

STATEMENT OF COMMON GROUND

V10 Final: 06.06.25

Appeal against the refusal of planning application P24/S1498/FUL:

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

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

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1 Introduction

1.1.1 This Statement of Common Ground (SoCG) comprises matters which are agreed and in disagreement between Culham Storage Limited (“the Appellant”) and South Oxfordshire District Council (“SODC”) in relation to the appeal against the decision of SODC to refuse Planning Application P24/S1498/FUL.

1.1.2 On 2 May 2024, the Appellant submitted a planning application seeking planning permission for the following Proposed Development:

“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.”

1.1.3 The application was refused under delegated powers on 8 August 2024, with the assessment set out in the Delegated Report (“DR”). The DR considered the responses from professional consultees and stakeholders, where objections are noted from the Parish Councils, Oxford County Council (OCC) Highways and Archaeology and SODC Heritage.

1.1.4 The decision notice (“DN”) dated 8 August 2024 set out eight reasons for refusal (“RFR”), which allege that the Proposed Development would be contrary to the development plan and national policy. These are stated below as:

RFR1 – Green Belt

“The development is inappropriate development in the Green Belt that would be harmful to the spatial and visual openness of the Green Belt and would conflict with the purposes of the Green Belt. This site additionally provides an important Green Belt function in relation to strategic sites removed from the Green Belt for development. The application does not constitute very special circumstances as required by the National Planning Policy Framework to outweigh the substantial harm to the openness of the Green Belt. As such, the proposal is contrary to the NPPF, and Policies STRAT6 and DES9 of the South Oxfordshire Local Plan 2035.”

RFR2 – Landscape Character

“The site proposed for battery storage provides a valuable transition between the registered parkland and the Culham Science site. The battery storage is large scale, would be industrial in appearance, and would introduce an urban industrial development into an important area of rural countryside. It would result in significant adverse effects on the landscape character and to views including those from public rights of way. The proposed mitigation is ineffective

in mitigating this harm and the proposal is contrary to the NPPF, and Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035, and Policy CUL5 of the Culham Neighbourhood Plan.

Further, this proposal, in addition to the development on allocated sites STRAT8 and STRAT9, will create an increased cumulative impact harmful to the landscape character of the area, contrary to Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.”

RFR3 – Heritage Impacts to Registered Park and Garden

“The proposed development of an industrial nature would encroach into the Nuneham Courtenay Grade I Registered Park and Garden (RPG), a highly significant C18 parkland landscape, which contains several listed buildings and structures. The development will result in significant adverse impacts to the designated heritage asset, and the setting of the RPG. The proposed landscape mitigation fails to respect the character of the RPG and its setting and would result in further harm. The harm to the heritage assets considerably outweighs the benefits of the proposed development and the proposal is therefore contrary to the NPPF and Policies ENV6 and ENV10 of the South Oxfordshire Local Plan 2035.

Further, this proposal, in addition to the development on allocated sites STRAT8 and STRAT9, will create an increased cumulative impact harmful to the setting of the designated Registered Park and Garden, contrary to Policies ENV6 and ENV10 of the South Oxfordshire Local Plan 2035, the NPPF.”

RFR4 – Loss of Best and Most Versatile (BMV) land

“The loss of Best and Most Versatile land throughout the lifetime of the proposed development (40 years) has not been justified by compelling evidence in accordance with the written ministerial statement of 15 May 2024 concerning the use of agricultural land, which is reflected in policy DES7 of the South Oxfordshire Local Plan 2035 and the NPPF.”

RFR5 – Insufficient Archaeological Information

“Insufficient information relating to the results of an archaeological trenched evaluation has been submitted to demonstrate that the proposed development would protect against harm to archaeological assets. As this information has not been provided, and the County Archaeologist has been unable to assess the impacts of the development, the development is contrary to Policy ENV9 of the South Oxfordshire Local Plan 2035.”

RFR6 - Insufficient Drainage Information

“Insufficient information has been submitted to demonstrate that the proposed development would be served by an appropriate drainage strategy. As such, the proposal is contrary to Policies INF4, EP4 and STRAT4 of the South Oxfordshire Local Plan 2035.”

RFR7 - Insufficient Biodiversity Information

“Insufficient information has been submitted to demonstrate that the proposed development would address Biodiversity Net Gain requirements. As such, the proposal is contrary to Policy ENV3 of the South Oxfordshire Local Plan 2035.”

RFR8 - Insufficient Arboricultural Information

“There is insufficient and inconsistent information regarding Arboricultural matters and to adequately assess any harmful impact on trees. As such, the proposal is contrary to Policy ENV1 of the South Oxfordshire Local Plan.”

- 1.1.5 Since the refusal of the application the Appellant has continued to review the Application Scheme and proposed a number of amendments during the appeal process. This amended scheme is known as the ‘Appeal Scheme’ within this document. During the CMC the Inspector advised that the appeal would be considered on the basis of the Appeal Scheme rather than the refused application scheme which gave rise to the appeal.

2 The Appeal Site and Surrounding Context

- 2.1.1 The address of the Appeal Scheme is Land to the north of the Culham Science Centre Thame Lane near Clifton Hampden, OX14 3GY (“the Appeal Site”).
- 2.1.2 The Appeal Site is located entirely within the administrative boundary of South Oxfordshire District Council (SODC).
- 2.1.3 The Appeal Site measures c. 26.8 hectares and is located on agricultural land adjacent to the Culham Campus.
- 2.1.4 At present, the Appeal Site predominantly comprises areas of open fields (typically harvested for hay and silage) and is crossed by a tarmac track (Thame Lane, a non-public highway) and an existing farm track. High voltage overhead transmission lines pass through the western and central areas of the site. The south-eastern extent of the site includes part of the existing Culham substation and an area of land adjoining the substation comprising bramble scrub and neutral grassland.
- 2.1.5 The majority of the Appeal Site is located within the Oxford Green Belt, except for access along Thame Lane and the extension of the existing substation within Culham Science Centre.
- 2.1.6 The northern part of the Appeal Site is located within the Nuneham Courtenay Grade 1 RPG.
- 2.1.7 The Appeal Site is accessed from the east, south-east and south by Thame Lane, which connects to Abingdon Road (A415) to the south.
- 2.1.8 The agricultural land at the site has been classified as mostly Grade 2 (19.1ha) with smaller areas of Subgrade 3a (2.3ha) where the land is more gravelly at depth. There is also a small area of Subgrade 3b (0.3ha) next to the existing woodland at the north-eastern extent of the site where the subsoil is slowly permeable clay. The Grade 2 and Subgrade 3a agricultural land on site is considered to be BMV, with a total BMV land on site of 21.4ha.
- 2.1.9 The Appeal Site is located within Flood Zone 1 which represents the lowest probability of flooding at a 1:1000 annual probability.

2.2 Description of the Local Area

- 2.2.1 The Appeal Site is bordered by:
 - Woodland to north, beyond which lies the River Thames;
 - Agricultural land, an area of woodland, and Thame Lane to the east;

- Thame Lane to the south of the site, with Culham Campus to the south-east, beyond which is Abingdon Road (A415) and Culham Rail Station further south; and
- A railway line to the west (servicing Great Western Railway), adjoined by Oxford Green Belt Way, beyond which lies agricultural land and Culham Park Mx (off-road race track).

