



Date: Tuesday, 10 March 2015

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## **SOUTH PLANNING COMMITTEE**

### **SCHEDULE OF ADDITIONAL LETTERS**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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SOUTH PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date: 10 <sup>th</sup> March 2015		
<p><b>NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting</b></p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	14/00563/FUL (Petrol filling station)	Councillor Boddington
<p>Councillor Boddington has requested that the enclosed graphic showing areas of pedestrian safety concern is circulated with the late representations:</p>		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p><b>School Pupil Flows</b> 3.40-3.50pm 3 March 2015</p> <p>Pupil numbers →</p> <p><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Store &amp; petrol station</p> <p><span style="display: inline-block; width: 15px; height: 15px; background-color: red; border-radius: 50%; border: 1px solid black;"></span> Potential danger points</p> </div>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6.	14/02129/OUT Land East of Bridgnorth Road, Highley	Ecology – Response to Phase 1 Environmental Survey, Greenscape Environmental Ltd (February 2015).
<p>No objections subject to conditions and informatives as follows: -</p> <ol style="list-style-type: none"> <li>1. A total of 2 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site prior to first occupation of the buildings hereby permitted.</li> </ol> <p>Reason: To ensure the provision of nesting opportunities for wild birds</p>		

2. A total of 2 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the building hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species

3. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet *Bats and Lighting in the UK*

Reason: To minimise disturbance to bats, a European Protected Species.

Informative

The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

Informative

Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Item No.	Application No.	Originator:
6.	14/02129/OUT Land East of Bridgnorth Road, Highley	Planning Officer - Update to report in light of Ecology response

The Ecologist has considered the Phase 1 Ecology report submitted and is content that the ecological interest of the site can be safeguarded through conditions and informatives.

As sufficient information has now been submitted to enable the Local Planning Authority to conclude the development could be carried out without resulting in an offence under the Conservation and Habitats Species Regulations (2010) the first reason for refusal is now a nullity and is removed from the recommended refusal reasons.

The recommendations of this application therefore are amended to the following: -

**Recommendation: - For members to determine what the Councils decision would have been if a non-determination appeal had not been submitted. The recommendation being refuse for the following reason:-**

1. In the absence of the agreement to make a contribution towards affordable housing provision, the proposed dwellings would be contrary to Policy CS11 of the Shropshire Council Local Development Framework Core Strategy and to the Council's Supplementary Planning Document on the Type and Affordability of Housing.

Item No.	Application No.	Originator:
7	14/02943/OUT Land South of Station Road, Ditton Priors	Planning Officer

There is an error in the listing of the property types in the original illustrative site layout in paragraph 1.1 of the report. The reference to 4 No. 4 bedroom bungalows should be replaced by:

- 3 No. 4 bedroom bungalows
- 5 No. 4 bedroom houses

To give the original illustrative total of 20 units.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Police and Crime Commissioner

Supports application:

- Willowdene has been providing effective rehabilitation since 1988 and provides consultancy nationally on best practice.
- Alternative to Custody Programme for women at Willowdene for last two years has met the outcomes set, and the strategy for rehabilitating offenders.
- Provides a much needed alternative to prison, especially for women.
- Corston Report shows women are twice as likely to serve a short term sentence than men and this needs to be addressed.
- The need for a female offender unit is in line with best practice policy, would remove the distractions from the mixed sites at Willowdene and Stanley and enable women to concentrate on their issues.
- The proposed programme is directly in line with government policy as announced by the Minister for State at the Ministry of Justice on 29-01-15.
- Willowdene is a strategic partner of EOS, and recognised as part of the supply chain solution for this Government-commissioned Warwickshire and West Mercia Community Rehabilitation Company.
- Willowdene needs to expand its facilities to enable this proven organisation to do more.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Care Farming UK
<p>Support application:</p> <ul style="list-style-type: none"> <li>-Have been involved with Willowdene Care Farm since 2005, which is seen as the leading Care Farm in the UK.</li> <li>-Not only provides effective rehabilitation services across the criminal justice and public health sectors, but also helps develop best practice within the care farming industry. Willowdene always places emphasis on developing programmes that engage and enable life transformation of their students, who have had chaotic life styles and provide hope and opportunity for a new purposeful life.</li> <li>-Location for the female residential unit would provide a therapeutic environment where women can concentrate on their past and rebuild their futures, in a supportive environment, away from their home area.</li> <li>-Commendable they should wish to make provision for women, as they have made such important progress with their male residential unit over a number of years.</li> <li>-An important provision to society that the rural environment excels at, to assist students transformation into responsible members of society.</li> </ul>		
Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	EOS Works Ltd
<p>Support application:</p> <ul style="list-style-type: none"> <li>-Willowdene is integral to the process of rehabilitating offenders, developed through the Transforming Rehabilitation process conducted by the Ministry of Justice.</li> <li>-The women's alternative to custody programme is a valued and unique offering only available in the Warwickshire and West Mercia package area.</li> <li>-While the women's alternative to custody pilot in 2014 has proved successful, it is recognised that to be truly fully effective, such a service should be delivered through a dedicated facility for female offenders.</li> <li>-Vital that application is approved to establish the necessary dedicated facility, to ensure women offenders across Warwickshire and West Mercia are able to access this service, establish new offending free lives with purpose and direction, playing an active and positive role in their families and communities.</li> </ul>		
Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Third Parties
<p>3 Letters of Support ,the comments being summarised below :</p> <ul style="list-style-type: none"> <li>-Have experienced first hand the benefits of the rehabilitation provision as a Probation Officer.</li> <li>-Services provided are successful because they are delivered away from the clients own community, away from current personal distractions.</li> <li>-Was seconded to Willowdene as part of the 2014 pilot and although the mixed site arrangements at Willowdene have demonstrated proven results in terms of rehabilitation and reduced re-offending, there is a need for a separate site for women to focus upon themselves.</li> <li>-Willowdene's reputation has extended beyond the field of substance misuse and are a premier provider of rehabilitation and training services to offenders in the criminal justice sector.</li> </ul>		

- Staff appropriately qualified for the roles they perform; level of professionalism and expertise regularly borne out in the Care Quality Commission reports.
- There is complexity around mixed gender working and peer distractions and support the reasoning behind a women-only site.
- Objections would appear to have shifted from a primarily ecological focus to a lack of sympathy for the work being undertaken itself.
- Priority attached by Government to reducing the imprisonment of women offenders; Minister of State in his January statement restated that he wanted to reduce this incidence by 50%.
- Rural nature of the experience is part of the success of the scheme.
- Willowdene does not classify people by one aspect of their behaviour, but by their capacity to learn and change.
- Work of Willowdene described as “staggeringly impressive” in the words of an Ofsted inspector.
- Work with offenders has won two awards in recent years from the Howard League.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Warwickshire and West Mercia Probation

Support application:

- Willowdene’s professional approach, combined with vast experience in this sector, has consistently delivered results that have far exceeded expectations.
- Without a dedicated, female-only unit the ability to maximise potential outcomes this alternative to custody is capable of delivering is limited.
- With access to a dedicated female-only unit, women offenders will be able to focus upon themselves and engage in the seven week programme, which leads to a new way of thinking and the ability to enter a working society free from the past.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	The Howard League for Penal Reform

Support application:

- Have recognised West Mercia Probation and Willowdene Farm as providing a service worthy of national approbation and helping to secure public safety.
- Overwhelming majority of women who have committed offences are no danger to the public, indeed they are often primarily victims of crime; reoffending rate by women serving community sentences is very low, far lower than for men; as such development would represent no tangible risk to local people.
- Everyone shares the objective of reducing crime and anti-social behaviour and this is the sort of community development that helps a small number of women turn their lives round.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Third Party

Further comments received from 2 Objectors which are summarised below and may be found in full on the Council’s web site :

- Amendments and changes to applications mean applications now lack transparency, are confusing and unclear; consider new applications should have been made.
- Still lack of evidence presented to prove viability/sustainability of the project.

