects to any over-head cabling for the movement of energy from the site.

2 REPRESENTATIONS

2.1 A total of eight objection comments have been received from four interested parties.

- Impact of battery storage facility and wider solar farm on spring water supply to Caswell House
- Highways safety concerns along Witney Road resulting from construction traffic and difficulty accessing BESS should fire occur
- Impact on the setting of the Grade II* listed building at Caswell House and archaeology
- Need for strengthened screening
- Loss of agricultural land
- Adverse impact on local wildlife and ecology
- Impact on flood risk and hydrology
- Landscape and visual impact being out of character with the rural landscape

2.2 It is noted that since the Lowlands Area Planning Sub-Committee ('the Sub-Committee') meeting, the comment of Dr Mark Smith has been removed from the file as it has come to light that a false address may have been used. Each matter is considered in Section 5 of this report.

3 APPLICANT'S CASE

3.1 The Applicant has submitted a Planning, Design and Access Statement ('PDAS') in support of their case. The full document along with other supporting information can be viewed in full on the Council's website. With reference to the resolution of the Sub-Committee, the Applicant has provided a Briefing Note ('BN') (entitled Witney Road Solar - Officer Briefing Note (Water Environment)).

3.2 The BN has been prepared following hydrological review of the proposal that has been commissioned by the Applicant since the Sub-Committee meeting of September 8th. The BN concludes that 'the development presents a **negligible risk** to the Caswell House potable spring. The proposed design accords with the drainage hierarchy, national planning guidance, and local groundwater protection policies, and (with the recommended minor refinements) offers a strong and defensible basis for planning officers to conclude that the development is environmentally acceptable.' The refinements recommended are that a self-actuating isolation valve system within the BESS and substation drainage infrastructure is installed and the inclusion of a pre-treatment stage upstream of the soakaway.

3.3 The BN is available to view in full on the Council's website and its contents are set out below.

BN

3.4 This note has been prepared following a peer review of the Flood Risk Assessment and Drainage Strategy for the Witney Road Solar scheme, with specific focus on the potential risk to the potable spring at Caswell House.

3.5 I lead the Water Environment team at Arthian and have over 15 years of experience in flood risk and drainage assessments across the UK, with a particular focus on solar and battery storage projects. I've provided technical direction and review for a number of large and complex schemes including Cottam, West Burton, Lime Down Solar Park in Oxfordshire, Green Hill Solar Farm in Wiltshire and Glenhead Solar in Ireland. Each of these involved sensitive groundwater and private water supply considerations and were accepted by regulators as robust and environmentally sound.

Overview

3.6 'This note has been prepared following a peer review of the Flood Risk Assessment and Drainage Strategy for the Witney Road Solar scheme, with specific focus on the potential risk to the potable spring at Caswell House.

3.7 The proposed Witney Road Solar scheme includes ground-mounted photovoltaic (PV) panels with associated inverters, transformers, a substation and a co-located battery energy storage system (BESS). The nearest sensitive receptor is the private potable spring at Caswell House, located approximately 48 m south-east of the substation and 58 m from the nearest BESS unit.

3.8 The project has included a 30 m exclusion buffer surrounding the spring, within which only fencing and grassed access track are proposed. The site overlies a Principal Aquifer with high groundwater vulnerability. Based on the Drainage Strategy drawings, exceedance routing follows local low points within the site, but all drainage is infiltration-led and self-contained, with no piped discharge or conveyance toward the spring.

Summary of proposed drainage strategy

3.9 The Flood Risk Assessment and Drainage Strategy prepared by Andrew Moseley Associates (Drawing AMA22785-DS-001, Rev P03) sets out an infiltration-led design across the site. Surface water runoff from the solar arrays and access tracks is directed into shallow vegetated swales and stone-filled infiltration trenches positioned along field boundaries. These features provide both attenuation and natural water-quality treatment through filtration, sedimentation and biodegradation as water passes through grass

cover, soil and aggregate before soaking into the ground. This is consistent with the treatment mechanisms outlined in CIRIA C753: The SuDS Manual (2015).

3.10 Each inverter and transformer compound drains locally into small infiltration areas close to source. Access tracks are unbound and permeable, so there are no positive drainage pipes across the site. Exceedance flows during extreme rainfall events follow existing low points within the site and are attenuated through infiltration.

3.11 The drainage strategy confirms that infiltration is viable across the developable area, underlain by permeable strata with sufficient capacity to manage the 1 in 100 year event with a 40% climate-change allowance. No discharge to watercourse or off-site system is proposed. Maintenance is limited to vegetation management and annual inspection of swales and trenches for silt build-up.

3.12 This approach follows the drainage hierarchy set out in the National Planning Policy Framework (2023) and the Planning Practice Guidance on Flood Risk and Sustainable Drainage, which require surface water to be managed as close as possible to its source through infiltration in preference to discharge. It also accords with Policies EH3 (Flood Risk) and EH4 (Groundwater) of the West Oxfordshire Local Plan 2031 by demonstrating that infiltration is feasible, pollution risks are minimised, and the natural drainage regime is maintained.

BESS drainage and containment arrangement

3.13 The proposed development has been reviewed using the Source-Pathway-Receptor framework in line with the Environment Agency's Groundwater Protection: Principles and Practice.

3.14 Sources: The only credible contamination sources are transformer oils (fully bunded) and BESS-related fluids or firewater. PV arrays and access tracks generate only clean rainfall runoff. Routine maintenance activities present negligible pollution potential.

3.15 Pathway: Topographic levels from the drainage drawing show a gentle gradient (approx. 1:100) from the operational area towards the south-east, where Caswell House is located. Unmitigated, this could allow shallow surface or subsurface flow in an emergency. However, this pathway is effectively broken by:

- an infiltration-led drainage layout capturing rainfall at source;
- sealed drainage with downstream isolation via the penstock; and
- fire-water containment within the 252 m³ storage tank during any incident.

3.16 Receptor: The Caswell House spring lies approximately 48 m from the substation and 58 m from the nearest BESS unit. With a 30 m stand-off maintained and no active flow route between the operational areas and the receptor, there is no realistic pollutant linkage under either normal or emergency conditions.

3.17 Conclusion: Under normal operation, no pathway exists between potential contaminants and the spring. In an emergency, contaminated water is held within the fire-water tank and isolated by the penstock, maintaining complete containment within the site. Residual risk is therefore negligible.

3.18 The drainage and containment design incorporates multiple embedded features to ensure a proportionate and robust approach to risk management:

- Infiltration-based drainage using stone-filled trenches, grassed swales and permeable access tracks to promote natural attenuation and filtration.
- Transformer bunds providing 110% capacity of the largest oil volume, constructed in reinforced concrete or prefabricated polyethylene with sealed joints.
- Pollution Prevention Plan (to be secured through the CEMP and OEMP) covering refuelling controls, spill response and weather-dependent working.
- No surface or sub-surface outfalls within 100 m of the spring.

3.19 This design aligns with SuDS and drainage hierarchy principles by managing surface water on site and providing treatment prior to infiltration (can we get clarity on how they provide treatment prior to infiltration), maintaining the existing hydrological regime and protecting groundwater.

Recommendations

3.20 BESS Drainage Pre-Treatment: The drainage drawing does not include any explicit pre-treatment between the BESS system and the soakaway. Given the site's location above a Principal Aquifer of high vulnerability, and proximity to the Caswell House spring, it would be prudent at detailed design stage to include a simple pre-treatment stage for day-to-day water quality management. Options include:

- a catchpit or silt trap at the outlet of the fire-water tank;
- a Class 1 full-retention oil separator between the tank and soakaway; or
- use of a lined gravel layer within the BESS compound to provide first-flush filtration.

3.21 These measures would deliver adequate pollutant removal in accordance with CIRIA C753 Table 26.3, meeting or exceeding mitigation indices for a low-hazard operational area, without altering the core drainage design.

Self-actuating isolation system

3.22 To strengthen the containment strategy, it is recommended that the scheme include a self-actuating isolation valve system within the BESS and substation drainage infrastructure.

3.23 A Sandfield Engineering ToggleBlok or equivalent valve provides automatic isolation under emergency conditions. The valve is installed at the lowest point of each compound and remains closed by default, opening only for inspection or controlled discharge after water quality verification.