- 2.2.2 Culham Campus and the adjacent land to the south west and west were removed from the Green Belt in the South Oxfordshire Local Plan 2011-2035 (the “Local Plan”). These sites are allocated in the Local Plan for commercial and residential as allocations STRAT8 and STRAT9 respectively.
- 2.2.3 Culham Campus comprises large two to three storey commercial and research and development buildings bounded by a perimeter fence. Further intensification is planned as part of a masterplan subject to separate planning permissions and supported by Local Plan Allocation STRAT8.
- 2.2.4 Within the STRAT8 allocation, planning consent was granted in 2023 for the erection of a Fusion Demonstration Plant with ancillary office space, parking, landscaping and associated infrastructure, including plant and machinery (ref: P22/S1410/FUL) on land to the north east of the Culham Campus. The consented scheme comprises a substantial structure around 140m to the south of the RPG.
- 2.2.5 The STRAT9 Local Plan allocation will deliver approximately 3,500 homes along with a net increase in employment land, pitches for Gypsies and Travellers and supporting services and facilities.
- 2.2.6 The part of the STRAT 9 allocation to the east of the rail line (Culham No 1) is subject to an undetermined planning application for the demolition of buildings and outline planning application (with all matters reserved) for up to 115,000sq.m (GIA) of employment floorspace (ref: P24/S1759/O). The proposed height parameters seek approval for buildings up to 25m above ground level in the south to 18m above ground level in the north closest to the Appeal Site boundary.
- 2.2.7 The site is adjacent to the Nuneham Courtenay Conservation Area to the north.
- 2.2.8 There are a number of listed buildings in the surrounding area, including Culham Station Ticket Office, Thame Lane Bridge, Fullamoor Farmhouse and the Europa School.
- 2.2.9 There are three Public Rights of Way (PRoW) that abut the site.
- 2.2.10 The Oxford Greenbelt Way runs along the western side of the railway line and links to a public bypass following Thame Lane from the west and following it around the northern perimeter of Culham Campus and though the southern part of the Appeal Site.

2.3 Relevant Planning History

2.3.1 The following applications are considered relevant to the determination of the Appeal.

Table 2-1-1 Planning History

Application Number	Description of Development	Decision and Date
The Appeal Site's Planning History		
P24/S1498/FUL	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).	Refusal of Planning Permission 08/08/2024
P22/S4551/SCO	Environmental Impact Assessment Scoping Opinion for a proposed development of a 500mw Battery Storage Facility with associated infrastructure, access and landscaping.	Advice provided 30/01/2023
Relevant Adjacent Sites' Planning History		
P24/S1759/O	Culham No1 Industrial Site. Demolition of buildings and outline planning application (with all matters reserved) for up to 115,000sq.m (GIA) of employment floorspace [Use Class E(g), B2 and B8]; up to 2,500sq.m (GIA) of hotel floorspace and other uses.	Under consideration
P22/S1410/FUL	Culham Science Centre Erection of a Fusion Demonstration Plant with ancillary office space, parking, landscaping and associated infrastructure, including plant and machinery.	Approved 28/03/2023
P21/S0509/RM	Culham Science Centre: Submission of reserved matters pursuant to outline planning permission reference P16/S1753/O	Approved 02/12/2021
P17/S3719/SCO	Scoping opinion request in support of an outline planning application for a residential led mixed use development at Culham Science Village.	Advice provided 20/11/2017
P16/S2368/FUL	Culham Science Centre: Development of an Energy Storage Facility (Sui Generis) comprising: a battery building to house plant, an administrative building, security fencing and landscaping; the excavation of land for the installation of a 250MW High Voltage Transformer; extension to existing electricity	Approved 15/11/2016

	substation to provide additional plant equipment and building; and the provision of underground cabling between the battery building, transformer and the substation extension.	
P16/S1753/O	Culham Science Centre: Erection of up to 9,000 sq metres of Class B1 (office / research) development. (As amplified by Arboricultural Development Report dated April 2016).	Approved 19/07/2016
P13/S2287/O	Culham Science Centre: Outline application for erection of up to 9,000 sq metres of Class B1 development. As amplified by additional information (email from Kemp & Kemp dated 04.11.2013 and 24.11.2013).	Approved 14/02/2014

3 The Application Process

Key Dates

- 3.1.1 The key dates relating to the planning application are as follows:
- Application Submitted – 2nd May 2024
 - SODC registration date – 9th May 2024
 - SODC consultation period – 13th May to 28th June 2024
 - SODC target decision date – 8th August 2024 (thirteen weeks) based on the validation letter (CD1.5.3)
 - Decision Issued – 8th August 2024.
- 3.1.2 There is an inconsistency between the target decision date on the validation letter based on a thirteen week target to 8th August and the DR, which refers to a sixteen week determination target to the 29th August 2024.
- 3.1.3 The application was accompanied by an Environmental Impact Assessment (EIA) and should have been subject to a sixteen week target determination period.¹

Pre-Application

- 3.1.4 The Appellant undertook a pre-application consultation with SODC on 9th September 2022, with a response received on 13th September 2022 (CD1.5.1).
- 3.1.5 An Environmental Impact Assessment (EIA) Scoping Request was made to SODC, with SODC's Scoping Opinion dated 30th January 2023 (ref: P22/S4551/SCO) confirming that an EIA would be required (CD1.2).

Post-Submission

- 3.1.6 The Appellant and SODC Case Officer had a call on 18th June 2024 to discuss the application and statutory consultee responses (see agenda in CD1.5.2). The Appellant committed to provide responses to consultee comments in a single submission after all comments had been received, noting that at that time the Environment Agency (EA) had not responded.
- 3.1.7 No request for an extension of time was made by SODC, with the decision issued thirteen weeks from the validation date.

¹ As required by Article 34 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended).

- 3.1.8 No formal responses to consultees or scheme amendments were issued by the Appellant within the determination period.
- 3.1.9 Table 3-1 sets out the list and summary of consultation responses from consultees, including professional statutory consultees.

Table 3-1: List of consultation responses to the application

Consultee	Objection/Support
Clifton Hampden Parish Council (CD1.3.5)	Objection
Culham Parish Council (CD1.3.6 and CD1.3.10)	Objection
Network Rail (CD1.3.17)	No Objection
Heritage Officer (South and Vale) (CD1.3.24)	Advised the proposals would have significant adverse impacts on designated heritage assets.
Ecology Team (South and Vale) (CD1.3.27)	Holding Objection
Didcot Garden Town Team (CD1.3.12)	Supportive
Drainage (South & Vale) (CD1.3.29)	Holding Objection
Forestry Officer (South and Vale) (CD1.3.25)	Holding Objection
Oxfordshire County Council – Highways (CD1.3.19)	Objection
Oxfordshire County Council – Archaeology (CD1.3.18)	Objection
Oxfordshire County Council – Fire Safety (CD1.3.20)	No Objection
Designing Out Crime Officer (CD1.3.11)	No Objection
Active Travel England (CD1.3.2)	No Objection
Environmental Protection Team	No Objection
Contaminated Land (CD1.3.23)	No Objection
Landscape Architect (South and Vale) (CD1.3.26)	Holding Objection
Air Quality (CD1.3.22)	No Objection
Historic England (South East) (CD1.3.16)	Expressed concerns and sought amendments to the scheme to limit harm to the RPG.
The Gardens Trust (CD1.3.30)	Objection
Environment Agency (CD1.3.13 and CD1.3.14)	No Objection
CPRE (CD1.3.8 and CD1.3.9)	Objection
CPRE Rights of Way (CD1.3.7)	Objection
Local Resident - Gordon Learoyd – Rye Farm Cottage (CD1.3.21)	No concerns
Local Resident - James Owens - Hampden House (CD1.3.15)	Concern raised about noise pollution.
Local Resident - Tim Barlow – 16 Thame Lane (CD1.3.1)	Concerns raised about noise and visual impact on the countryside.

