

Dear Mr French,

ADAS Planning response to neighbour comments received in relation to a proposed 30 MW Solar PV Array on land south of Berrington, Shrewsbury, Shropshire, SY5 6HA (Application Ref. 22/04355/FUL).

This letter is submitted by ADAS Planning (Agent) on behalf of Econergy (Applicant) in response to neighbour comments that have been received throughout the consultation period for the above planning application. Neighbour comments have been received both in favour and against the proposals in roughly equal measure, however the purpose of this letter is to directly address the comments against, and to provide further information in relation to the key matters that have been raised in those objections.

This letter begins with a summary of key updates that have been made to the layout in response to the statutory consultation and provides further background in terms of the national and local planning policy context.

Updates to the Layout

Following the statutory consultation with the relevant technical consultees from the Council, and taking into account relevant neighbour comments, several amendments have been made to the proposed layout for the site. The Updated Layout Plan and Landscape Masterplan are appended at the end of this letter.

The updates are detailed below:

1. **Reduction in Panels on southern boundary:** Solar panels have been reduced in the southern portion of the site, resulting in a new buffer of up to 65m from the southern boundary. This thick buffer will be transformed into species rich grassland.
2. **Skylark Protection Areas:** The proposed layout scheme now accommodates four areas which are marked as 'Skylark Protection Areas'. These areas will be transformed into species rich grassland and will form suitable habitat for skylarks.
3. **Bee Opportunity Areas:** The scheme now incorporates bee opportunity areas in the north-eastern corner of the site and along the southern border of the site. We are keen to meet and converse with local beekeepers who could support the growth and maintenance of this element of the scheme.

The updated layout has now been sent to the Case Officer and will supersede the information previously submitted in September 2022. Notwithstanding this, we would encourage the local community to be forthcoming with any comments on the new plans, and to contact us directly should they have any questions.

Government Policy on Solar

Several comments advocated alternative forms of energy production to solar, and in some cases cited comments made by former Prime Minister Liz Truss which appeared to indicate a shift to a more negative approach to solar at the national level.

The Government's approach is set out in the British Energy Security Strategy (BESS), which was published by the Government in April 2022. The BESS is strongly pro-solar and sets out an ambitious target to increase solar generating capacity five-fold by 2035. The support for solar energy at the national level is unequivocal and this is a material consideration in any planning decision for such development.

In addition to the British Energy Security Strategy, the Energy White Paper (December 2020) sets out that achieving net zero rests on a 'decisive shift' to clean energy and describes solar as a 'key building block' of the future energy mix for this country.

Furthermore, the Draft National Policy Statement EN-1 (September 2021) states that wind and solar are the lowest costs forms of energy generation and that a secure reliable, net zero system in 2050 is likely to be composed 'predominantly' of wind and solar.

The National Planning Policy Framework (2021) also sets out a presumption in favour of solar energy and states that Local Planning Authorities should approve applications if the impacts are (or can be made) acceptable (NPPF Paragraph 158).

Overall, there is clear and unequivocal support at the national level for solar development, and this is a material consideration that weighs heavily in favour of this proposal.

Issue: Landscape Impacts

Several of the neighbour comments against the Application raised landscape and visual impacts as a key reason for their objection, with some querying the LVA methodology itself.

During the statutory consultation period, Shropshire Council instructed ESP (an independent landscape consultancy) to undertake a full independent LVA Review, which confirmed that the methodology adopted was proportionate, and compliant with the best practice set out in the relevant guidance.

Furthermore, ESP stated that they were in agreement with the overall conclusions made by ADAS in relation to landscape and visual effects. The ADAS landscape team is highly experienced at producing LVAs for solar Applications throughout England and Wales and is frequently peer reviewed. We are pleased that the approach has again been fully endorsed.

In terms of views to the site, the LVA concludes that those receptors visually effected by the development, would not experience a view of the entire site (due to the receptor's location or the

presence of visual screening). Furthermore, sensitive receptors located to the south of the application site (such as those identified in Cantlop) would experience at most 'moderate' residual effects as a result of the proposal. The remaining visual receptors would either experience 'slight' or 'negligible' residual level effects. These limited impacts are the result of carefully planned mitigation measures, including; the creation and re-establishment of boundary hedgerows around the site, to reinforce visual screening around the site throughout the lifetime of the project.