- Lack of evidence presented to prove the necessity for cabins to be built in such a remote location.
- Applicant states 75% of women's time will be based at the proposed site with 24 hour support and monitoring , but does not demonstrate how this is achievable with the few staff he claims will be on site.
- No information is given regarding the therapies the women will be doing 18 hours a day in their cabin with no outside contact.
- Low ratio of staff to users remains a concern.
- Application refers to user group as students, but they are on a programme due to their complex needs.
- For application to be assessed in planning terms a full business plan should be provided.
- Claim that increased traffic on Northwood Lane will be negligible is unfounded.
- Area around site is remote and ecologically sensitive, but this does not mean it is unused; land on three sides not controlled by applicant and is regularly shot as part of commercial shoot, meaning significant number of people (largely male) pass close to boundary and within speaking distance of the cabins; no requirement for shoot participants to have checks other than for a fire arms licence.
- Lake close by has traditionally been used for commercial fishing and used by youngsters for leisure.
- No mention made in application of involvement of any experienced multidisciplinary team.
- Contravenes local and Greenfield planning policy.
- Feasibility study should be commissioned from a professional firm.
- Could grow into what amounts to a mini open prison being forced upon a rural community in breach of planning regulations.
- With regard to paragraph 6.3.4 of the Development Management report, prepared to make a sworn affidavit stating that having lived around Sidbury for over 35 years there was never a cart way or any other sign of a roadway except track marks around the gateways which would be consistent with live stock movement; this track was made last summer after dark when we were alerted by the noise and headlights of machinery creating the roadway; from a recent aerial google map of the area it is clear the track never existed before last summer.

Item No.	Application No.	Originator:
8	14/03842/FUL Stanley Farm, Chorley	Applicant
<p>Details supplied of the Women's residential programme, currently delivered at Willow dene, developed in partnership with West Mercia Probation Trust.</p> <p>Additional comments made in response to objections, which are summarised below and may be viewed in full on the Council's website:</p> <ul style="list-style-type: none"> <li>-Evidence of viability of project through the pilot in 2013 and those commissioned in 2014 and 2015.</li> <li>-Programme has delivered, since its inception in April 2013, a 92% completion rate for all of its female offenders.</li> <li>-Need for a remote location previously explained and in accordance with government policy on providing bespoke dedicated women services, in line with the Corston report.</li> <li>-24 hour staff cover will be provided in accordance with CQC regulations.</li> <li>-Willowdene provides a typical staff student ratio of 1 staff member to 4 students, in excess of NOMs guidelines to provide better training opportunity and builds stronger relationships.</li> <li>-Key workers and duty rota staff will provide adequate out of core hours support and a</li> </ul>		



multidisciplinary team will be part of the daily structure for the residential women. There would be a maximum of six students at any one time and typically around four.

- Largest employer in Parish and development provides for the retention of existing staff and recruitment of additional staff.
- Have a therapeutic programme to address the 25% of students likely to suffer from conditions such as depression.
- Multiple definitions of addiction but at Willowdene classify it as a physical and mental health condition; therapeutic assessment undertaken before arrival to identify the trigger or trauma that was the start of offending and/or use of substances; issues of addiction can then be resolved.
- If a student chooses to leave their policy is to take the individual back to their home area; their experience is that they would not choose to walk off site, due to the remote location.
- Impact on local highways negligible and probably little more than is currently undertaken through their checking stock and farming activities.
- Cabins would back onto one side of land not controlled or owned by them with a buffer strip; the other three sides are on land owned by them as part of 10 acre field on the 110acre site at Stanley.
- Sporting activities on the Estate are not a concern, as students will be at least 6 metres away from the boundary and under supervision as part of their order.
- It is their responsibility to look after students on their grounds and the estates responsibility to look after their guests on their ground.
- Proposal is not an open prison, it is an alternative to custody, a community order. It has been designed to be residential so that the issues surrounding their past can be addressed. It is on a voluntary basis that women choose to come.