List of Plans and Documents upon which South Oxfordshire District Council made its Decision.

- 3.1.10 Both parties agree that the following is the correct and complete list of the plans, drawings and documents upon which SODC based its decision.

Table 3-2: Application Drawings

Title	Reference	Rev.
Site Location Plan (CD1.1.58)	SL254_L_X_LP_01	-
Block Plan (CD1.1.57)	SL254_L_X_GA_1	-
Cross Sections (CD1.1.56)	SL54_L_X_CS_1	-
Proposed Elevations (CD1.1.61)	PDD-101839-ELE-004	P1
Proposed Layout (CD1.1.62)	PDD-101839-LAY-005	P1
Planning Drawing Sheet 1 (CD1.1.63)	PDD-101839-PLA-001	P0
Planning Drawing Sheet 2 (CD1.1.64)	PDD-101839-PLA-001	P0
Planning Drawing Sheet 3 (CD1.1.65)	PDD-101839-PLA-001	P0
Proposed Cable Routes and Cable Sealing End Compound Layouts (CD1.1.59)	PDD-101839-LAY-003	P3
Compound Layout (CD1.1.60)	PRO1078-03-LAY001	P1
Planting Plan Sheet 1 (CD1.1.51)	515_PP_01	-
Planting Plan Sheet 2 (CD1.1.52)	515_PP_02	-
Planting Plan Sheet 3 (CD1.1.53)	515_PP_03	-
Planting Plan Sheet 4 (CD1.1.54)	515_PP_04	-
Planting Plan Sheet 5 (CD1.1.55)	515_PP_05	-
Vehicle Tracks External to Compound (CD1.1.66)	SD_1	-
Perimeter Deer Fence (CD1.1.67)	SD_2	-
Weld Mesh Fence to Battery Compounds (CD1.1.68)	SD_3	-
Palisade Fence to the Substation Compound (CD1.1.69)	SD_4	-
External Transformer in the BESS Compound (CD1.1.70)	SD_5	-
Container Housing Batteries (CD1.1.71)	SD_6	-
Spare Parts Container (CD1.1.72)	SD_7	-
Welfare Module (CD1.1.73)	SD_8	-
Inverter House (CD1.1.74)	SD_9	-
Macadam Access Track (CD1.1.75)	SD_10	-
Pole Mounted Security Camera (CD1.1.76)	SD_11	-
Fire Water Tank (CD1.1.77)	SD_12	-
Control Room Building (CD1.1.78)	SD_13	-
Parkland Tree Protection (CD1.1.79)	SD_14	-
Compound Surface Finishes (CD1.1.80)	SD_15	-
Permissive Path Way Marker Post (CD1.1.81)	SD_18	-
EHS Tree pit detail in soft landscape areas (CD1.1.82)	SD_20	-
Stock Proof Fence (CD1.1.83)	SD_21	-
Topographic Site Survey (CD1.1.84)	22-059-01	-

3.1.11 Supporting Documents:

- Planning Design and Access Statement, dated May 2024 (CD1.1.45)
- Community Infrastructure Levy (CIL) Note (CD1.1.6)
- Planning Application Form signed and dated 02/05/2024. (CD1.1.44)
- Environmental Impact Statement (April 2024) (CD1.1.8 - CD1.1.36), including the following parts:

Volume 1: Environmental Statement Main Report.

- Chapter 1: Introduction and EIA Methodology
- Chapter 2: Design Evolution Alternatives and Proposed Development
- Chapter 3: Cultural Heritage
- Chapter 4: Land Take and Soils
- Chapter 5: Climate Change
- Chapter 6: Effect Interactions
- Chapter 7: Environmental Management Mitigation and Monitoring
- Chapter 8: Summary and Conclusions

Volume 2: Landscape and Visual Assessment

- Landscape and Visual Impact Assessment
- Appendix A: Figures
- Appendix B: Methodology
- Appendix C: Accurate Verified Representations

Volume 3: Technical Appendices

- Appendix: Introduction and EIA Methodology
 - Annex 1: Location of Information within the ES ('wayfinding' document)
 - Annex 2: Competent Experts and Relevant Expertise
 - Annex 3: Glossary of Terms and Abbreviations
 - Annex 4: EIA Scoping Opinion Request Report
 - Annex 5: SODC Scoping Opinion
- Appendix: Cultural Heritage
 - Annex 1: Archaeological Desk-Based Assessment
 - Annex 2: Geophysical Survey Report 2022;
 - Annex 3: Geophysical Survey Report 2023;
 - Annex 4: Written Scheme of Investigation for Archaeological Trial Trenching
- Appendix: Land Take and Soils
 - Annex 1: Agricultural Land Classification Report
- Appendix: Climate Change

Annex 1: Climate Change Technical Note

Annex 2: Policy and Guidance Background

Annex 3: Greenhouse Gas Calculations

- Appendix: Ecology and Biodiversity

Annex 1: Ecological Impact Assessment

Annex 2: Biological Impact Assessment

- Environmental Statement Non-Technical Summary, dated April 2024. (CD1.1.43)
- Abnormal Indivisible Load Swept Path Assessment Considerate of 112 te 160 MVA Transformer Delivery for Culham Site Access, dated June 2023. (CD1.1.2)
- Access Technical Note, dated April 2024. (CD1.1.3)
- Agricultural Land Classification, prepared by SOYL. (CD1.1.4)
- Arboricultural Impact Assessment (including Tree Survey), dated May 2024. (CD1.1.5)
- Construction Traffic Management Plan. (CD1.1.7)
- Flood Risk Assessment (split into 2 documents), dated April 2024 (CD1.1.38 and CD1.1.39) – Superseded by v6 (CD2.2.8)
- Green Belt Assessment, dated April 2024. (CD1.1.40)
- Landscape and Ecological Management Plan, dated January 2024. (CD1.1.41)
- Noise Impact Assessment, dated April 2024. (CD1.1.40)
- Plant Species List, dated January 2024. (CD1.1.46)
- Site Selection, dated May 2024. (CD1.1.47)
- Tree Protection Scheme, dated May 2024. (CD1.1.48)
- Validation Checklist. (CD1.1.49)

3.1.12 Further details sought through consultation have been provided in relation to archaeology, biodiversity and drainage in the following documents:

- Archaeology/Heritage:
 - Archaeological Evaluation Report (Culham Battery Storage Trial Trenching Final Report_18 12 2024) (CD2.2.2);
 - Archaeological Evaluation Report February 2025 (CD2.2.2a)
 - Historic Environment Desk-Based Assessment v2 (December 2024) (CD2.2.3);
- Biodiversity:

- Biodiversity Net Gain Assessment (EBD_2513_Culham_BIA_v5-compressed) (CD2.2.6);
- Ecological Impact Assessment (EBD_2513_Culham_EclA_v7-compressed) (CD2.2.7);
- Application Scheme statutory metric_v1.1 (CD2.2.4); and
- Baseline and Proposed Conditions Sheets (CD2.2.5);
- Drainage – Flood Risk Assessment and Conceptual Drainage Strategy: HLEF85368 5 – Layout v6 November 2024 (CD2.2.8); and
- Draft Section 106 Planning Obligations Agreement (CD2.2.1).

4 Proposed Development

4.1.1 The planning application sought approved for the follow Proposed Development:

“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.”

4.1.2 The proposals comprise a 500MW facility, provided as sound insulated container units and larger noise insulated inverter houses, along with proposed landscaping and drainage infrastructure.

4.1.3 The Proposed Development benefits from an agreement with National Grid Electricity Transmission (NGET) to connect its BESS to Culham Jet substation from Q3 2027.