It is inevitable in most cases that large scale solar farms will result in some level of landscape and visual harm. In a recent Secretary of State decision, a large-scale solar farm was approved on a site partially subject to a landscape designation:

"It is unavoidable, and recognised in policy, that large-scale solar farms may result in some landscape and visual impact harm. However, national policy and guidance promotes a positive approach indicating that development can be approved where the harm is outweighed by the benefits." (S62A/22/0000004, 22nd August 2022)

Furthermore, it is important to note that the Berrington site is not designated at the national or local level for landscape character or beauty. In planning terms, it is a countryside site not subject to any landscape designations.

Issue: Temporary Loss of Agricultural Land

Several neighbour objections were raised to the use of Best and Most Versatile (BMV) agricultural land for a solar farm, with many raising objections on the basis of food security. For context, the Utilised Agricultural Area (UAA) in England is 8.9 million hectares and accounts for 69% of the total area of England, which has remained stable around 9 million hectares since 2001. At 44.09 hectares, the site is very small in scale to available agricultural land.

The proposed solar farm will result in the temporary loss of full agricultural production on the solar site for a period of 40 years, however following the operational phase, the panels can be removed, and land restored to agricultural use. Therefore, there is no permanent loss of any agricultural land from this proposal.

The agricultural enterprise, like many others up and down the country, is experiencing economic pressures, with large parts of the wider landholding soon to come out of the Higher-Level Stewardship (HLS) agreement, resulting in a loss of revenue for the business and a need to restructure the farm for the years ahead. The solar farm will provide additional revenue to support the wider farm, with opportunities to revert the land currently under HLS over to agricultural production, to offset the temporary reduction on the solar site. Further information is provided in the submitted Agricultural Production Statement.

National Planning Policy (NPPF) does not preclude development on BMV agricultural land but does state that areas of poorer quality land should be preferred to those of a higher quality. Shropshire District is predominantly BMV land, making it very difficult to avoid it. However as discussed above, the loss would not be permanent, and there are opportunities to offset the loss across the wider farm through utilising the land coming out of HLS agreement. Furthermore, amendments to the layout to remove panels have been deliberately focussed on parts of the site that are higher grade agricultural land. In addition, the Applicant has considered the HLS land to the north within the

landowner's ownership, however this land is more undulating and would not be suitable for a solar farm as much of it is also north facing.

There are numerous recent Appeal decisions that clarify the Government's approach to large scale solar on BMV land. Recently the Secretary of State allowed a large scale solar farm to be developed on a site that was 76% BMV land, concluding:

"I have found that the proposal would conflict with the development plan, but that significant benefits would arise sufficient to address this conflict along with the temporary loss of BMV land."

In summary, the position is as follows:

- There are no other available sites suitable for the proposed solar farm, as set out within the Site Sequential Report submitted with the application.
- The proposal will result in a temporary loss of agricultural land on the appeal site; however, this is fully reversible and does not represent a total loss.
- More limited agricultural activity can continue to take place on the site during the 40-year operational phase of the solar farm.
- The solar farm will provide much needed additional revenue to diversify and support the wider farm business. There are opportunities to revert the HLS land to the north of the site to agricultural production, to offset the temporary loss on the site.
- There are no policies at the national or local level which preclude such development based on the temporary loss of agricultural land.
- The temporary and relatively small-scale loss of agricultural land on the site must be weighed against the substantial public benefits of the proposal.

Issue: Ecology

Several comments were raised in relation to potential impacts on species on or near the site. The site is not designated for any ecological significance and is currently intensively cropped.

A full suite of ecology surveys has been undertaken on the site, which identified a total of 43 species, 24 of which were considered likely to breed there (including, Skylarks, Chiffchaffs, and Robins). The Ecological Impact Assessment (EclA) sets out a series of measures to protect the identified species and their habitats within the application site and ensure there are limited impacts resulting from the proposal on local wildlife. In addition to this, the proposal would provide long-term biodiversity enhancements and improve connectivity to the wider green corridor, complying with the NPPF and Shropshire Local Development Framework.

The proposal will result in significant net gains in biodiversity, which will be achieved through a range of measures, including:

- Medium distinctiveness species-rich wildflower and grassland. Management of this area will include grazing, with a seed mix to include a sward that benefits from this type of management.
- The retention of native hedgerows, with a rotational cutting scheme, management of weedy species and the proposed species rich grassland seeding.

- New species-rich hedgerows, along the northern boundary of both fields, as well as small sections in old field entrances.

Overall, the proposal will result in 132.84% net gains in biodiversity. The proposals have also been carefully assessed by the Council's ecologists, with whom we are currently working with to ensure there is sufficient skylark habitat areas incorporated within the proposed layout.

An objection has been received in relation to the potential presence of kestrels on the Application Site and the impact the proposal could have on their continued use of the site.