3.24 It can be triggered automatically by:

- smoke, heat or gas detection in the BESS alarm system;
- a high-level alarm in the containment sump;
- manual activation from the site control room; or
- Solar powered option / power loss (spring-loaded to closed).

3.25 The valve operates mechanically, without reliance on power or compressed air, and is tested to WRc and BS EN 13564 standards for backflow and pollution isolation. Typical closure time is less than five seconds.

3.26 Contained water would remain within the lined compound, with volume designed to exceed the credible worst-case firewater scenario (60 m^3 per MWh installed capacity, including rainfall during a 1 in 100 year +40% event). This approach is consistent with best practice implemented on NSIP-scale projects such as Lime Down and Green Hill, both of which were accepted by the Environment Agency.

Proposed Condition

3.27 To provide added clarity and assurance to regulators and the Local Planning Authority, the following items are recommended for inclusion at detailed design or by planning condition:

1. Submission of detailed design drawings confirming valve specification, triggers and commissioning procedure.
2. Inclusion of a silt trap or Class 1 full-retention separator between the fire-water tank and soakaway, or equivalent approved pre-treatment measure, to remove sediments and hydrocarbons prior to infiltration.
3. A post-construction verification report confirming installation, valve operation and maintenance access for the fire-water tank and penstock system.
4. Formalisation of operational procedures for incident detection, penstock closure, containment, inspection and off-site disposal of any retained water.

3.28 These actions are proportionate to the scale and sensitivity of the site, align with Environment Agency guidance on groundwater protection, and will provide robust evidence to support the removal of any remaining local objection.

Conclusion

3.30 The combination of infiltration-led drainage, physical stand-off, bunded containment, fire-water storage, and a penstock-controlled isolation system provides a layered and reliable approach to pollution prevention.

3.31 Based on my review, I agree with the applicant's conclusions that the development presents a negligible risk to the Caswell House potable spring. The proposed design accords with the drainage hierarchy, national planning guidance, and local groundwater protection policies, and (with the recommended minor refinements) offers a strong and defensible basis for planning officers to conclude that the development is environmentally acceptable.'

3.32 The key points of the PDAS are summarised below.

PDAS

3.33 'The proposed development will have an export capacity of up to 30 Megawatts (MW) ac and will include a battery storage capacity of 30MW. It is anticipated that the proposed solar farm could supply the electricity needs of upwards of 12,000 homes a year, which is equivalent to between 80-100% of all households in Witney. The clean energy generated will save on average approximately 12,800 tonnes of CO2 per year, which adds up to over 500,000 tonnes of CO2 over the next 40 years. The proposal will also deliver biodiversity enhancements and habitat creation.

3.34 The application is supported by a number of technical reports, which have demonstrated that there is no adverse impact arising from the development. In particular, the application is supported by a Landscape Visual Appraisal, which concludes that the scheme can be accommodated without significant harm on the identified landscape and mitigation receptors through the implementation of the proposed mitigation measures to the north and southern (and western) boundaries of the Site.

3.35 The application is also supported by a Historic Environment Desk Based Assessment, which confirms that there is no impact on the setting and significance of any designated heritage assets. The Applicant is liaising with the County Archaeologist in order to determine the percentage of the Site to be trial trenched, providing an appropriate response sought by the NPPF.

3.36 The Agricultural Land Classification confirms that the majority of the Site is Grade 3b and Grade 4, so of low agricultural land value. The Ecological Impact Assessment has provided ecological enhancements and mitigation measures. The Biodiversity Net Gain assessment concludes that the scheme is providing a net change of 80.38% in habitat units and a net change of 52.85% in hedgerow units, well above the 10% required by the Environment Act.

3.37 In addition, the Applicant has proactively engaged with the local community, discussing the benefits of the proposal. The community's feedback was mainly positive with the community understanding the importance of the scheme to support the UK's commitment to net zero by 2050.

3.38 Therefore, the proposals have been assessed and are considered to be in accordance with the Council's Development Plan with a particular focus on Policy EH6. The technical reports that accompany the application have demonstrated that there are no reasons for the scheme to refused on technical grounds.

3.39 The proposals are appropriate in respect of flood risk. The drainage strategy provides for adequate attenuation for surface water for sealed surfaces and includes measures to reduce run off from the solar fields.

3.40 The existing field access can be utilised to provide safe highway access for the construction, operation and decommissioning of the development.

3.41 Construction and decommissioning of the development would be managed through a Construction Environmental Management Plan which can be agreed by way of a condition on any planning permission. Once agreed, the Plan will prescribe Site access arrangements, movements, working hours and practises and environmental matters, to manage potential impacts to local people and the environment.

3.42 To conclude, there is a recognised need and support for renewable energy technology within Development Plan policy, national planning policy and national and local policy guidance. This development

would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from renewable sources and more specifically, assist West Oxfordshire District Council in its own fight against climate change.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
E2NEW Supporting the rural economy
T2NEW Highway improvement schemes
EH2 Landscape character
EH3 Biodiversity and Geodiversity
EH6 Decentralised and renewable or low carbo
EH7 Flood risk
EH8 Environmental protection
EH9 Historic environment
EH11 Listed Buildings
EH13 Historic landscape character
EH13 Historic landscape character
EH15 Scheduled ancient monuments
EH16 Non designated heritage assets
DESGUI West Oxfordshire Design Guide
BNNP Brize Norton Neighbourhood Plan
The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

5.1 This application seeks planning permission for the construction and operation of a ground-mounted solar farm with battery energy storage system (BESS) and associated infrastructure, access, ancillary works and landscaping at Land (E) 431186 (N) 208772, Witney Road, Brize Norton.

5.2 The Site comprises approximately 46ha of agricultural land located to the south west of Witney, between the villages of Curbridge, Brize Norton and Minster Lovell. The northern Site edge is bound by the A40, with the Witney Road to the south. A mature woodland block lies at the western edge of the Site with mature hedgerows and intermittent trees defining field boundaries. A Public Right of Way (PRoW Ref: 185/11/30) bisects the Site running north-south. There are numerous PRoWs crossing the landscape to the south of the Site between Brize Norton and Curbridge, as well to the north connecting Witney and Minster Lovell.

5.3 The Site is not within any areas of designated planning significance. The nearest statutorily designated site is Worsham Lane Site of Special Scientific Interest ('SSSI'), located approximately 300m from the northwest of the Site. The Cotswolds National Landscape lies approximately 1.5km to the north of the Site. There are a number of Ancient Woodlands within 2km. Those closest to the Site are Rabbits Piece Copse, an Ancient and Semi-Natural Woodland approximately 150m to the south of the Site and another copse approximately 200m to the southeast of the Site. The woodland adjacent to the Site is not classified as Ancient Woodland.

5.4 The Site falls within Flood Zone 1. There are small areas in the northwest and south that are at low to high risk of surface water flooding.

5.5 There are no listed buildings within the Site. Listed buildings are located approximately 500m to the north (Charterville Allotments at Bushey Ground), 550m to the south (Caswell House (Grade II*) and associated farm buildings), 550m to the west (Grove Farmhouse and associated farm buildings) and 650m to the south west (Astrop Farmhouse and Brewhouse).

5.6 The majority of the application Site is within the Curbridge Parish with a small portion within the Brize Norton Parish. Officers note that neither of these Parish Councils object to the application. Minster Lovell

Parish lies in close proximity to the north and have submitted a representation in opposition to the application.

5.7 The application was deferred at the August meeting of the Sub-Committee to enable further consideration regarding the impact of the proposal on the private water supply of Caswell House. The Sub-Committee then resolved to refuse the application at the September meeting, contrary to officer recommendations and in the absence of any technical objections, on the following grounds:

'*That the application had failed to demonstrate an appropriate impact on the water supply serving Caswell House in accordance with policies OS2 and EH8.*'

5.8 Officers have referred the application to Development Control Committee for final determination in accordance with PDM5 of the Council's Constitution. This is because, in the absence of any technical objections to the proposal on the grounds for which the Sub-Committee resolved to refuse the application, your Officers consider that the resolution of the Sub-Committee would leave the decision highly vulnerable to overturn at appeal, including potential for the award of costs against the Council.