4.1.4 Proposed landscaping features include screening by new hedgerows around the battery compound, woodland planting along the western boundary and to the north of the substation building.

4.1.5 New tree planting groups are proposed, which are set out in the planting plans, with the appellant proposing that their exact location and type be agreed pursuant to a condition on the planning permission, should the appeal be allowed.

4.1.6 A drainage lake is proposed to the west of the battery compound between the railway line, with a wildlife pond to support enhanced biodiversity provided to the north of the battery compound.

4.1.7 The proposals also include new public access into the edge of the RPG and access from Thame Lane around the northern section of the Appeal Site.

4.1.8 The Proposed Development will have an estimated construction period of 12-18 months and will primarily utilise modular facilities assembled off-site and brought to the Site for installation.

4.1.9 The operational life of the development is intended to be up to 40 years, with decommissioning estimated to take 12 months.

4.2 Application Scheme Details

4.2.1 The proposals submitted in the planning application were unaltered during determination and comprise the following details set out on the Block Plan (CD1.1.57) (“Application Scheme”):

- 296 sound insulated battery units approximately 6m long, 2.4m wide and 2.9m high;

- 37 (12m x 9.5m x 4.05m) noise insulated inverter houses to accommodate the inverters and transformers;
- Vehicle tracks 4.5m wide and vehicle hardstanding areas;
- Loose permeable gravel around the battery units and buildings, with an impermeable membrane layer lining the compound areas;
- Erection of 2.5m high weld mesh fencing around the compounds (steel palisade around the customer substation) and 4m high wooden acoustic fence along the west and southern sides of the battery compound;
- An electricity substation compound with a seven 33kV switch house/control room (13m x 5.5m x 3.5m), comprising transformers, busbars and other equipment of up to 9m in height;
- A connection tower up to 12.5m tall in a separate compound in the north east of the Appeal Site, including tree planting as screening and surrounded by 1.5m high post and wire stock fence;
- CCTV security cameras mounted on 4m high posts;
- Fourteen staff car parking spaces;
- Three water storage tanks;
- A storm water attenuation lagoon;
- An earth bund along the western boundary of the site;
- A new permissive path within a landscaped area at the northern extent of the site;
- Removal of the non-public highway track (Thame Lane) within the site, and the upgrading of the existing farm track to a 4.5m wide macadam surface; and
- Hedge and woodland planting, and provision of a wildlife pond.

4.2.2 The Appeal Scheme is detailed in the submitted drawings listed in Table 3-2.

4.3 Proposed Appeal Scheme

4.3.1 The Appellant continued to review the scheme following the planning application alongside consultation comments and a number of potential amendments have been identified. These principally seek to relocate the connection tower from within the RPG to the main battery compound but the overall Appeal Scheme is detailed in the Block Plan Rev A (CD2.3.17) and includes:

Amended Elements:

- 248 sound insulated battery units approximately 6m long, 2.4m wide and 2.9m high;
- 31 (12m x 9.5m x 4.05m) noise insulated inverter houses to accommodate the inverters and transformers;
- A connection tower, up to 12.5m tall within a compound surrounded by a 2.5m high security fence, located adjacent to the battery compound in the south of the Appeal Site connecting to an adjacent transmission line tower;
- Two water storage tanks;
- Four car parking spaces;
- Minor changes to the landscaping proposals, primarily the removal of earth mounding and strengthening of tree belts.

Maintained Elements from the Application Scheme:

- Vehicle tracks 4.5m wide and vehicle hardstanding areas;
- Loose permeable gravel around the battery units and buildings, with an impermeable membrane layer lining the compound areas;
- Erection of 2.5m high weld mesh fencing around the compounds (steel palisade around the customer substation) and 4m high wooden acoustic fence along the west and southern sides of the battery compound;
- An electricity substation compound with a seven 33kV switch house/control room (13m x 5.5m x 3.5m), comprising transformers, busbars and other equipment of up to 9m in height;
- CCTV security cameras mounted on 4m high posts;
- A storm water attenuation lagoon;

A new permissive path within a landscaped area at the northern extent of the site (and permissive access throughout the land within the red line boundary outside the secured areas); and

- Removal of the non-public highway former airfield track (Thame Lane) within the site and, to maintain access to the Thames Water reservoir, installation of a new macadam track 5.5m wide to create a link between the access and the remaining reservoir track.

4.3.2 The Appellant issued SODC the Appeal Scheme layout plan on 20th November 2024 ahead of submission of the Appeal.

4.3.3 The Appeal Scheme is proposed in the following drawings:

Table 4-1: Appeal Scheme Drawing List

Title	Reference	Rev. / Status
Site Location Plan	SL254_L_X_LP_01	-
Block Plan (CD2.3.17)	SL254_L_X_GA_1	Rev A Supersedes Rev -
Cross Sections (CD2.3.16)	SL54_L_X_CS_1	Rev A Supersedes Rev -
Proposed Elevations	PDD-101839-ELE-004	P1
Proposed Layout	PDD-101839-LAY-005	P1
Planning Drawing Sheet 1	PDD-101839-PLA-001	P0
Planning Drawing Sheet 2	PDD-101839-PLA-001	P0
Planning Drawing Sheet 3	PDD-101839-PLA-001	P0
Proposed Cable Routes and Cable Sealing End Compound Layouts	PDD-101839-LAY-003	P3
Compound Layout	PRO1078-03-LAY001	P1
Planting Plan Sheet 1 (CD2.3.7)	515_PP_01	Rev A Supersedes Rev -
Planting Plan Sheet 2 (CD2.3.8)	515_PP_02	Rev A Supersedes Rev -
Planting Plan Sheet 3 (CD2.3.9)	515_PP_03	Rev A Supersedes Rev -
Planting Plan Sheet 4 (CD2.3.10)	515_PP_04	Rev A Supersedes Rev -
Planting Plan Sheet 5 (CD2.3.11)	515_PP_05	Rev A Supersedes Rev -
Vehicle Tracks External to Compound	SD_1	-
Perimeter Deer Fence	SD_2	-
Weld Mesh Fence to Battery Compounds	SD_3	-
Palisade Fence to the Substation Compound	SD_4	-
External Transformer in the BESS Compound	SD_5	-
Container Housing Batteries	SD_6	-
Spare Parts Container	SD_7	-
Welfare Module	SD_8	-
Inverter House	SD_9	-
Macadam Access Track	SD_10	-
Pole Mounted Security Camera	SD_11	-
Fire Water Tank (CD2.3.15)	SD_12	Rev A Supersedes Rev -
Control Room Building	SD_13	-
Parkland Tree Protection	SD_14	-
Compound Surface Finishes	SD_15	-
Permissive Path Way Marker Post	SD_18	-
EHS Tree pit detail in soft landscape areas	SD_20	-
Stock Proof Fence	SD_21	-
Topographic Site Survey	22-059-01	-

4.3.4 The Potential Scheme Amendments are also supported by the following reports/plans:

- List of species to be used within the new landscape areas (515_LPSPEC_01_Rev A) (CD2.3.4) – would supersede Application Scheme version (CD1.1.46);
- Landscape and Ecological Management Plan (515_Culham BESS LEMP_Rev A) (CD2.3.3) – would supersede Application Scheme version (CD1.1.41);
- Figure _HO_01: 1932 Ordnance Survey map overlain on an extract of the Appeal Scheme Block Plan (CD2.3.13);
- 515_BPO_01 Culham BESS Application and Appeal plan overlay (CD2.3.5);
- 515_EE_01_Rev A Culham BESS Ecological Enhancements (CD2.3.6);
- Accurate Verified Representations Updated to Accord With The Appeal Scheme (CD2.3.12);
- Flood Risk Assessment and Conceptual Drainage Strategy: HLEF85368 v6 – Layout v8 November 2024 (CD2.3.2) – would supersede Application Scheme version (CD2.2.8);
- Biodiversity:
 - Appeal Scheme statutory metric_v1 (CD2.3.1) (would supersede Application Scheme version (CD2.2.4));
- Supplementary Environmental Information Report (December 2024) (CD2.3.18);
- Historic Environment Desk-Based Assessment v2 (December 2024) (CD2.2.3); and
- Draft Section 106 Planning Obligations Agreement (CD2.2.1).