Our ecologists have confirmed that kestrels were not recorded within the site boundaries during any of the surveys. However, it is possible that they may occasionally utilise the site in its current state for hunting. The nature of the land, that comprises arable (with limited buffer strips) is considered unlikely to support high concentrations of small mammals which make up most of the kestrel's diet. The proposal would in fact increase the proportion of rough grassland/set aside within the site. This will in turn increase the available habitat and carrying capacity for small mammals which increases the prey available for Kestrel's, and therefore will be of an overall benefit for this species.

Other Comments

In addition to the above, the following points were raised:

Points Raised	Econergy/ADAS Response
Concerns over impacts relating to construction traffic	The submitted Planning Application was accompanied by a Highway Statement and a Construction Traffic Management Plan (CTMP), which have been reviewed and approved by the Local Highway Authority (LHA). Our consultants have demonstrated that the existing road network has sufficient capacity to overcome a temporary increase in traffic movements during the construction period (which will last 6 months). Furthermore, it has been outlined that all construction traffic will be required to adhere to the designated route, which diverts around settlement areas, eliminating potential hazards to those navigating the local network. It also outlines that deliveries will have to be undertaken within a specific timeframe, to avoid unnecessary noise at weekends or at other unsociable hours. Overall, there is no objection from the Local Highway Authority, and the above measures

	would apply to any similar site in a countryside location.
A thorough Sequential Site Test was not undertaken.	A review of sequentially preferable sites was undertaken to identify alternative available sites for a development of the type and scale proposed. The findings are summarised in the Site Sequential Report submitted with the Planning Application. The report considered matters such as site availability, suitable grid connection, statutory designations (such as Green Belt or AONB) and physical constraints such as Flood Risk. This review considered all key site suitability criteria, consistent with similar solar farm applications throughout the country. There is no local or national guidance or 'test' on what should be included in such a review.
Bird scarers were deployed prior to ecological surveys being carried out on site, in an intentional attempt to misrepresent the level of wildlife on site.	Bird scarers are not used by the ecology professionals at ADAS, nor would they have a profound impact upon the results of the surveys undertaken on site. Notwithstanding this, our consultants are confident that the range of species and territories identified, are accurate and reflective of what exists on site.
The Proposal will result in a loss of amenity to adjacent properties by way of glint and glare.	A Glint & Glare Assessment has been undertaken to understand what level of impact will be experienced by surrounding road users and residents. With respect to road users on local roads, it is confirmed that there would be a low impact (worst case scenario) as a result of solar reflections from the proposal. Views of reflecting panels are considered possible for 10 dwellings; however, mitigation has not been recommended due to the low-level impact and the location of these properties.
Comments were not taken on board following the Public Consultation event.	All feedback received during the Public Consultation was recorded in the Statement of Community Involvement (SCI) and has fed into the final proposed layout for this project.

There have been no Community Benefits offers to local residents.	Econergy have been forthcoming with information to those members of the community who have engaged with the team. Community benefits are proposed to include an annual sum of money (for the life of the solar farm) which the local community will receive directly and have the freedom to choose how they wish to spend.
Community Benefits must be agreed prior to the submission of a Planning Application. Therefore, the Applicant should withdraw the Application and form an agreement with the local community.	Community benefits are not material to the planning application (either for or against). The proposed benefits are provided as a positive gesture by the Applicant.
The Proposal will result in a decrease in value to neighbouring properties.	This is a common reason for objecting to all forms of development, however this is not a material planning issue and cannot be considered in the taking of the decision. Notwithstanding that this is not relevant to planning, there is no evidence that the proposed solar farm will result in any decrease in property values.
Toxic chemicals may leak from the solar panels into the ground/local water supply.	There are no toxic chemicals that could leak from the solar panels into the ground. The solar farm (like any other) will receive regular maintenance throughout its operational lifetime.
CCTV surrounding the Site will result in a loss of privacy to neighbouring residents.	All CCTV will be positioned so as to point along the fenceline, with no privacy implications beyond the site. This is standard practice for all utility scale solar farms.
No detail regarding timeframes for returning the land to agricultural use (following decommission).	The Soil Management Plan provides full details on how the Application Site will be reverted back to agricultural use following decommission. Whilst exact timeframes have not been included within this plan, it is expected that this would be a relatively quick process.
The Proposal will attract criminal activity in the form of theft during the construction phase.	The Proposal will include CCTV, fencing and gated access to prohibit unauthorised access and limit criminal activity. In addition to this, there will be on-site security during the 6-month construction period.