5.9 This report will address the merits of the application in the round but with a particular focus on matters relating to the risk of ground water contamination pertinent to the Sub-Committee resolution. Members attention is also drawn to the additional safeguarding measures recommended in the submitted BN, which your Officers propose should be captured in the proposed conditions to give Members further reassurance that the risk of groundwater contamination to the Caswell Spring has been robustly mitigated. As such, your Officers propose an addition four measures to be secured by proposed condition 8, informed by the additional hydrology assessment that has taken place since the Sub-Committee resolution as detailed in the BN. For the avoidance of doubt, these additional requirements are:

1. Submission of detailed design drawings confirming valve specification, triggers and commissioning procedure.
2. Inclusion of a silt trap or Class 1 full-retention separator between the fire-water tank and soakaway, or equivalent approved pre-treatment measure, to remove sediments and hydrocarbons prior to infiltration.
3. A post-construction verification report confirming installation, valve operation and maintenance access for the fire-water tank and penstock system.
4. Formalisation of operational procedures for incident detection, penstock closure, containment, inspection and off-site disposal of any retained water.

5.10 These additional requirements are formally proposed in the wording of Condition 8.

Relevant planning history

24/01127/SCREEN- Screening opinion (EIA) for development of a 30MW solar farm with 30MW BESS and associated works, equipment, and necessary infrastructure. Decision: EIA not required.

Development plan

5.11 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In this case, the development plan is comprised of the West Oxfordshire Local Plan 2031 ('WOLP') and the Brize Norton Neighbourhood Plan 2031 ('BNNP'), which was made in September 2025. It is noted however that only a small proportion of the south west of the site is within the Brize Norton Parish.

5.12 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:

- Principle
- Contamination
- Flood risk and drainage
- Use of agricultural land

- Impact on the landscape character/visual amenities of the area
- Impact on heritage assets
- Highways issues
- Biodiversity
- Glint and glare
- Noise
- Planning obligations

5.13 Each are considered in the following sections of this report.

Principle

5.14 The starting point in the assessment of the principle of development is WOLP Policy OS2, which sets out the general strategy for the location of new development within the District. In open countryside locations, OS2 requires development to be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area, as well as comply with the general principles of OS2.

5.15 Policy EH2 of the WOLP also seeks to protect landscape character and ensure that new development conserves and, where possible, enhances the intrinsic character, quality and distinctive natural and manmade features of the local landscape.

5.16 Policy EH6 'Decentralised and renewable or low carbon energy development (Excepting wind turbines)', is also directly relevant. EH6 supports the principle of renewable energy developments stating that such development should be located and designed to minimise any adverse impacts, with particular regard to conserving the District's high valued landscape and historic environment. It also states that in assessing proposals, local issues such as environmental impacts, opportunities for environmental enhancement and potential benefits to host communities need to be considered and satisfactorily addressed. The Policy also refers to detailed guidance published in the 'West Oxfordshire Renewable and Low Carbon Energy Guidance and Landscape Capacity Study' (2016).

5.17 The NPPF (2024) supports proposals for renewable and low carbon energy, with policies in this regard having been strengthened in the latest iteration. For example, paragraph 163 states 'the need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts'. Paragraph 168 states that 'when determining planning applications for renewable and low carbon energy developments and their associated infrastructure, local planning authorities should not require applicants to demonstrate the overall need for renewable 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.'

5.18 National Policy Statements ('NPSs'), which make up the planning policy framework for examining and determining Nationally Significant Infrastructure Projects ('NSIPs'), would also form material considerations in the determination of the planning application even though this scheme is not a NSIP and as such the NPSs are not directly relevant.

5.19 The Climate Change Act 2008, as amended, sets a legally binding target to reduce net greenhouse gas emissions from their 1990 level by 100% to reach net zero by 2050. In 2021 the Government introduced the sixth Carbon Budget which enshrines in law a new target to cut emissions by 78% by 2035 compared to 1990 levels a new target of 81% was announced in November 2024.

5.20 West Oxfordshire District Council declared a Climate and Ecological Emergency in June 2019 and the 'West Oxfordshire Renewable and Low Carbon Energy Guidance and Landscape Capacity Study' (2016) recognises that solar energy can help meet targets for reducing carbon emissions and increase energy security.

5.21 There have been a number of Government policy statements and commitments produced in relation to energy and climate change in recent years. These include the Net Zero Strategy: Build Back Greener (2021), which sets an ambition for the UK to be powered entirely by clean energy by 2035, subject to security of supply.

5.22 In December 2024, the Government released their Clean Power 2030 Action Plan which sets out the pathway to achieving the government's goal of delivering at least 95% of Great Britain's generation through clean power by 2030. The Action Plan recognises that solar plays a key role in this target, requiring a substantial increase in installed capacity of both solar and battery infrastructure in a short timeframe. This is against the background of a predicted 40-60% increase in demand. In July 2024, a Written Ministerial Statement was made by the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government, referring to boosting the delivery of renewables, which it described as 'critical to meeting the Government's commitment to zero carbon electricity generation.'

5.23 There is also a need to reduce reliance on imported fossil fuels in the interests of energy security and to ensure less volatile energy prices for UK consumers. The British Energy Security Strategy (2022) sets out the strategy to achieve this. It notes the expectation of increasing solar power fivefold by 2035. It also sets out the support for solar co-located with other functions such as battery storage to maximise the efficiency of land use.

5.24 The PDAS outlines that it is estimated that the solar panels would generate an export capacity of up to 30MW ac with a battery storage capacity of 30MW. This equates to energy supply to approximately 12,000 homes per year. The scheme would save over 500,000 tonnes of CO2 over its lifespan of 40 years. These benefits would accord with the NPPF's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental dimensions of sustainable development. In the context of the above policy and legislative context, your officers consider that the principle of development in this instance to provide renewable energy generation and supporting infrastructure is therefore supportable. These benefits need to be weighed against the impacts of the development, as considered in more detail below.

Contamination

5.25 As identified in Section 2, the application has drawn objection from the owners of Caswell House partly on the grounds that the proposed BESS facility lies in close proximity to the spring/aquifer from which Caswell House sources its water supply. It is stated that damage to the aquifer from piling and contamination in the event of a fire (and attempts to extinguish it) have the potential to result in impacts on human health. The Sub-Committee resolution sought to refuse the application on the basis that the application had not adequately addressed these concerns.

5.26 The LPA's Environmental Protection Officer ('EPO') has been consulted on the application and a Planning and Drainage Technical Notes prepared to address these specific concerns prior to the September meeting of the Sub-Committee. Since the Sub-Committee resolution, the BN has been prepared and submitted in support of the application, which has informed additional safeguarding measures required by proposed condition 8.

5.27 As reported to the Sub-Committee, the EPO has reviewed the application and confirmed that measures to mitigate potential contamination risks from fire water associated with the BESS can be secured via conditions as set out in Section 6. These measures would include siting, all battery units complying with industry fire containment standards, impermeable tanking measures, a dedicated fire water runoff tank, exceedance flow route management and a site-specific Risk Management Plan and Emergency Response Plan to be submitted and approved prior to first export date. Additional measures informed by the BN are also proposed to provide further safeguards. This is discussed in detail below.

5.28 Prior to the September meeting of the Sub-Committee, further information regarding the groundwater risks and how the requirements of draft condition 8 would be complied with was provided by the Applicant in the document titled 'Responses to Comments at and Submissions to Lowlands Area Planning Sub-Committee'. With regard to groundwater, the Applicant confirmed that the proposed design ensures that the BESS is configured so that no battery unit or piece of substation equipment would be closer than 50m from the spring. It continues at 3.1.3:

'Environment Agency guidance states that drinking water sources have a Source Protection Zone 1 (SPZ1) radius of 50m. The Applicant is not aware of evidence suggesting that SPZ1 for this spring should be higher. The closest BESS unit is approximately 58m from the spring, so is outside SPZ1. Only fencing and roadways, which are not sources of contamination, are within SPZ1.'