5 Development Plan and Material Considerations

Adopted Development Plan

5.1.1 Both parties agree the Development Plan for the Appeal Site comprises the following:

- South Oxfordshire Local Plan 2011-2035 (adopted December 2020) (CD3.4.1) (“Local Plan”); and
- The Culham Neighbourhood Plan (adopted June 2023) (CD3.4.2).

5.1.2 Both parties agree that the following policies of the Local Plan are relevant to the determination of the appeal:

- Policy STRAT1 (The Overall Strategy)
- Policy STRAT4 (Strategic Development)
- Policy STRAT6 (Green Belt)
- Policy STRAT8 (Culham Science Centre)
- Policy STRAT9 (Land Adjacent to Culham Science Centre)
- Policy INF1 (Infrastructure Provision)
- Policy INF4 (Water Resources)
- Policy TRANS2 (Promoting Sustainable Transport and Accessibility)
- Policy TRANS4 (Transport Assessments, Transport Statements and Travel Plans)
- Policy TRANS5 (Consideration of Development Proposals)
- Policy ENV1 (Landscape and Countryside)
- Policy ENV2 (Biodiversity – Designated Sites, Priority Habitats and Species)
- Policy ENV3 (Biodiversity)
- Policy ENV5 (Green Infrastructure in New Developments)
- Policy ENV6 (Historic Environment)
- Policy ENV7 (Listed Buildings)
- Policy ENV8 (Conservation Areas)
- Policy ENV9 (Archaeology and Scheduled Monuments)
- Policy ENV10 (Historic Battlefields, Registered Parks and Gardens and Historic Landscapes)
- Policy ENV11 (Pollution - Impact from Existing and/or Previous Land Uses on New Development (Potential Receptors of Pollution))

- Policy ENV12 (Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution))
- Policy DES1 (Delivering High Quality Development)
- Policy DES2 (Enhancing Local Character)
- Policy DES3 (Design and Access Statements)
- Policy DES6 (Residential Amenity)
- Policy DES7 (Efficient Use of Resources)
- Policy DES8 (Promoting Sustainable Design)
- Policy DES9 (Renewable and Low Carbon Energy)
- Policy DES10 (Carbon Reduction)
- Policy EP1 (Air Quality)
- Policy EP2 (Hazardous Substances)
- Policy EP3 (Waste Collection and Recycling)
- Policy EP4 (Flood Risk)

5.1.3 Part of the proposed development site falls within the Culham Neighbourhood Plan's designated area. The following policies from the Culham Neighbourhood Plan are considered relevant:

- Policy CUL5: Design Code for Culham (and Culham Design Code part OVS2.0.1)
- Policy CUL6: Local Heritage Assets
- Policy CUL7: Nature Recovery and Climate Change
- Policy CUL8: Sustainable Travel
- Policy CUL10: Light pollution

5.2 Emerging Development Plan

5.2.1 SODC worked with Vale of White Horse District Council to produce a Joint Local Plan for the period up to 2041. The Joint Local Plan was submitted to the Secretary of State on 9 December 2024. Both parties agree that the emerging Local Plan carries only limited weight in the determination of this Appeal.

5.3 Material Planning Considerations

5.3.1 Both parties agree that the National Planning Policy Framework (December 2024) (CD3.2.1) ('NPPF') is a material planning consideration in relation to the determination of this appeal.

- 5.3.2 The Development Plan and policies set out above are considered to be up-to-date and generally consistent with the aims and objectives of the NPPF. Full weight should therefore be attached to them.
- 5.3.3 Other material considerations of relevance (but with varying degrees of weight) to the Appeal include:

Legislation

- The Climate Change Act 2008 (as amended)
- Infrastructure Planning (Electricity Storage Facilities) Order 2020
- Five Year Review of the Energy Act 2013 (May 2022)

National Planning Policy

- National Planning Practice Guidance (CD3.2.2)
- Overarching National Policy Statement for Energy (EN-1) (CD3.2.3)
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (CD3.2.4)

National Energy Policy and related documents

- Clean Power 2030 Action Plan: A new era of clean electricity (December 2024) (CD3.3.1)
- Invest 2035: the UK's modern industrial strategy (14 October 2024) (CD3.3.3)
- Secretary of State for Energy Security and Net Zero Statement (8 July 2024) (CD3.3.2);
- Ministerial Statement 15 May 2024 Solar and protecting our Food Security and Best and Most Versatile (BMV) Land (CD5.18)
- UK Battery Strategy (November 2023) (CD3.3.4)
- National Infrastructure Assessment (October 2023) (CD3.3.5)
- British Energy Security Strategy (April 2022) (CD3.3.6)
- Transitioning to a net zero energy system: smart systems and flexibility plan 2021 (July 2021) (CD3.3.7)
- Industrial Decarbonisation Strategy (March 2021) (CD3.3.8)
- Energy White Paper. Powering our Net Zero Future (December 2020) (CD3.3.9)
- The Committee on Climate Change: The Sixth Carbon Budget. The UK's Path to Net Zero (December 2020) (CD3.3.10)
- National Infrastructure Strategy Fairer, Faster, Greener (November 2020) (CD3.3.11)

- Progress in reducing emissions: 2023 Report to Parliament (June 2023) (CD3.3.12)
- Net Zero – Opportunities for the power sector (March 2020) (CD3.3.13)
- Committee on Climate Change Net Zero Publications (May 2019) (CD3.3.14)
- Net Zero – The UK’s Contribution to Stopping Global Warming (May 2019) (CD3.3.15)
- Technical Annex: Integrating Variable Renewables (May 2019) (CD3.3.16)
- National Infrastructure Commission’s Smart Power Report (March 2016) (CD3.3.17)

Local Evidence Base and Guidance

- South Oxfordshire and Vale of White Horse Joint Design Guide 2022 (CD3.4.7)
- South Oxfordshire Local Green Belt Study (September 2015) (CD3.4.3)
- Oxford Green Belt Study (October 2015) (CD3.4.4)
- Green Belt Assessment of Strategic Sites in South Oxfordshire (December 2018) (CD3.4.5)
- South Oxfordshire District Council’s Green Belt Topic Paper (April 2020) (CD3.4.6)
- Oxford Green Belt Study 2024 Update (May 2024) (CD3.4.8)
- The Nuneham Estate Parkland Management Plan (May 2019) Vol 1-2, Appendices A-C (Askew Nelson Ltd) (CD3.4.9)
- Report on the examination of the South Oxfordshire Local Plan 2011-2034 (CD3.4.10)
- Heritage Impact Assessment of South Oxfordshire Local Plan 2034 Potential Strategic Sites (March 2019) (CD3.4.11)

Local energy policy and related documents

- Oxfordshire Energy Strategy (November 2019) (CD3.5.1)
- Oxfordshire Industrial Strategy (CD3.5.2).