The Proposal will result in a loss of resident amenity by way of noise generated on site.	The proposal would generate very low noise levels owing to the nature of the proposal. The Noise Assessment submitted with the Planning Application confirms that the noise emitted from the proposal would be acceptable in line with the relevant standards and guidance.
The Proposal will unacceptably impact local archaeology on the site.	An Archaeological Desk Based Assessment has been undertaken and a Geophysical Survey is due to be undertaken in early 2023. The site is recorded to lie within an area where there is a potential for archaeological deposits dating between the Roman and post-medieval periods. Notwithstanding this information, the current evidence would indicate that any such buried archaeological remains would have a 'low' to 'moderate' significance. In this respect the DBA concludes that the historical environmental impacts should not be seen as an over-riding constraint preventing the approval of this proposal.
The Proposal will result in a detrimental impact in terms of flood risk.	The Planning Application is accompanied by a Flood Risk Assessment (FRA). This concluded that the Proposal is in Flood Zone 1 (an area of low flood risk) and would not result in increased flood risk elsewhere. The development of the Site should therefore not be precluded on flood risk grounds, in accordance with relevant policy and guidance.
The Proposal will result in a cumulative impact due to the existing solar development in the area.	ADAS have issued an updated LVA (in line with the response from ESP) which assesses the cumulative effects, having regard to the other existing solar developments in the area. This has been uploaded onto the Council's website and is available to the public for review. This concludes that the cumulative landscape effects are on wholly limited to the combined and sequential vies from the visual receptors close to the site. In this respect, it is concluded

	that they would not increase the level of effect beyond that already assessed.
Claims that some residents did not receive leaflets during the pre-application public consultation.	Leaflets were distributed by Hobs Repro using Royal Mail data within 1.3km of the site. Hobs Repro is a Royal Warrant holder and the largest independent reprographics provider in the UK. As set out within the submitted Statement of Community Involvement, the public webinar and subsequent village hall exhibition were well attended by members of the local community.

Table 1: Other Questions & Answers

Summary

Whilst it would have been preferential to issue a full response to each individual set of comments, this would not have been possible due to the high level of engagement in this case.

We hope that the information outlined above is of benefit to those residents who provided comments in relation to Application Ref 22/04355/FUL.

We appreciate the fantastic level of engagement with this Planning Application to date and look forward to bringing this exciting project forward in partnership with the local community.

