

APPLICATION WEB COMMENTS FORM

Information available for public inspection and available on our website

Location : Land to the north of the Culham Science Centre Thame Lane near Clifton Hampden OX14 3GY

Proposal : The development of a Battery Energy Storage System (BESS), comprising a 500 megawatt (MW) battery storage facility with associated infrastructure, access and landscaping, with a connection into the Culham Jet National Grid substation. (A hard copy of the Environmental Statement can be viewed at South Oxfordshire District Council, Abbey House Abbey Close Abingdon OX14 3JE). REPRESENTATIONS IN WRITING BY 28 JUNE 2024

Application Reference : P24/S1498/FUL - 7

Please complete

Your name :	Ecology Team (South and Vale)
Your address :	South Oxfordshire & Vale of White Horse District Councils
Date :	04 June 2024

Use the space below for your comments

Holding objection. Further information required.

This application seeks full planning permission for the formation of a battery energy storage system (BESS), with associated infrastructure and landscaping.

The application is supported by an Environmental Statement, but ecology and biodiversity was scoped out EIA consideration consistent with the views presented under P22/S4551/SCO.

Notwithstanding this, an ecological impact assessment (EcIA) and biodiversity impact assessment (BIA), with the associated metric, have been submitted to support the planning application. The site has been subject to ecological surveys between 2022 and 2024.

Designated sites:

I am satisfied that the proposed development is unlikely to give rise to any impacts on statutory designed sites (SSSI, SAC). Further consideration under the HRA process is not required.

The application site mostly adjacent to, but partly within (for the purpose of connecting infrastructure to an existing electricity tower) Furze Brake Local Wildlife Site (LWS site code: 59105). This LWS is designated for the species rich priority habitat woodland and the presence of a large heronry (c.50 nests).

Impacts on the LWS which would undermine the identified value of the site are unlikely to occur. The tree removal plan of the AIA does not show any loss of trees which form part of the LWS. Construction control measures, secured through a construction environmental management plan (CEMP) can ensure sensitive works in close proximity to important ecological receptors, such as the LWS.

Other locally designated sites, such as Radley Gravel Pits LWS (site code: 59103), located to the north of the River Thames, are very unlikely to be adversely impacted.

Habitats:

None of the habitats on-site have been identified as a material constraint to development (priority habitat), and in this regard Policy ENV2 is not engaged with regards to habitats.

The development would primarily see the loss of modified grassland, bramble scrub and mixed scrub. These habitats have value, which is accounted for in the BNG metric assessment (discussed below). Notable habitat creation is proposed on-site to compensate for these losses.

Species:

The proposed development would result in the loss of an outlier (not a main) badger sett (s5). The loss of this sett would require a licence from Natural England to be lawful, but I am confident that such a licence would be granted. Badgers are protected species, and therefore the loss of the outlier sett would be a minor adverse impact that would need to be considered under the requirements of Policy ENV2. It is unlikely that the loss of the outlier sett would have a significant impact on the resident badger clan or the local population. Subject to fencing being made permeable to the species, the on-site habitat enhancements would likely create a greater foraging resource than currently exists.

Impacts on other species, subject to safeguards being secured (e.g. sensitive external lighting scheme, CEMP), are not considered to be likely.

Biodiversity net gain (BNG):

This planning application is subject to mandatory BNG, within the meaning of Schedule 7A of the TCPA 1990. Should planning permission be granted, that permission would be subject to the general biodiversity gain condition which requires discharging prior to commencement of development.

At this stage, when assessing the planning application, the following matters are being considered:

- Whether national minimum information requirements have been met;
- Whether the baseline habitats have been assessed accurately;
- Whether the supporting metric has accounted for those baseline habitats accurately;
- Whether the Biodiversity Gain Hierarchy has been followed (avoiding impacts on valuable habitats and maximising on-site gains);
- Whether any habitat creation (significant on-site, or any off-site) requires a planning obligation to secure for the statutory minimum of 30 years post-completion.

Detail related to the post-development habitats and ongoing management is secured under the discharge of condition stage, pursuant to the general biodiversity gain condition. As such, I do not recommend that the provided LEMP is approved as this likely replicates the requirements of the general biodiversity gain condition. A Biodiversity Gain Plan and supporting Habitat Management and Monitoring Plan (HMMP) will need to be submitted to discharge this condition, along with a completed metric.

Minimum information requirements:

The BNG section of the application form has been completed correctly, with confirmation that no irreplaceable habitats exist within the red line boundary and that no degradation has taken place. The application is supported with the statutory biodiversity metric with the baseline sections completed. A baseline habitat plan, consistent with the metric, has been provided in the EcIA.