5.29 With regard to firewater runoff, which is understood by your Officers to be the main concern raised by the owners of Caswell House, Members attention is drawn to paragraphs 3.1.4- 3.1.9 which discuss this matter in detail. Your Officers consider that this submission has demonstrated a clear understanding of the risks posed by firewater runoff and proposes a design that would store the hazardous materials that might be potentially found in firewater from a BESS and direct runoff away from the nearby spring and to a purpose built and impermeable tank, avoiding contamination to the spring. This is in addition to the further measures informed by the BN since the Sub-Committee resolution.

5.30 In terms of compliance with the condition proposed to ensure these measures are fully implemented and secured (condition 8), the applicant has provided commentary to demonstrate that these requirements are deliverable and can be agreed prior to commencement of development. Full details can be reviewed at paragraphs 4.1.4-4.1.13 but Officers draw Member attention in particular to the following points with regard to the requirements of condition 8:

a) The Applicant will select a model of battery unit that, as well as generally conforming to standards, incorporates a high level of fire resistance to contain fires;

b) A built-in monitoring and detection system which allows either for affected parts to be electrically isolated or for suppression systems to stop the whole unit being affected;

c) The proposed design of the Applicant's Scheme includes separation distances of 3m, which exceeds the manufacturer's recommendation and industry standards;

d) Two accesses to the BESS compound and an access on the eastern side will be provided to allow for emergency access, which can be reached via the perimeter track of the field;

e) The BESS compound will be tanked to prevent any water from directly entering the ground in accordance with details to be agreed with the LPA. The outlet from the BESS compound will be on the western side;

f) Firewater runoff tank will be installed to the west of the BESS compound to contain any water used in firefighting with precise details to be agreed with the LPA;

g) The outflow from the runoff tank will be controlled by a penstock valve. The BESS compound itself will be designed to contain firewater temporarily in case the runoff tank is approaching capacity;

h) The swales proposed along the southern boundary of the Site direct surface water away from the spring and towards the watercourse that leaves the Site in the southwest corner of the south-central field; and

i) Comprehensive Risk Management Plan and Emergency Response Plan will be developed in consultation with the FRA and agreed with the Council.

5.31 Further specific commentary from the EPO was provided which stated:

'These measures have been developed in consultation with drainage specialists and reflect current best practice. However, it is important to note that while the strategy appears robust, it would not be appropriate to offer definitive reassurance that all risk has been eliminated. In conclusion, while we provide advisory input to the Development Management team on this application, we are not statutory consultees in this context. Therefore, we have no objection to the proposed development. The suggested condition appears robust and proportionate, with the design clearly aiming to minimise potential risks. Furthermore, the condition requires that additional design features and response plans be submitted to and approved by the Local Planning Authority prior to the commencement of development, offering added assurance in support of the application.'

5.32 The Applicant has since submitted the BN based on additional hydrology evidence as set out the in Applicant's Case. The BN endorses the findings of previous submissions by the Applicant and with regard to the BESS drainage and containment arrangement proposed, sets out that the proposed development has been reviewed using the Source-Pathway-Receptor framework in line with the Environment Agency's Groundwater Protection: Principles and Practice. The BN finds that the sources of potential contaminates

comprise transformer oils (fully bunded) and BESS-related fluids or firewater. In terms of polluter pathways, there is a gentle gradient to the south-east (towards Caswell House). However, the BN sets out that this pathway is effectively broken by the following design mitigation measures:

- an infiltration-led drainage layout capturing rainfall at source;
- sealed drainage with downstream isolation via the penstock; and
- fire-water containment within the 252 m³ storage tank during any incident.

5.33 With regard to the receptor (the Caswell Spring), this lies approximately 48 m from the substation and 58 m from the nearest BESS unit. With a 30 m stand-off maintained and no active flow route between the operational areas and the Spring. The BN therefore concludes that there is no realistic pollutant linkage under either normal or emergency conditions. This is because in normal conditions, there is no pathway between contaminants and the Spring, and in an emergency, contaminated water would be held within the fire-water tank and isolated by the penstock valve, maintaining complete containment within the Site. The BN states that the residual risk is therefore negligible.

5.34 The drainage and containment design includes the following measures to robustly ensure that the contamination risks associated with the proposal are negligible:

- Infiltration-based drainage using stone-filled trenches, grassed swales and permeable access tracks to promote natural attenuation and filtration.
- Transformer bunds providing 110% capacity of the largest oil volume, constructed in reinforced concrete or prefabricated polyethylene with sealed joints.
- Pollution Prevention Plan covering refuelling controls, spill response and weather-dependent working.
- No surface or sub-surface outfalls within 100 m of the spring.

5.35 The BN does recommend additional requirements in order to further safeguard the Caswell Spring. These comprise the explicit inclusion of a pre-treatment facility between the BESS and the soakaway. The final design can be secured by condition (see Condition 8) with the following possible options:

- a catchpit or silt trap at the outlet of the fire-water tank;
- a Class 1 full-retention oil separator between the tank and soakaway; or
- use of a lined gravel layer within the BESS compound to provide first-flush filtration.

5.36 These measures can be achieved without altering the core drainage design.

5.37 Secondly, the BN proposes a self-actuating isolation system. This would strengthen the containment strategy by providing a self-actuating isolation valve system within the BESS and substation drainage infrastructure. The valve would be installed at the low point of each compound and would be closed by default, opening only for inspection or controlled discharge after water quality has been checked. Automatic isolation would be triggered by factors including smoke, heat or gas detection in the BESS alarm system or manual activation. The valve closure time is typically less than five seconds.

5.38 In this scenario, contained water would be retained in a lined compound which is designed with a volume to exceed the credible worst case firewater scenario.

5.39 Subject to these mitigation measures which would be secured via condition, the application is considered to provide suitable measures to avoid any adverse impact on third parties. Therefore, your Officers consider that matters relating to contamination have been fully considered and any risk would be safely managed via the requirements of a strengthened condition 8 as well as those proposed by the Local Lead Flood Authority ('LLFA'). Furthermore, in the absence of technical objection on these grounds, the Council would, in your Officer's assessment, be unlikely to defend refusal of the application at appeal stage.

Flooding and drainage

5.40 The Applicant has submitted a Flood Risk Assessment (FRA) and Drainage Strategy as part of the submission. The Site falls within Flood Zone 1 and is at low risk of flooding from rivers. The proposals constitute 'Essential Infrastructure' and are appropriate in Flood Zone 1. The Site is not considered to be

at risk of flooding from fluvial, tidal, groundwater, sewers, reservoirs, or other artificial sources. The risk of flooding from surface water and the network of ordinary watercourses is generally very low across the Site with some areas of higher risk on the southern and western boundaries of the Site. All vulnerable infrastructure is in areas shown to be at very low risk of surface water flooding. The cessation of intensive agriculture across the Site will allow establishment of natural grassland and a commensurate improvement in soil structure. This will reduce runoff rates and volumes, soil erosion and pollution.

5.41 The LLFA have been consulted on the application and an updated Flood Risk Assessment and Drainage Strategy has been submitted in response to the initial comments of the LLFA which, whilst not raising objection to the principle of development, required the submission of further information. The LLFA have reviewed the updated information and conclude that the proposed drainage strategy serving the Site is acceptable subject to being secured via condition.

Use of agricultural land

5.42 The National Planning Practice Guidance ('PPG') (Renewable and Low Carbon Energy) sets out the particular planning considerations that relate to large scale ground-mounted solar PV farms, including referencing to landscape and visual impact, heritage assets and greenfield land. Where a proposal involves greenfield land, the LPA will need to consider, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use and/or encourages biodiversity improvements around arrays. The NPPF advises that the best and most versatile agricultural land is land within grades 1, 2 and 3a of the agricultural land classification and seeks to steer development of this nature towards less productive land.

5.43 An Agricultural Land Classification survey has identified that the majority of the Site is Grade 3b (28.3ha) and Grade 4 (15.9ha), so is not considered best and most versatile agricultural land. 1.8ha of the Site is Grade 2 (good quality). This equates to approximately 4% of the site located in an irregular pattern in the north east corner of the Site. WOLP Policy EH6 requires some form of compelling evidence to justify the use of BMV agricultural land. The applicant states that this area would not be economically viable as an isolated agricultural field and it would not be feasible to design the layout of the solar farm to exclude this area and continue to farm the Grade 2 land. Officers have considered this argument and conclude that in national, regional, and local terms it is not considered that this development would have an adverse impact on the loss of the 'best and most versatile' land.