Infrastructure operator related documents

- 2024 NESO FES (July 2024) (CD3.6.1)
- National Grid ESO: The Electricity Ten Year Statement 2023 (CD3.6.2)
- National Grid ESO: Day in the Life 2035 Second Edition (October 2022) (CD3.6.3)

6 Areas of Agreement

6.1 The Principle of Development

- 6.1.1 The parties agree that the principle of the proposed BESS development to provide grid stability and capacity and enable the increased delivery of renewable energy infrastructure is supported by the NPPF and other material considerations. The Local Plan supports an increase in renewable energy use in OBJ8.1. Local Plan Policy DES9 further encourages schemes for renewable and low carbon energy generation and associated infrastructure at all scales, provided that they do not cause a significantly adverse effect to landscape, the historic environment, openness of the Green Belt, safe movement of traffic and pedestrians and residential amenity.

6.2 Need for BESS

- 6.2.1 There is an urgent need for electrical storage to support the growth of renewable energy generation to meet the Government's 2050 net zero target. The proposed 500MW battery storage would contribute towards capacity gaps for 2035 and 2050 identified by the Government and infrastructure providers.

- 6.2.2 The importance of BESS in supporting a low carbon future is confirmed in the DR paragraph 6.15 where it states:

“..a BESS does comprise critical infrastructure for maintaining the existing stability of the grid, as well as enabling a greater supply of intermittent renewable energy to be stored and released on the local and national grid network. In this regard, the proposed development would support a low carbon future.”

- 6.2.3 The DR in paragraph 21.1 also confirms that the Proposed Development would make significant contribution to meeting climate change policies at all levels, where it states:

“The proposed BESS would provide 500MW of energy storage which would allow the export of energy to be evened out across the peaks and troughs of generation and demand. This would be a significant contribution towards addressing the Climate Emergency that the Council has declared, and towards meeting local and national policy on reducing carbon emissions and addressing climate change.”

- 6.2.4 Furthermore, the support BESS provides in increasing renewable energy generation nationally and addressing energy security challenges is acknowledged to have significant weight.

- 6.2.5 It is therefore agreed that BESS, such as the Proposed Development, are a critical element in developing renewable energy infrastructure and would make a significant contribution towards meeting climate change policies at all levels and addressing energy security challenges.

6.3 Scheme to be discussed at the Inquiry

- 6.3.1 It was agreed between both parties and the Inspector at the 30th April 2025 Case Management Conference that the Inspector will determine the appeal on the basis of the Appeal Scheme. Accordingly, the matters agreed and in disagreement in this statement relate to the Appeal Scheme only.

6.4 Reasons for Refusal satisfied prior to the Inquiry

- 6.4.1 As set out in paragraphs 1.15, 1.20, 1.22 and 1.25 of SODC's Statement of Case (CD2.4.2) RFR5, RFR6, RFR7 and RFR8 are agreed to be satisfied and can be dealt with by way of conditions.

6.5 Confirmation of outstanding RFRs

- 6.5.1 Consistent with SODC Statement of Case paragraph 1.26, both parties agree that evidence with be presented at the Inquiry in respect of the following reasons for refusal only:

RFR1 – Green Belt;

RFR2 – Landscape Character;

RFR3 – Heritage Impacts to RPG; and

RFR4 – Loss of BMV land.

6.6 Grey Belt

- 6.6.1 Table 6-1 sets out the matters agreed in respect of the Grey Belt.

Table 6-1-1: Grey Belt agreed matters

Topic	Agreed Matter
Contribution to NPPF Green Belt purposes	The Appeal Site does not strongly contribute to Green Belt purposes a), b) and d) of paragraph 143. The first part of the definition of grey belt in the NPPF Annex 2 glossary is satisfied.
Impact on Green Belt purposes taken together (NPPF paragraph 155 a.)	The Appeal Scheme would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
Demonstrable Need	There is a demonstrable unmet need for the type of development proposed.

(NPPF paragraph 155 b.)	
Sustainable location (NPPF paragraph 155 c.)	The Appeal Scheme would be in a sustainable location having regard to the limited traffic that would be generated (outside of the construction and de-construction periods) and the fact that Local Plan Policy DES9 does not specify any geographical locations where renewable energy and associated infrastructure will not in principle be acceptable.
Inappropriate development (NPPF paragraph 155)	If the Inspector agrees that there are no areas or assets in NPPF footnote 7 (other than Green Belt) that would provide a strong reason for refusing or restricting development, then the Appeal Scheme would not represent inappropriate development in the Green Belt.

6.7 Green Belt

6.7.1 Table 6-2 sets out the matters agreed in respect of the Green Belt.

Table 6-2: Green Belt agreed matters

Topic	Agreed Matter
Inappropriate development	<p>If the Inspector considers that the Appeal Scheme does not meet the Green Belt tests in NPPF paragraph 155, the proposed use is inappropriate development in the Green Belt, which is by definition harmful and to which NPPF paragraph 153 mandates that substantial weight is given. The appeal proposals are not listed as an exception in NPPF paragraph 160.</p> <p>Therefore, very special circumstances will need to exist in compliance with NPPF paragraph 153.</p>
Green Belt purposes	Of the Green Belt purposes stated in NPPF paragraph 143, the main harm would be to purpose c), safeguarding the countryside from encroachment.
Impact on Openness	The Appeal Scheme would result in loss of visual and spatial openness of the Green Belt but the extent of such impacts is not agreed and will form the subject of evidence at the inquiry.

6.8 Landscape Character and Visual Impacts

6.8.1 Table 6-3 sets out the matters agreed in respect of the landscape character and visual impacts.

Table 6-2: Landscape character and visual impacts agreed matters

Topic	Agreed Matter
Viewpoints	<p>The 20 Representative Viewpoints used in the Landscape and Visual Impact Assessment (LVIA) were agreed, including those for which Accurate Verifiable Representations.</p> <p>Agreement that they should show average growth rates of 400mm per year from year 3 onwards, for whips and feathered trees, with less growth in the first two years, 300m in total.</p> <p>For standard trees 300mm per year from year 4 onwards, with 300 mm growth in total in the first 3 years</p>
Methodology	<p>The parties agree that the LVIA was undertaken in accordance with the principles set out within the Guidelines for Landscape and Visual Impact Assessment (3rd Edition), as published by the Landscape Institute and Institute of Environmental Management and Assessment, commonly referred to as GLVIA3. The LVA provides an appropriate level of detail for the scale of development proposed. Matters of dispute relate to interpretation of guidelines and evidence base documents and are related to professional judgement.</p>
Landscape Character	<p>The South Oxfordshire Landscape Character Assessment (2017) (CD 5.4) was the baseline used in the LVIA. The site lies largely within SODC landscape character area 2, Nuneham Courtney Ridge, and within landscape type LCT15, Parkland and Estate Farmland.</p> <p>Guidelines for character area 2 include:</p> <ol style="list-style-type: none"> 1) Conserve the agricultural character of Nuneham Courtenay Ridge by managing and restricting, where possible, the development of tall buildings and structures where these would adversely affect views. 2) Safeguard, maintain and enhance and the characteristic landscape features of existing parklands (particularly at Nuneham Park) including mature trees, avenues of trees, lakes, woods and walls. 3) Promote, where possible, the conservation of the surviving areas of permanent pasture and promote

	<p>arable reversion to grassland, particularly within parklands.</p> <p>4) Promote small-scale planting of deciduous woodland blocks using locally characteristic species such as oak, ash, hazel, willows and alders.</p> <p>5) Safeguard, maintain and enhance and the characteristic landscape features of existing parklands (particularly at Nuneham Park) including mature trees, avenues of trees, lakes, woods and walls.</p> <p>An updated landscape character assessment (LCA) was adopted in 2024 (CD 6.1). The site is characterised as falling within the LCA (2024) 7D Oxford South Ridge Hilltops. This is agreed to be the appropriate LCA to consider in respect of the determination of the Appeal Scheme.</p>
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6.9 Heritage Impacts

6.9.1 Table 6-4 sets out the matters agreed in respect of heritage and the RPG.

Table 6-3: Heritage matters agreed.