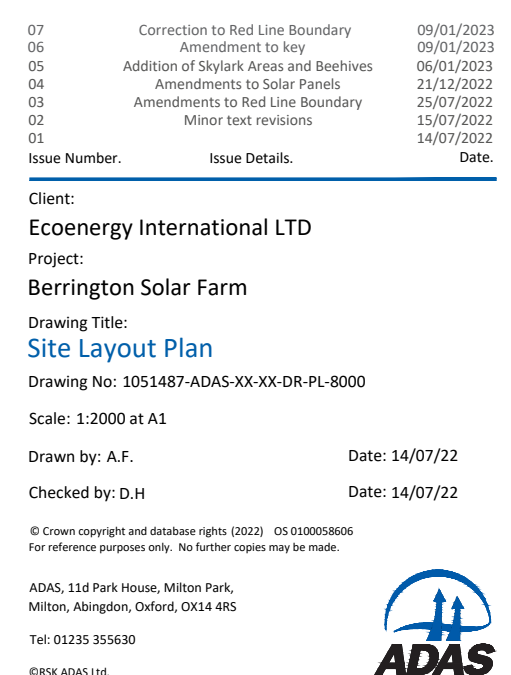
Yours sincerely,

Jacques Carboni

Senior Planning Consultant

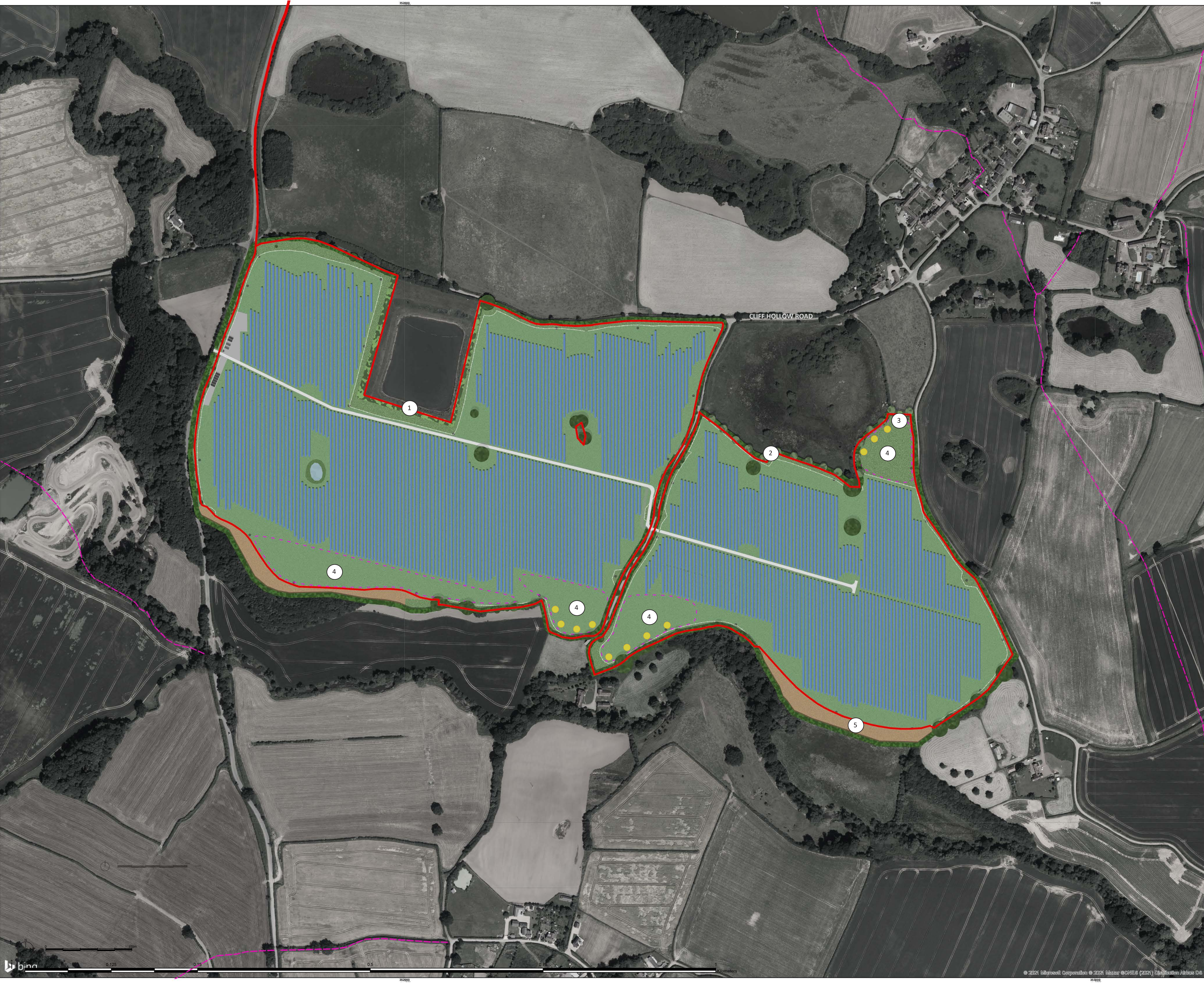
ADAS Planning

APPENDIX A - UPDATED SITE LAYOUT PLAN



APPENDIX B - UPDATED LANDSCAPE MASTERPLAN





LEGEND

- Existing hedgerow retained
- Grassland under solar panels
- Existing trees retained
- Proposed hedgerow
- Proposed tree planting
- Existing pond
- Existing bird cover crop
- Public Right of Way (PRoW)
- Beehive opportunity points

1. Proposed hedgerow in the gap along the northern boundary to screen views from Cliff Hollow road.
2. Proposed tree planting to filter views from the north of the site.
3. Proposed tree planting and hedgerow planting to filter views from the houses to the north.
4. Proposed Skylark Nesting Areas
5. Existing bird cover crop.

Notes: Please note this plan does not include the proposed cable route extent.

11	Minor Amendments	09/01/2023
10	Text Amendments	09/01/2023
09	Layout Amendments	06/01/2023
08	Layout Amendments	21/12/2022
07	Amendments	17/08/2022
06	Amendments	01/07/2022
05	Amendments	23/05/2022
04	Layout Amendments	17/05/2022
03	Layout Amendments	14/05/2022
02	Boundary Amendments	15/03/2022
01	-	12/01/2022
Rev.	Issue Details.	Date.

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Ecoenergy International LTD

Project:
Berrington Solar Farm

Drawing Title:
Landscape Masterplan

Drawing No. 1051487-ADAS-XX-XX-DR-L-8001

Scale: 1:2,500 at A1

Drawn by: IH Date: 12/01/2022

Checked by: DH Date: 12/01/2022

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