Impact on the landscape character/visual amenities of the area

5.44 Policy EH2 of the WOLP also seeks to protect landscape character and ensure that new development conserves and, where possible, enhances the intrinsic character, quality and distinctive natural and man-made features of the local landscape. Policy EH6 outlines that renewable energy developments should be located and designed to minimise any adverse impacts. Officers recognise the relative proximity of the Site to the Cotswolds NL, but given the separation distance and intervening topography and landscape features, no impact on the NL is identified.

5.45 Policy EH13 of the WOLP relates to historic landscape character and sets out the matters which particular attention will be paid to in determining applications that affect the historic character of the landscape. These include:

- the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected
- the extent to which key historic features resonant of the area's character, such as hedgerows, watercourses and woodland, will be retained or replicated
- the degree to which the form and layout of the development will respect and build on the preexisting historic character
- the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings.

5.46 The West Oxfordshire Renewable and Low Carbon Energy Guidance and Landscape Capacity Study refers to the 'Renewable Energy and Low Carbon Energy Assessment and Strategy for West Oxfordshire' prepared by LDA Design in October 2016. This report states that, 'in general terms, there is significant

potential for further solar farm development in the district subject to careful consideration of individual development proposals'. The report states that very few constraints exist in West Oxfordshire and those that do, such as public rights of way, woodland and rivers, cover a small portion of the district, although sites on best and most versatile agricultural land are likely to be heavily constrained by that fact. Officers note that the Site is within the 'More Suitable' area for solar farms.

5.47 In terms of landscape character, at a national level, the Site lies within the 'Upper Thames Clay Vales' National Character Area (NCA108). The key characteristics of the NCA include its open, gently undulating lowland farmland falling to the Thames, infrequent woodland cover but strong network of hedges and field trees and willow-lined watercourses.

5.48 At a county level, the Oxfordshire Wildlife and Landscape Study identifies the Site as lying within the 'Estate Farmlands' Landscape Character Type which is described as a 'rolling agricultural landscape characterised by parklands and a well-ordered pattern of fields and estate plantations'.

5.49 The 'West Oxfordshire Landscape Assessment' (1998) ('WOLA') considers landscape character at a district scale placing the Site within the 'Shilton Downs' Landscape Character Area ('LCA'). This LCA forms the divide between the low-lying clay vale to the south and Windrush Valley and limestone uplands to the north. The area has a generally large-scale field pattern dominated by arable farming with sparce vegetation cover. Pockets of woodland are identified with the LCA to the east of Brize Norton, such as that which bounds the western edge of the Site. At a finer grain, the Site is located within the 'semi-enclosed limestone wolds (large-scale)' Landscape Type. Key features of this Landscape Type include:

- Large-scale, smoothly rolling farmland occupying the limestone plateau and dip-slope;
- Intensive arable cultivation;
- Large-scale fields with rectilinear boundaries formed with dry-stone walls and low hawthorn hedges with occasional trees;
- Some visual containment provided by blocks and belts of woodland creating a semi-enclosed character;
- Thin, well-drained soils and an impoverished upland character;
- Elevated and expansive character in higher areas; and
- Moderate intervisibility

5.50 Your officers consider that the Site shares these characteristics as set out in the WOLA. Key threats to landscape character in this area are listed as agricultural intensification, removal of vegetation cover and hedgerows, Brize Norton Airfield and settlement growth. The reintroduction of woodland belts and blocks is supported to restore a mosaic of woodland and farmland and strengthening of the network of hedgerows. The semi-enclosed limestone wolds are visually sensitive and a strong landscape structure is needed to absorb development.

5.51 A Landscape and Visual Appraisal ('LVA') is submitted with the application. In terms of impact on landscape character, the LVA concludes that the sensitivity of the Site is Medium. The Scheme retains all landscape features, including trees, hedgerows, scrub and permanent grassland which contribute positively to the character of the Site and its wider landscape. All aspects of the development are located on the arable component of the landscape which will be transferred to grassland under the solar PV panels. The overall Magnitude of Change at site level is considered Small and Adverse during construction but Beneficial in the long term following decommissioning and due to the introduction of what would then be mature vegetation. The Magnitude of Change on the NCA is considered as Negligible Adverse reducing to Negligible Neutral as the vegetation matures. The LVA in para 4.1.12 states that the NCA has Medium Sensitivity giving a Negligible Adverse Effect on the landscape resource and character of the NCA at year 1 reducing to Negligible Neutral once the scheme has established.

5.52 In LVA paras 4.1.14 to 4.1.18 overall Magnitude of Change at local landscape level is considered Small and Adverse. The sensitivity of the local landscape is described as Medium. The landscape effects are described as having a Moderate Minor Adverse Effect at Year 1 whereas the longer term Magnitude of Change will reduce to Negligible as a consequence of maturing vegetation resulting in long term effects which are Minor Adverse.

5.53 On visual effects, the LVA assesses the significance of the effects at Construction, completion (Year 1) and establishment (i.e. 15 years plus). It states that overall, the extent of views and visual influence of the proposed development is limited to the local area and mostly contained to locations in close

proximity to the Site. Other views are considered possible from locations within the wider landscape to the south.

5.54 PRoW Ref: 185/11/30 crosses the Site and therefore views from this PRoW would experience a large magnitude of change in terms of views across the Site and to the wider landscape. LVA Para 4.2.18 notes that the footpath through the Site is not well-used due to the lack of connectivity across the A40 and consequently it is assessed as having low sensitivity. This leads the LVA to conclude a moderate adverse affect over the lifetime of the development.

5.55 From Caswell Lane to the south of the Site (PRoW Ref: 185/14/10), There is a channelled view into the eastern part of the Site at the junction with Witney Road (viewpoints 2 and 3) from which the change at site level would be apparent. The effect is considered Moderate Adverse dropping to Moderate/Minor Adverse on establishment (15 years).

5.56 PRoW Ref: 185/10/10 runs west from Caswell Farm allows for open middle-distance views across fields towards the Site beyond intervening hedgerows (viewpoints 4 and 5). The LVA sets out that agricultural fields on rising land within the Site are just visible within the strong framework of its field hedgerows and adjacent woodland which characterise views. The initial effect is categorised as Moderate/Minor Adverse reducing to Negligible Adverse on establishment.

5.57 Viewpoints 6, 7, 8 and 8 are taken from PRoW Ref: 143/6/20 (which runs south west towards Abingdon Lane) and Abingdon Lane itself. Mid to long distance views towards the Site across agricultural fields are possible with the A40 on the horizon. Small sections of the solar scheme could be viewed intermittently along these PRoWs and the junction of Abingdon Lane and Witney Road, with the initial effect again categorised as Moderate/Minor Adverse reducing to Negligible Adverse on establishment.

5.58 Viewpoints 10, 11 and 12 are taken from PRoW Ref: 143/7/40 which connects from the western end of Abington Lane through Wilbro Farm to Footpath 185/10/10. Partial views of the Site would be possible with some wide panoramic views from this Footbath being affected. The LVA states that the initial visual effects would be Moderate/Minor Adverse reducing to Negligible Adverse with screening.

5.59 Minor adverse effects are also identified to users of the Witney Road including from middle distance views near Astrop Farm and Abington Lane to the southwest of the Site (viewpoint 9), users of the A40 and from the edge of Brize Norton to the west (viewpoint 13) with negligible effects identified from Brize Norton Road (viewpoint 14).

5.60 Officers have commissioned an independent review ('IR') of the submitted LVA by MCA Landscape. The IR is supportive of the methodology of the LVA and generally endorses its findings with some reservations. These include the sensitivity of walkers on the PRoW crossing the Site (which the LVA deems as low) due to the relatively poor connection of the PRoW to the wider landscape caused by the dangerous nature of the A40 crossing. Your officers agree with IR which states: 'footpath users would have at least a medium sensitivity to the solar array in close proximity to the footpath which would obscure the remarkable views southwards over Brize Norton to Faringdon.' Further, the IR states that 'insufficient weight allowed for the rising ground which will expose the solar array in views from the south'.