Topic	Agreed Matter
Less than substantial harm to RPG	It is agreed that the harm to the significance of the Grade 1 RPG is less than substantial but the precise level of harm within that category is not agreed and will form the subject of evidence and discussion at the inquiry.
Policy ENV6	It is agreed that in assessing proposals resulting in less than substantial harm against Part 2 of ENV6 (i.e. <i>“proposals for new development should be sensitively designed and should not cause harm to the historic environment”</i>) it is necessary to apply the balancing exercise required by paragraph 215 of the NPPF.
Access into the site	An access into the appeal site and Thames Water reservoir will be created via part of the remnant section of the South Drive along its historical alignment

6.10 BMV Matters

6.10.1 Table 6-5 sets out the matters agreed in respect of BMV.

Table 6-4: BMV matters agreed.

Topic	Agreed Matter
Agricultural land classification	The grading set out in the Agricultural Land Classification Survey (CD1.1.4) is agreed, showing the land is mainly grade 2 with areas of grade 3a. There is also a small section of grade 3b. In percentages it is 88% grade 2, 11% grade 3a, and 1% grade 3b.
Policy approach	It is agreed that the wording of Local Plan Policy DES7 requires new development to avoid the development of BMV, unless it is demonstrated to be the most sustainable choice from reasonable alternatives, by first using areas of poorer quality land in preference to that of a higher quality. The degree to which the Appellant has been required to undertake any assessment of alternative sites or undertake a sequential test will be a matter for legal submissions and evidence at the inquiry.

7 Areas of Disagreement

7.1.1 The following matters are not agreed between the parties:

Table 7-1: Matters not agreed between the parties.

Topic	Matter
Temporary nature of the operational period	<p>It is the Appellant's opinion that as some of the BESS infrastructure is only present for 40 years any operational harms would be temporary for this period, with permanent harms assessed against the remaining elements after decommissioning.</p> <p>This is not agreed by SODC, who consider a 40 year period is still a considerable period of time where harm can occur, albeit accepting that the use is temporary rather than permanent but also noting that there are permanent elements that will remain.</p>
Grey Belt (NPPF Annex 2 definition)	The Appellant disagrees that the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
Green Belt	<p>The degree of harm to the openness of the Green Belt and conflict with purposes of the Green Belt.</p> <p>The importance of the site in contributing to providing a permanent defensible undeveloped edge to the Green Belt.</p>
Relevance of Written Ministerial Statement (WMS) (dated 15 May 2024) to BMV	The WMS referenced in RFR4 is prepared specifically in reference to large solar farms and is not relevant to BESS proposals due to the different nature, scale and benefits of different technologies. Therefore, the Appellant disagrees with the use of the WMS in RFR4.
BMV	The parties disagree on the interpretation of Policy DES7 and the extent to which the loss of BMV has been justified as the most sustainable choice from reasonable alternatives, by first using areas of poorer quality land in preference to that of a higher quality. The Appellant does not agree that Policy DES7 requires consideration of alternative sites.

	<p>The Appellant disagrees with the relevance of paragraph 188 of the NPPF.</p>
Very Special Circumstances	<p>The Appellant disagrees with SODC in the judgement of the planning balance and considers that very special circumstances exist due to the significant weight to be afforded to climate change, biodiversity and other benefits, which outweigh the identified harms.</p> <p>The Council does not consider that the harm to the Green Belt and other identified harms are clearly outweighed by the identified other considerations.</p>
Site Selection and Alternatives	<p>The Appellant considers that in the absence of any policy requirement to consider reasonable alternative sites to the Proposed Development, the Site Selection Process report provides a robust explanation of the project objectives and location requirements for the Proposed Development.</p> <p>The Council give no weight to the argued benefit that there are no alternative sites. The site selection process is not considered robust and does not rule out reasonable alternatives.</p>
Heritage	<p>The parties agree that the level of harm to the RPG would be less than substantial though disagree exactly where it sits on the scale (the Appellant places it at the lower end and the Council places it at least in the middle)</p> <p>The degree to which the proposed tree belt at the edge of the RPG mitigates the harm caused to the significance of the RPG is not agreed.</p> <p>The contribution made by the parts of the appeal site located outside of the RPG to the setting and significance of the RPG is not agreed.</p> <p>The degree to which the appeal site is compromised by existing urban features is not agreed.</p> <p>Whether the connection tower is discretely located and its impact.</p>
Landscape	<p>The magnitude of value of the landscape, the susceptibility of the landscape to change and sensitivity of the landscape to the proposed development.</p>

	<p>The current value and potential value of the Application Site as a buffer between the RPG and the CSC.</p> <p>The magnitude of effect on landscape character is not agreed.</p> <p>The degree to which the proposed development would bring about cumulative impacts on landscape and visual receptors as a development additional to planned allocations is not agreed.</p>
	<p>The degree of adverse effect on the visual amenity of users of the Oxford Green Belt Way as they pass the Site and the degree to which noise impacts will also affect tranquillity are not agreed.</p>
	<p>The degree of harm or benefit to the RPG in the long term is not agreed.</p>
	<p>The appropriateness of the site for a BESS scheme particularly given that landscape and visual accommodating factors were not identified in the Site Selection process (as documented).</p>
	<p>Whether the proposed landscape mitigation is appropriate.</p>


8 Agreement

8.1.1 This Statement of Common Ground has been prepared jointly between the Council and the Appellant.

Signed on behalf of the Council (Oxfordshire District Council) by

Name/Position	Signature	Date
Mark Reynolds / Managing Director, Context Planning on behalf of SODC	06/06/25

Signed on behalf of the Appellant (Culham Storage Ltd) by

Name/Position	Signature	Date
Chris Palmer / Planning Lead		06/06/2025

Appendix A – Core Documents list

Appendix B - List of Possible Conditions

Draft Conditions

The following conditions would be attached to any subsequent planning permission.

Draft Number	Topic	Draft Condition Wording
1.	Commencement	The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
2.	Approved plans	That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans [Appeal Scheme]
3.	Discontinuance	<p>This planning permission is for a temporary period of 40 years from the date of first operation of the development hereby permitted. Written confirmation of the first import of electricity date shall be provided to the Local Planning Authority within one month after the event.</p> <p>Decommissioning of the Battery Energy Storage System, comprising discontinuance and removal of all buildings, works, uses of land and other development hereby permitted and the restoration of the land to its former condition shall take place within 12 months of the expiry of this permission.</p> <p>At least 6 months before the planning permission is due to expire, a Decommissioning Method Statement (to include a timetable for implementation and a scheme to restore the land to its former condition) shall be submitted to and approved in writing by the Local Planning Authority. The site shall be decommissioned and restored in accordance with the approved statement.</p> <p>Reason: Because of the temporary nature of the development and in order to safeguard the amenities of the area and protect the rural character of the area in accordance with Policies ENV1, DES1 and DES9 of the South Oxfordshire Local Plan 2035.</p>
4.	Cessation of use	In the event the development ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for the removal of the Battery Energy

		<p>Storage System and any associated equipment, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The restoration scheme shall include details of the retention of any approved boundary treatment(s) and planting. The approved scheme of restoration shall then be fully implemented within 6 months of written approval being given.</p> <p>Reason: Because of the temporary nature of the development and in order to safeguard the amenities of the area and protect the rural character of the area in accordance with Policies ENV1, DES1 and DES9 of the South Oxfordshire Local Plan 2035.</p>
5.	Levels	<p>No development shall take place until details of existing and finished site levels relative to a fixed datum point on adjoining land outside of the application site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
6.	Construction Environmental Plan for Biodiversity	<p>No development shall take place, including vegetation clearance or ground works, until a construction environmental management plan for Biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Update ecological surveys for relevant habitats and species. Update surveys shall follow national good practice guidelines. b) Risk assessment of potentially damaging construction activities. c) Identification of biodiversity protection zones. d) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction.