- Recent discussions with previous landowner has confirmed that a stoned track existed across the fields from the gateway off Northwood Lane into the second field and that this was in existence when they originally purchased the land in the mid 1980's.
- Track was further improved about 10-15 years ago by Shropshire Council when reinstating storm water drainage; on their purchase of the fields, in consultation with Shropshire Highways, they replaced elements of the storm water drain; also repaired the stone track due to damage from water erosion.
- Previous land-owners have confirmed the track was their access route across the fields (the top soil across the middle fields is very shallow and the access track, in many places, was on the underlying stone).
- Previous land owners since their purchase of the fields in the mid 1980's have crossed the fields to access the lower field by farm machinery; improvements including stoning of access through the gateways made prior to the previous owners purchase.
- Accept that they have improved the track from its original state and it is conceivable that the track will now be more visible from the road, but prior to these improvements the access existed to all the fields they purchased.
- Their farming operation involves large, modern agricultural machinery; the constant use of heavier vehicles, on top of the existing rutting, meant it was essential to improve the existing access which predates their ownership.
- Accept that much of the work is undertaken after normal working hours, which may include working after dark. However Willowdene/Stanley Farm is an active workplace, and farming activities take place as part of, and around, their existing operations, including outside normal working hours.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator</b>
8	14/03842/FUL	Cllr. Gwilym Butler
<p>I visited the site late last week and met with the applicant .On reading the report and comments I support the application and believe the outcomes that will be created will far out way the objections .</p> <p>I am particularly impressed in how the applicant has worked with officers to amend and change there original application to take account local concern and planning issues .</p> <p>Willowdene provide a unique product acknowledged by the Ministry of Justice and is a beacon within its field . This mirrored with how the applicant has worked with officers and the benefits the Social Enterprise brings to the surrounding area in employment training and volunteering whilst providing Adult social care for vulnerable adults meets a great part of the corporate ambitions of Shropshire council as a whole and hence warrants my support .</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator</b>
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
9	14/03937/COU Stanley Farm, Chorley	Third Party
<p>Further comments received from 1 Objector which are summarised below and may be found in full on the Council's web site (They are identical to those on 14/03842/FUL as a single letter is referenced to both applications) :</p> <ul style="list-style-type: none"> <li>-Amendments and changes to applications mean applications now lack transparency, are confusing and unclear; consider new applications should have been made.</li> <li>-Still lack of evidence presented to prove viability/sustainability of the project.</li> <li>-Lack of evidence presented to prove the necessity for cabins to be built in such a remote location.</li> <li>-Applicant states 75% of women's time will be based at the proposed site with 24 hour support and monitoring , but does not demonstrate how this is achievable with the few staff he claims will be on site.</li> <li>-No information is given regarding the therapies the women will be doing 18 hours a day in their cabin with no outside contact.</li> <li>-Low ratio of staff to users remains a concern.</li> <li>-Application refers to user group as students, but they are on a programme due to their complex needs.</li> <li>-For application to be assessed in planning terms a full business plan should be provided.</li> <li>-Claim that increased traffic on Northwood Lane will be negligible is unfounded.</li> <li>-Area around site is remote and ecologically sensitive, but this does not mean it is unused; land on three sides not controlled by applicant and is regularly shot as part of commercial shoot, meaning significant number of people (largely male) pass close to boundary and within speaking distance of the cabins; no requirement for shoot participants to have checks other than for a fire arms licence.</li> <li>-Lake close by has traditionally been used for commercial fishing and used by youngsters for leisure.</li> <li>-No mention made in application of involvement of any experienced multidisciplinary team.</li> </ul>		

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Item No.	Application No.	Originator:
9	14/03937/COU Stanley Farm, Chorley	Applicant

Additional comments made in response to objections, which are summarised below and may be viewed in full on the Council's website:

- Evidence of viability of project through the pilot in 2013 and those commissioned in 2014 and 2015.
- Programme has delivered, since its inception in April 2013, a 92% completion rate for all of its female offenders.
- Need for a remote location previously explained and in accordance with government policy on providing bespoke dedicated women services, in line with the Corston report. 24 hour staff cover will be provided in accordance with CQC regulations.
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<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
9	14/03937/COU	Cllr Gwilym Butler
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<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
11	14/04463/FUL (High Point Solar Farm)	Applicants agricultural consultant
<p>I comment upon the ‘Further critique’ dated 26 February 2015, prepared by SOYL as a response to my recent ALC report, as follows:</p> <p>1) I am still concerned by the inference that a ‘critique’ of my ALC report can be accurately made without having visited the site. I have visited the site on two separate occasions, in late spring and winter respectively, and my observations on both occasions have confirmed my findings.</p> <p>2) The GPS and gyroscope equipment that we use is up to 2cm accurate after ‘post-processing’ the data, and readings of gradient were taken on each slope across the site and at every soil sample location. Whilst the figures submitted are an average, this is based on numerous recordings. The method that SOYL have employed may seem logical, however I must stress two important points, firstly that the thickness of a line on a 1:25,000 Ordnance Survey map could be several metres wide ‘on the ground’, and secondly the SOYL plan would suggest poor access across much of the site due to the gradients, as the presence of steeper slopes will restrict access for machinery to other areas, which will also impact upon the ability to improve organic matter content and soil nutrient indices,</p> <p>3) Reference has been made within my report of the depth to the subsoil, which is a slowly permeable layer. This is between 20cm and 40cm deep across the site, which, based on the MAFF Guidelines, firmly suggests a Wetness Class of IV, this is further confirmed by both observations and the experience of the land owner regarding the duration of waterlogging.</p> <p>4) Presumably none of my other findings are disputed”.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
11	14/04463/FUL (High Point Solar Farm)	Applicants landscape consultant
<p>TGC Renewables Ltd has passed on additional information provided to yourselves in relation to the above application and its potential impacts on the landscape character and, more particularly, the visual amenity of the area.</p>		

Having reviewed this additional information, the following comments may be of assistance to you in the consideration of this application by your planning committee:

□ The applicant's LVIA has been carried out in accordance with current guidance and best practice and sets out in a clear and coherent way, the methodology used in the assessment, which is in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition. It has provided a number of representative viewpoint locations (i.e., this is not intended to be a full suite of all possible views of the site), in consultation with the Council, and would have provided additional viewpoint imagery, if this had been requested.

□ The Sightline report is unbalanced in that it fails to acknowledge the positive aspects of the site: for instance, an absence of any significant overlooking of the site, other than from immediately adjacent areas (restricted to a single right of way); the mitigation that has been built into the site layout, in particular moving panels back from a local break in slope such that these are not prominent in views from the north; and the proposed new and reinforcement of existing hedgerow boundaries to the site.

□ It is suggested that the Sightline report has followed the same methodology as the applicant's LVIA, but the terminology used in assigning levels of significance is different and the conclusions drawn as a result of the combination of sensitivity and magnitude are also at variance with the applicant's LVIA. There are no tables setting out the criteria that the Sightline assigned levels of significance should relate to and the report cannot, therefore, be given proper credence.

□ The graphics used in the Sightline report are misleading in that they over-emphasise the presence of the site within the landscape; the quality of imagery is poor and the supporting written and visual information frequently incorrect and/or inaccurately presented.