5.61 The IR also states that landscape measures to mitigate the impacts of the proposals, such as woodland screening, gapping up existing hedgerows and extensive tussock and meadow grass areas, would be 'entirely appropriate to the landscape character of the site and its surroundings' and 'does not introduce an incongruous element into the landscape'.

5.62 In order to mitigate the visual effects of the proposed development in views from the south west (which the IR and your officers consider would be most affected by the proposal), the IR recommends that the proposed woodland belt along the southern boundary should return northwards along the western site boundary from Witney Road to the existing woodland. This would significantly improve connectivity for wildlife and would reinforce this currently sparsely vegetated boundary with a developing screen which would mitigate exposure of the solar arrays in views from the south-west. Officers endorse this finding noting the landscape enhancement priorities of the WOLA as set out above and the applicant has amended the proposed plans to include this feature which officers consider will further mitigate the visual impact of the proposal in most affected views of the Site from the south east at it matures, including

from the eastern edge of Brize Norton from which point key views are identified in the recently made BNNP.

5.63 Your officers consider that the application has therefore demonstrated that appropriate mitigation measures are included within the scheme and amendments made during the course of the application would address your officers' concerns and provide a locally informed landscape feature. On this basis, whilst the proposal would result in landscape and visual harm and thus conflict in part with Policies EH2 and EH13, the impacts of the scheme would be contained to a site and localised level, and the proposal has sought to minimise and mitigate any adverse impacts in accordance with WOLP Policy EH6.

Impact on heritage assets

5.64 The closest listed buildings to the Site are the Grade II* listed Caswell House and associated Grade II listed buildings within the complex. The remaining listed buildings set out above are in excess of 500m from the Site. Due to this distance, intervening topography and mature vegetation and lack of historical associations as set out in the submitted Heritage Statement, no impact on the heritage significance of listed buildings at Bushey Ground, Grove Farm or Astrop Farm is identified. As such, this section will focus on the impact of the proposal upon the setting of Caswell House and associated listed buildings.

5.65 The Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66(1) requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses. Policies EH9 and EH11of the WOLP reflect this duty.

5.67 Section 16 of the NPPF (Conserving and enhancing the historic environment) is also an important material consideration in this assessment and states that in determining applications, LPAs should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a listed building or conservation area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 213). Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should harm should be weighed against the public benefits of the proposal.

Main elements contributing to the significance of designated heritage assets

5.68 The following principal factors contributing to the significance of the identified designated heritage assets associated with Caswell House/Farm are the high level of historic, aesthetic and evidential significance of Caswell House and farm. The Farmhouse having originated as a medieval moated residence, reflecting the socio-economic importance of its occupiers. From the early C18, the Caswell became economically important as an agricultural entity.

5.69 The Farmhouse has a high level of historic, architectural and archaeological importance, exemplifying late medieval construction techniques and architectural features with legible later adaptions. The wider farmstead retains its C17 layout and form, with their high-quality vernacular construction demonstrating the economic importance of Caswell and evidence of historical agricultural practices. The group value of the Farmstead is therefore also highly significant.

Significance resulting from setting

5.70 As set out, the Farmstead largely retains its C17 form and context and occupies an isolated position within an overtly agricultural landscape with which it has historically been closely linked. Its immediate setting is characterised by medieval moat to the south of the Farmhouse as well as numerous earthworks further south and west, likely connected with the lost medieval settlement of Caswell.

5.71 The appreciation of these assets from Witney Road is somewhat limited by intervening vegetation, however PRoWs cross the landscape offering immediate views of the complex, which can be seen in its rural, historic landscape context in which the complex appears as notably isolated and aside from modern agricultural buildings, unspoilt.

Impact of the proposal upon the significance of designated heritage assets

5.72 Turning to the impact of the scheme upon the significance of heritage assets associated with Caswell Farm, the Site is separated from the immediate setting of the Farmstead by the Witney Road and intervening landform and mature vegetation which significantly inhibit any intervisibility. Further, the applicant has demonstrated that the Site has no direct connection in terms of land ownership or function with Caswell. Therefore, whilst the Site forms part of the wider rural landscape in which the complex sits, its contribution to the significance of the assets is limited. Nonetheless, the proposed development would introduce a large urbanising feature into this historical rural landscape, which would be experienced by visitors to Caswell on the approach to the Site and therefore to a limited extent, erode its wider setting. Officers therefore consider that the proposal would lead to 'less than substantial harm' to the setting of designated heritage assets associated with Caswell Farm. Officers consider that this harm should be considered to fall towards the lower end of less than substantial harm in the terms of the NPPF and WOLP Policy EH9.

Archaeology

5.73 The Site lies in an area with considerable archaeological potential, and has been subject to a geophysical survey and archaeological evaluation prior to the determination of the application. These surveys recorded two foci of activity in the northwest and southeast fields of the Site. The southeast field contains Iron Age - Roman settlement and agricultural features which are focussed on a spring fed well located on the southeast boundary of the Site. Human remains were recovered from within this area of activity which could point towards the presence of a possible Roman shrine associated with the well. A low level of Medieval features were also recorded in proximity to the well, which may suggest the location retained its importance into this period. The northwestern field recorded some possibly Roman features, however, this area had poorer preservation than the south east field. Though the erection of solar panels themselves results in limited below ground impacts, the excavation of cable trenches to connect the panels are destructive. The County Archaeologist has therefore stated that the applicant should be responsible for ensuring the implementation of archaeological investigation to be maintained during the period of construction as secured via planning conditions.

Heritage balance

5.74 Having identified less than substantial harm to the significance of designated heritage assets, to which great weight must be applied, the balancing exercise set out under Paragraph 215 of the NPPF must be undertaken whereby the public benefits of the scheme are weighed against the heritage harms. In this case, the harm identified is considered to fall towards the lower end of less than substantial in the terms of the NPPF. The public benefits of the scheme are considered to principally result from the low carbon method of energy generation proposed and associated battery infrastructure. Given the scale of the scheme and policy context as outlined above, significant weight should be awarded to this benefit. Significant positive weight should also be awarded to delivery of ecological enhancements in excess of the minimum statutory requirement (as will be covered below). Limited weight should also be awarded to the economic impacts of the scheme during construction. In this case and given the modest level of heritage harm identified, whilst applying great weight to this harm, the public benefits resulting from the scheme are considered to outweigh the heritage harm and this heritage balance falls in favour of the application.

Highway issues

5.75 Your officers have regard to the policies of the WOLP and NPPF with regard to the impact of the proposed development on the highway network. WOLP Policy T2 for example states: 'all development will be required to demonstrate safe access and an acceptable degree of impact on the local highway network.'

5.76 The proposals include a new bellmouth access a short distance to the west of the existing field gate. Visibility splays have been shown in each direction through the removal of existing hedgerow and vegetation. OCC Transport have confirmed in their consultation response that the proposed access is suitable to serve the proposed development in highway safety terms.

5.77 In terms of traffic impact, the nature of the proposal is such that the majority of any impact would be during the construction and decommissioning phases. The application has provided a Construction Traffic Management Plan (CTMP) which forecasts that there will need to be an average of 8 HGV vehicles per

day delivering over the anticipated 6-month construction period. The Site would be accessed from the A40 via the Downs Road/Witney Road/Main Road junction. OCC Transport consider that vehicle tracking for large vehicles should be provided and the CTMP updated to consider whether traffic management will be required at this junction to allow suitable operation with the anticipated delivery vehicles. Your officers are satisfied that this can be addressed through planning condition as recommended by OCC Transport. The application is therefore considered acceptable in highways terms.

Biodiversity

5.78 Policy EH3 of the local plan seeks to protect and enhance biodiversity in the district to achieve an overall net gain in biodiversity and minimise impacts on geodiversity. This includes protecting and mitigating for impacts on priority habitats, protected species and priority species, both for their importance individually and as part of a wider network, and that all developments retaining features of biodiversity value on site and incorporating biodiversity enhancement features.

5.79 The application is also subject to statutory Biodiversity Net Gain ('BNG') requirements and proposes a biodiversity unit value increase from 108.79 habitat units up to 196.23 (an 80.38% net gain) and 32.58 hedgerow units up to 49.8 (a 52.85% net gain). The Council's Biodiversity Officer ('BO') has reviewed the submitted BNG information and considers that statutory requirements have been exceeded and the application is acceptable in this regard.