I am satisfied that this information meets national minimum information standards.

Baseline habitats:

Habitat condition assessment sheets have not been provided to expand on the information provided in Table 4.2 of the EcIA. I recommend that these sheets (in excel format) are provided to give confidence in the condition assessment of each parcel. This is particularly relevant for the grassland compartments, where species density per square metre is a key determining factor in both habitat type (e.g. modified grassland vs other neutral grassland) and condition. Additional information (quadrats?) should be provided to support the condition sheet entries. An update visit may be required to obtain this information.

It also appears that individual trees within the area of bramble scrub have not been recorded as such, accorded to the AIA.

Metric:

The baseline sections of the supporting metric appear to be consistent with the habitat plan provided in the EcIA. Following review and provision of additional

condition sheet information (mentioned above), the type and condition of the entries within the metric may need to be amended.

Biodiversity Gain Hierarchy:

The Biodiversity Gain Hierarchy (within the meaning of Article 37D of the DMPO) requires that impacts to habitats identified as being of medium or higher distinctiveness within the metric should be protected from harm as much as possible. It also requires that opportunities for on-site enhancements are maximised.

Subject to review and potential amendment, the baseline habitat information identifies that areas of: other neutral grassland, bramble/blackthorn/mixed scrub, and individual rural trees have a distinctiveness of medium or higher, and are therefore subject to consideration under the Biodiversity Gain Hierarchy.

Bramble scrub this area of bramble scrub is contiguous with an existing substation, so I can understand the reason why it is appropriate to site the substation extension in this location. There is potential to relocate this to the north of the proposed compound, within an area of (currently assessed) low distinctiveness modified grassland, but this would create issues in terms of cable routing and ease of maintenance. I would encourage the applicant/agent to explain by extending the substation in the southeast is preferable to having the compound elsewhere on-site.

Blackthorn scrub this habitat is located in the north of the site, away from development. Proposed planting plans show that woodland planting is to take place in this area. Loss plans show the habitat to be removed. I cannot see why the area of blackthorn scrub must be removed. It could be surrounded and eventually subsumed into the woodland planting. As such, I recommend that this area of habitat is retained and not lost.

Mixed scrub this habitat is adjacent to F6, within the centre of the site. It is shown as being lost to modified grassland. The proposed underground electric cable runs through part of this feature, but I cannot see why it must be removed in its entirety. I recommend that either the cable route is amended to skirt around this feature (following the road for c.80m more) or, if this is the only possible route for the cable, to limit loss to that which is absolutely necessary. I am not convinced that this loss (to modified grassland) is appropriate currently.

Other neutral grassland this habitat is spread across the site in parcels. Most is retained, some is lost to proposed woodland planting (generally supportable) and some is included in the area of the southeastern substation extension. The response to questions posed under bramble scrub above can be used to assess this loss.

Individual rural trees tree loss is minimal across the site. Answers to both the mixed and bramble scrub points above will inform whether the tree loss on those locations is justifiable.

Planning obligation:

It is apparent at this stage that the development intends to undertake significant on-site habitat creation as part of the proposed development. As such, these significant on-site habitat enhancements must be secured for the statutory minimum of 30 years. In accordance with the attached guidance, the ongoing management and maintenance of these habitats should be secured with a s106 planning obligation. The case officer is advised to instruct the Legal Team to prepare this. A financial contribution for BNG monitoring will be secured as part of this.

It is noted that the applicant wishes to explore the potential of selling excess on-site habitat gains on the BNG market. This is supportable in principle, but must be secured through a planning obligation. Furthermore, the excess (over and above what is required to deliver 10% BNG for this development) habitat gains must be spatially ring-fenced and then recorded on the statutory Biodiversity Gain Site Register.

Should the applicant wish to explore this, plans should be produced which spatially identify the habitats required to meet the minimum 10% BNG requirement for the development, and then spatially identify the excess habitats which could be recorded on the statutory register and units sold on the BNG market.

Summary:

Additional information is required prior to determination:

- Baseline habitat condition sheets (excel format) and supporting information
- Updated metric (potentially)
- Justification for the loss of medium distinctiveness habitats
- Additional plans for the purpose of using a planning obligation to secure on-site BNG for sale on the BNG market.

The following conditions are likely to be required, if planning permission is granted:

- Construction environmental management plan (CEMP)
- Biodiversity enhancement plan (BEP)
- External lighting details

The submitted landscape and ecology management plan (LEMP) should not be secured as the details (Biodiversity Gain Plan and HMMP) submitted to discharge the general biodiversity gain condition will serve this purpose.

Edward Church ACIEEM