		<p>e) The location and timing of sensitive works to avoid harm to biodiversity features.</p> <p>f) The times during construction when specialist ecologists need to be present on site to oversee works.</p> <p>g) Responsible persons and lines of communication.</p> <p>h) Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.</p> <p>Reason: To avoid impacts on protected species and other ecological features during construction, in line with Policy ENV2 of the South Oxfordshire Local Plan 2035.</p>
7.	Landscape Details	<p>No development shall take place until a scheme for the landscaping of the site, including the planting of live trees and shrubs, the treatment of the access road and hard standings, and the provision of boundary treatment has been submitted to and approved in writing by the Local Planning Authority, in consultation with English Heritage. Details shall include schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, an implementation programme and long-term management plan.</p> <p>The scheme shall be implemented before the development is brought into operation and thereafter be maintained in accordance with the approved scheme.</p> <p>In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.</p>

		Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.
8.	Tree Protection	<p>No development shall take place, including vegetation clearance, until an Arboricultural Method Statement and accompanying Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The Arboricultural Method Statement must include the following:</p> <ul style="list-style-type: none"> a) A specification of any pruning or tree surgery works to any trees to be retained, to prevent accidental damage by construction or demolition activities. b) The specification and location of temporary tree protective fencing and any ground protection required to protect all retained trees in accordance with the current edition of BS 5837 "Trees in relation to design, demolition and construction", and details of the timing and duration of its erection. c) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage. d) The means of demolition of any existing site structures within Root Protection Areas of trees to be retained, and the re-instatement of the area they currently occupy. e) The route and method of installation of any underground services in the RPA of retained trees; Consideration will be made to avoid siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with the current edition of NJUG 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees'.

		<p>f) The details and method of construction of any other structures such as boundary walls in the RPA of retained trees and how these relate to existing ground levels.</p> <p>g) The details of materials and method of construction of any roadway, driveway, parking, pathway or other surfacing within the RPA, which is to be of a 'No Dig' construction method, in accordance with the principles with in Arboricultural Association Guidance Note 12 "The use of cellular confinement systems near trees", and in accordance with current industry best practice; and is appropriate for the type of roadway required in relation to its usage.</p> <p>h) A specification of the foundation design demonstrating absolute minimal soil excavation, soil compaction or soil contamination within the root protection area of the adjacent trees.</p> <p>i) Provision for the supervision of ANY works within the RPA of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.</p> <p>Thereafter the development shall be carried out in accordance with the approved details with the agreed measures being kept in place during the entire course of development.</p> <p>Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.</p>
9.	Drainage	<p>No development shall take place until a detailed sustainable drainage scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail. This shall be based on the sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.</p>

		<p>The scheme shall not be brought into use until the surface drainage works has been carried out and completed in accordance with the approved details.</p> <p>The scheme to be submitted shall include:</p> <ul style="list-style-type: none"> a) A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire.” b) Full drainage calculations for all events up to and including the 1 in 100yr plus climate change event (Note: the CV values should be set to 0.95 for roof areas and 0.9 for paved areas and the latest FEH input date should be used). c) Fully detailed sustainable surface water drainage layouts. d) Proposed site and floor levels. e) SUDS features and sections. f) Details of control chamber and penstock / valve. g) Drainage Construction Details. h) Maintenance and Management Plan covering all surface water drainage and SUDS features. i) Details of how water quality will be managed during construction and in perpetuity. <p>Reason: To prevent pollution and flooding in accordance with Policies ENV12 and EP4 of the South Oxfordshire Local Plan 2035.</p>
10.	Wheel washing facilities	<p>Wheel washing facilities shall be established within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such facilities shall be established prior to the commencement of demolition or construction and shall be kept in operation at all times during demolition and construction works.</p>
11.	Construction Traffic Management Plan	<p>The submitted Construction Traffic Management Plan (CTMP) shall be implemented prior to any works being carried out on site and shall be maintained throughout the course of the development.</p>

12.	Archaeology – Part 1	<p>Prior to any demolition and 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.</p> <p>Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).</p>
13.	Archaeology – Part 2	<p>Following the approval of the Written Scheme of Investigation referred to in condition 1, 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.</p> <p>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).</p>
14.	Materials	<p>Notwithstanding any description of materials in the application no works involving the use of any external facing materials shall take place until a full specification of materials to be used externally on the buildings, battery containers and inverters / transformers have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour, and texture of the materials. The development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the visual appearance of the development in accordance with Policies DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>

15.	SUDS Compliance Report	<p>The development hereby permitted shall not be brought into operation until a SUDS Compliance Report prepared by an appropriately qualified engineer has been submitted to and approved by the Local Planning Authority. This must suitably demonstrate that the sustainable drainage system has been installed and completed in accordance with the approved scheme (or detail any minor variations).</p> <p>This report should as a minimum cover the following;</p> <ul style="list-style-type: none"> a) Inclusion of as-built drawings in dwg and pdf and shp format. b) Inspection details of key SUDS features such as flow controls, storage features and volumes and critical linking features or pipework undertaken, with appropriate photographs and evidence of inspections incorporated at each key stage of construction and on completion. c) Details of any remediation works required following the initial inspection. d) Evidence that that remedial works have been completed. e) Details of management plan set up to maintain and operate the system. <p>Reason: To ensure the proper provision of surface water drainage and to ensure flooding is not exacerbated in the locality in accordance with Policy EP4 of the South Oxfordshire Local Plan 2035.</p>
16.	Fire Detection / Supression	<p>The development hereby permitted shall not be brought into operation until full details of a fire detection and suppression system have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.</p> <p>Reason: In the interests of public safety, security and to protect the surrounding natural environment in accordance with policy ENV12 of the South Oxfordshire Local Plan 2035.</p>
17.	Lighting	<p>No external lighting shall be installed on site until a sensitive lighting strategy for bats has been submitted to</p>

		<p>and approved in writing by the Local Planning Authority. The strategy shall protect the conservation status of local bat populations, by:</p> <p>a) Identifying those areas/features on site that are likely to be both sensitive for bats and vulnerable to disturbance from artificial lighting, including: known or potential breeding sites, resting places, foraging areas or important routes used to access key areas of their territory.</p> <p>b) demonstrating that the design and siting of the proposed lighting installation will not disturb or prevent bats using the areas identified in a) (through provision of appropriate lighting plans, isolux contour maps and technical specifications)</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy and retained as such thereafter.</p> <p>Reason: To avoid impacts on bats from insensitive external lighting in line with Policy ENV2 of the South Oxfordshire Local Plan 2025.</p>
18.	Construction Hours	<p>The hours of operation for construction shall be restricted to 08:00-18:00 Monday to Friday and 08:00-13:00 on a Saturday. No work is permitted to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
19.	Public Access	<p>Permissive access should be provided and maintained throughout the site during the operational lifetime of the development, except for secured operational areas.</p> <p>Reason: To ensure compensatory improvements to the accessibility of remaining Green Belt land is provided in accordance with Policy STRAT6 of the South Oxfordshire Local Plan 2035.</p>