5.80 In terms of the impact on protected species, the application is supported by an Ecological Impact Assessment ('EcIA') and Skylark Mitigation Strategy ('SMS'). The BO has confirmed that the impacts to protected/priority species can be avoided, mitigated or compensated. A Construction Environmental Management Plan ('CEMP') will be produced which will contain precautionary measures to avoid impacts to reptiles, badgers and other mammals, nesting birds, foraging/commuting bats, the adjacent priority woodland and onsite retained trees/hedgerows. The CEMP can be secured via planning condition.

5.81 The EcIA confirms that the Site is of 'county' level importance to bats as ten species of bat were recorded during bat activity surveys. The existing arable fields themselves are of negligible importance to bats and all of the above key foraging/dispersal routes are to be retained/buffered (15m for key hedgerows listed above, 10m for all other hedgerows and 15m to existing woodland). No artificial lighting is proposed.

5.82 In terms of noise, the substation/BESS is located to the south-east corner of the Site and will be buffered from the south hedgerow with woodland planting. The south hedgerow is not identified as an important dispersal route for bats in any case, so no significant impacts to bats from noise are anticipated.

5.83 Compensation for the loss of nine skylark territories is expected as skylark are a 'priority' species under section 41 of the Natural Environment and Rural Communities Act 2006. The EcIA (6.6) contains a commitment to compensating for the loss of these nine skylark territories via the creation of offsite plots on nearby fields. An SMS has been submitted which identifies six offsite fields where skylark plots can be created which will increase the carrying capacity of the surrounding landscape for skylark. As these measures are offsite, an S106 agreement will be needed to ensure delivery of the offsite skylark measures. The BO has therefore confirmed that the application is acceptable in ecological terms subject to the imposition of conditions as set out in Section 6 and planning obligations as set out below.

Glint and Glare

5.84 A Glint and Glare study has been undertaken to assess the possible effects of glint and glare from the proposed development. The assessment pertains to the possible impact upon road safety, residential amenity, and aviation activity with particular regard to any impact on flightpaths associated with RAF Brize Norton. The MOD have been consulted on the application and have raised no objection subject to conditions. No significant impacts are predicted upon road safety, residential amenity, or aviation activity and the application is therefore acceptable in this regard.

Noise

5.85 A Noise Impact Assessment has been submitted in support of the application. The Environmental Health Officer has reviewed this information and has no objection to the application subject to a condition

to restrict the permitted noise level above the existing background level at the boundary of the nearest noise sensitive receptor.

Planning obligations

5.86 The BO has calculated that a £10,000 monitoring fee is required to facilitate the monitoring of BNG measures on site. This will be secured via S.106 agreement.

5.87 The S.106 agreement will also secure offsite skylark mitigation measures. This is required as the site of the mitigation proposals is distant from the Site. The S.106 will secure the delivery of the submitted SMS with requirements to ensure that management and remediation details, as well as a timetable for implementation and a monitoring schedule are submitted to and approved by the LPA and then implemented in accordance with those details.

Other matters

5.88 The MOD have raised no objection to the application subject to the imposition of planning conditions to ensure a suitable Construction Management Strategy and Electrical Noise Interference Management Plan are secured via condition.

5.89 Officers note comments received requesting S.106 contributions to improve local pedestrian and cyclist infrastructure. However, given the proposal will not generate any such trips and construction traffic impacts can be adequately managed through condition, such obligations would not meet the tests set out in para. 58 of NPPF and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

5.90 No adverse impact on the adjacent PRoW network is identified and the OCC PRoW officer will be consulted on a CTMP to ensure pedestrian facilities are protected during construction.

Conclusion and planning balance

5.91 As set out above, the proposed development would harm the character and appearance of the surrounding landscape and result in less than substantial harm to the setting of designated heritage assets. Your officers attach significant weight to these matters whilst acknowledging that the landscape and visual harms would be contained to a site and localised level.

5.92 It is also recognised that the application proposal has sought to minimise and mitigate any adverse impacts in accordance with WOLP Policy EH6. The resultant impacts on heritage assets would constitute a low level of less than substantial harm, which has been found to be outweighed by the public benefits of the scheme in the initial heritage balance. Therefore, there would be no conflict with heritage-related policies in the development plan or NPPF.

5.93 Conversely, the scheme would result in significant economic, social and environmental benefits through the low carbon method of energy generation proposed, resulting in 30MW of electricity generation capacity. This includes the generation of renewable energy and a consequent reduction in carbon emissions, supporting the county and country in meeting national and local targets on renewable energy and carbon emissions, providing additional employment and ecological enhancements in excess of the minimum statutory requirements. Your officers also recognise that the proposal includes facilities for Battery Energy Storage, which facilitates a time-shift in the consumption of previously generated energy in order to successfully address demand. This also attracts significant positive weight in this balance. These extensive benefits are considered sufficient to outweigh the landscape and heritage harms.

5.94 Further, the application has demonstrated that the development presents a negligible risk to the Caswell House Spring. This is achieved as the proposed design accords with the drainage hierarchy, national planning guidance, and local groundwater protection policies, and subject to the measures proposed being secured via condition, offers a clear basis for your Officers to conclude that the development is environmentally acceptable and that the application should not be refused on that basis.

5.95 Despite partial conflict with the development plan with regard to landscape and visual impact, the proposal is therefore considered to accord with the provisions of the development plan as a whole and the above policy and legislative context with regard to renewable energy development, which provides a material consideration adding weight to the conclusion that the application should be approved. The

application is therefore recommended for provisional approval subject to the signing of a S.106 agreement in order to cover BNG monitoring costs and secure offsite skylark mitigation.

6 RECOMMENDATION

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2 That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3 The permission hereby granted shall expire 40 years from the date when electrical power is first exported ('first export date') from the solar farm to the electricity network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

REASON: In the interests of landscape character and visual amenity to accord with the NPPF.

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

REASON: To prevent the retention of development in the countryside that is not being used for its intended purpose in the interests of landscape character and visual amenity.

5 Not less than 12 months before the cessation of the development hereby permitted, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. The Decommissioning Method Statement shall include details of the removal of the panels, supports, inverters, cables, buildings and all associated structures and fencing from the site, and a timetable. The DMS shall also include details of the proposed restoration. The site shall be decommissioned in full accordance with the approved DMS and timetable within six months of the expiry of the planning permission.

REASON: In the interests of landscape character and visual amenity to accord with the NPPF.

6 All electrical cabling between the solar panel rows and the on-site connection buildings shall be located underground and the excavated ground shall be reinstated to its former condition.

REASON: In the interests of landscape character and visual amenity.

7 No construction activity shall take place outside the following hours, unless otherwise first agreed in writing by the local planning authority:

- 08:00 to 18:00 on Monday to Friday
- 08:00 to 13:00 on Saturday

No construction activities shall be carried out on Sundays or any Public/Bank Holiday.

REASON: In order to safeguard the living conditions of nearby occupiers.

8 Notwithstanding the details as submitted with the application and prior to the commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority:

a) Fire-resistant housing to battery units;

b) Built-in detection and suppression systems to battery units;
c) Spacing distances between battery units;
d) Two access points for emergency response;
e) Tanking to BESS compound with impermeable liner designed to prevent ground infiltration of fire water and to ensure all surface runoff flows westward;
f) A dedicated fire water runoff tank;
g) Measures to ensure that all fire water is captured and prevented from entering soakaways or local watercourses and captured for quality testing in the event of a fire;
h) Swales along the southern boundary and site low point to guide flow toward the southwest;
i) A site-specific Risk Management Plan and Emergency Response Plan including measures to address fire scenarios and environmental risk mitigation measures required to avoid any impacts to the Caswell House Spring:
j) Submission of detailed design drawings confirming valve specification, triggers and commissioning procedure:
k) Inclusion of a silt trap or Class 1 full-retention separator between the fire-water tank and soakaway, or equivalent approved pre-treatment measure, to remove sediments and hydrocarbons prior to infiltration:
l) A post-construction verification report confirming installation, valve operation and maintenance access for the fire-water tank and penstock system: and
m) Formalisation of operational procedures for incident detection, penstock closure, containment, inspection and off-site disposal of any retained water.

The development shall be carried out in accordance with the approved details prior to the first export date.

REASON: In order to avoid pollution to adjacent water sources.

9 The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the first export date:

Document- Witney Solar Farm Flood Risk Assessment & Drainage Strategy (August 2025)

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.

10 Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

(a) As built plans in both .pdf and .shp file format;
(b) Photographs to document each key stage of the drainage system when installed on site;
(c) Photographs to document the completed installation of the drainage structures on site;
(d) The name and contact details of any appointed management company information

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal.

11 Prior to the commencement of development, a detailed Arboricultural Method Statement (AMS) and a Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. The AMS and TPP shall be adhered to in full during the entire period of construction and shall be consistent with the submitted Arboricultural Impact Assessment dated December 2024 and prepared by Lanpro.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

12 Prior to commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed CTMP unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure safe and suitable access to the site and an acceptable impact on the local highway network in accordance with policy T2 of the West Oxfordshire Local Plan 2031.

13 No works shall commence on site other than those required by this condition until the vehicle access and associated visibility splays as shown on submitted drawing AMA-22785-SK-003 P01 have been completed and shall maintained as such for the duration of construction and decommissioning.

REASON: To ensure safe and suitable access to the site in accordance with policy T2 West Oxfordshire Local Plan 2031.

14 No development shall take place unless or until such time as a Construction Management Plan has been submitted to, and approved in writing, by the Local Planning Authority in consultation with the Ministry of Defence (MOD). The submitted Construction Management Plan shall include, but not be limited to:

a) details of any cranes, plant and/or other tall construction equipment to be used either to implement, or in support of the implementation of, the development approved;
b) a schedule, to include dates and times, for the presence and operation on site of those cranes, plant and/or other tall construction equipment;
c) details of a liaison protocol through which RAF Brize Norton can be notified of any amendments to that schedule; and
d) details of obstacle lighting that will be displayed on any crane, plant or tall construction equipment that will be used on site.

The development shall be carried out and managed strictly in accordance with the details approved through discharge of this condition, unless otherwise agreed in writing by the Local Planning Authority, in consultation with MOD.

REASON: In the interests of maintaining aviation safety. To ensure the development accords with the requirements of paragraph 102 of the National Planning Policy Framework (2024).

15 No development shall take place unless or until such time as an Electrical Noise Interference Management Plan ("ENIMP") has been submitted to and approved in writing by the local planning authority in consultation with the Ministry of Defence (MOD). The submitted ENIMP shall contain, but not be limited to:

a) manufacturer's specifications for any generating, and associated, infrastructure to be installed at the site, to include any inverter(s), substation(s), PV panels, and any associated cables (including all interconnecting cables as well as the export cable(s) to the national grid) and connectors;
b) details of measures designed to prevent electrical noise interference being caused to transmitter/receiver technical installations at RAF Brize Norton;
c) a schedule setting out how the development will be operated, maintained, and tested throughout its life to ensure that any electrical noise interference on transmitter/receiver technical installations at RAF Brize Norton is prevented; and
d) a protocol through which the site operator can be notified of electrical noise interference issues or observations, the measures that would be taken to investigate, and a description of the approach to resolving/rectifying/mitigated those impacts.

The development shall be carried out and managed strictly in accordance with the provisions set out in the approved ENIMP for the life of the development. No electrical component or electrical equipment that is not specified within the approved ENIMP shall be installed or operated within the site without the express written consent of the local planning authority in consultation with the MOD.

REASON: In the interests of maintaining the effective operation of national defence infrastructure and to maintain aviation safety. To ensure the development accords with the requirements of paragraph 102 of the National Planning Policy Framework (2024).

16 Prior to the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

17 Following the approval of the Written Scheme of Investigation referred to in condition 16, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

REASON: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

18 Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

a) Risk assessment of potentially damaging construction activities with consideration for the recommendations of the Ecological Impact Assessment (EcIA) (BSG, December 2024);
b) Identification of 'biodiversity protection zones';
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) with specific reference to reptiles, badgers and other terrestrial mammals, nesting birds, foraging and commuting bats, the adjacent priority woodland and onsite retained trees and hedgerows;
d) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
e) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
f) A non-native invasive species protocol;
g) Responsible persons and lines of communication;
h) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works; and
j) The submission of a verification report by the ECoW or similarly competent person(s) to the LPA at the end of the construction period.

The approved CEMP-B shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To ensure that protected and priority species and priority habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, paragraphs 187, 192 and 193 of the NPPF 2024 and Local Plan Policy EH3, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

19 The development shall not commence until a Biodiversity Management and Monitoring Plan (BMMP), prepared in accordance with the approved Biodiversity Gain Plan and the Ecological Impact Assessment (EcIA) (BSG, December 2024) (as amended by the BNG Report Rev 2 received by the local planning authority on 29.07.2025) associated with the planning application and including:

a) a non-technical summary;
b) the roles and responsibilities of the people or organisation(s) delivering the BMMP;
c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;

e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority; and
f) a 10 year species monitoring schedule for birds, bats and invertebrates as outlined in section 6.10 of the EcIA;

has been submitted to, and approved in writing by, the local planning authority. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved BMMP.

REASON: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990, to protect and enhance biodiversity in accordance with Local Plan Policy EH3, paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024) and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

20 Prior to the commencement of development, a detailed hard and soft landscaping scheme in accordance with the details contained within Mitigation Plan Ref. 1001 P03 and the Concept Design Plan (Rev 07) received by the Local Planning Authority on 29.07.2025 shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and the approved landscaping shall be completed by the end of the next available planting season immediately following the first export date and retained in place as approved for the duration of the consent unless otherwise agreed in writing with the local planning authority.

REASON: to secure full details of the proposed landscaping scheme and to ensure that this is in accordance with the Biodiversity Net Gain proposals for the site.

21 No external lighting, whether temporary or permanent, shall be installed on the site unless details are submitted to and approved in writing by the local planning authority. Details of any proposed external lighting shall accord with the Bat Conservation Trust/Institute of Lighting Professionals 'Guidance Note 08/23: Bats and Artificial Lighting at Night' and demonstrate that no impacts to bat foraging/commuting activity will result. Important foraging and commuting routes for bats as identified in the Ecological Impact Assessment (EcIA) (BSG, December 2024) are:

- the central north hedgerow (H14 and H5);
- the eastern hedgerow (H2);
- the central east-west hedgerow (H15 and H3); and
- adjacent to the west woodland.

External lighting details shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) as well as an ISO lux plan showing light spill demonstrating that the above features are unaffected. The subsequently approved details shall be retained thereafter.

REASON: To limit the impact of light pollution from artificial light in accordance with the NPPF 2024, paragraph 198(c).

22 Noise resulting from the use of plant, machinery or equipment hereby approved shall not exceed a rating level of the existing background level when assessed according to British Standard BS4142-2014 (as amended), at the boundary of the nearest noise sensitive receptor. A preliminary assessment of compliance with the condition to be submitted to, and approved by, the Local Planning Authority within six months of the first export date.

REASON: In order to safeguard the living conditions of nearby occupiers.

23 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Land Contamination: Risk Management (LCRM), and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

REASON: To prevent pollution of the environment in the interests of the amenity in accordance with West Oxfordshire District Council Local Planning Policy EH8 and Section 15 of the NPPF.

INFORMATIVES :-

1. The submitted CTMP should be updated to address the comments above relating to Downs Road and to safely manage users of the PRoW around construction vehicles.

2. Important: the statutory Biodiversity Net Gain objective of 10% applies to this planning permission and development cannot commence until a Biodiversity Gain Plan has been submitted (as a condition compliance application) to and approved by West Oxfordshire District Council. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan.

3. The Habitat Management and Monitoring Plan (HMMP) required by condition of planning permission should follow the same structure as template found here: https://www.gov.uk/guidance/creating-ahabitat-management-and-monitoring-plan-for-biodiversity-net-gain

4. All British bat species, otter and dormouse are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their places of shelter (habitat, roosts), whether occupied or not. If a bat, otter or dormouse (or evidence of these speces) is discovered, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a mitigation licence.

   All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest and replacement provision made so that there is no net loss of biodiversity.