□ The Sightline report ignores the fact that the solar panels would sit behind the break in slope at the 97m contour, beyond (i.e. to the south of) which the panels would be hidden from view, from any receptors at a lower level and within relatively close proximity of the site. This is evident from the photo viewpoint (VP 1) included as Figure 7 in the applicant's LVIA, which is taken from within the site, looking north, with the break in slope clearly evident in the foreground of the view. It is clear from this viewpoint location that only a small number of properties can be seen from this position behind the break in slope (this includes the properties in the area of the Live and Let Live PH, to the north-east, and Neen Court, to the north, with more distant views of properties such as Neen Sollars House and Southwood Farmhouse, at 1.3km+ distance from the site); conversely, therefore, there can be no view of the existing site from any properties not visible in this photograph. Tree cover, both close to the site and within the wider landscape, also assists in providing screening, as shown in this Figure 7.

□ This break in slope at 97m AOD can be seen on the cross section created from Google Earth (provided by TGC Renewables and included, below, as part of this correspondence) and whilst there is rising, north-facing ground beyond this point, this is of a much shallower gradient than the steeper, more definitive north-facing landform below this level, which comprises the more prominent sloping ground in views from the Neen Sollars area.

□ The SOYL figure included at the very end of the most recent Save our Green Hills submission also illustrates the break in slope and the limit of the proposed solar panels within the wider site boundary (as a thinner black line cutting across the northern part of the western field). This restricted extent of development is not acknowledged, at all, in the Sightlines report.

Item No.	Application No.	Originator:
11	14/04463/FUL (High Point Solar Farm)	Sightlines (objectors' landscape consultant)
Sightlines have provided an updated version of their visual assessment, a copy of which has been placed on the Council's online planning register.		
Item No.	Application No.	Originator:
11	14/04463/FUL (High Point Solar Farm)	Save our Green Fields
<p>Response to officer report:</p> <p>We have read your report to the planning committee on the above application. We recognise that you did not have the benefit of our latest reports on LVIA and Soil grade before you wrote the report; had the responses from Wardell Armstrong ("WA") and North Letherby ("NL") been posted on the planning website in good time when you received them rather than over two weeks later, we would have been able to get our responses in to you before you wrote your report. We note that our latest comments have been loaded on to the system and we expect you have forwarded them to the applicant; that is helpful as we want no party to be able to claim they did not see the reports in time when the committee meeting is held next week. We have written to you before regarding the process applied to this application and pointing out, having taken advice, that the delays in publishing reports that should be made available leaves this application open to challenge.</p> <p><b>Agricultural Land Classification</b></p> <p>You consistently and erroneously refer to the site as grade 4 in your report. Jeremy Hollis of Soyl in his report concludes that, based on the methodology used in the applicants report 30% of the site is grade 3b or worse and that 70% is therefore best and most versatile land.</p> <p>Our expert, Jeremy Hollis is an expert in soil analysis, with a proven track record, impeccable credentials and qualifications including a PhD in the subject. It is not clear what qualifications the author of the NL report, Will Weaver on the Bateman North website Will Weaver is described as being BSc (Hons), MRICS, FAAV and he describes himself as a chartered surveyor and land valuer; these qualifications have nothing to do with soil analysis.</p> <p>The lack of experience of Will weaver is evident in that he failed to follow any recognised methodology in either of his reports as Jeremy points out the testing he performed did not follow the MAFF guidance it claimed to.</p> <p>NL based their conclusions on two areas: wetness and gradient.</p> <p>As regards wetness Jeremy points out they have no basis for reaching the conclusions they do as they have not conducted any recognised tests on this aspect.</p> <p>On gradient they talk about a 7 degree slope being a critical measure but produce no detailed topography. Jeremy has concluded that at best 30% of the site could be steeper than 7 degrees.</p> <p>You describe the site as "a gentle north-facing topographic depression on top of a hill" (para 2.1) you go on to say that "the site generally slopes gently to the north or east, with a fall of about 10m in 170m. The gently north-facing aspect of the majority of the site is not optimal for solar development." (para 6.2.1). A fall of 10m in 170m gives a gradient of 3.5 degrees well within the limit of 7 degrees that NL refer to and in line with our conclusion that the majority of the site is best and most versatile land.</p> <p><b>LVIA</b></p>		

You write at length on LVIA which is a critical aspect of this site; yet there are inconsistencies in your conclusions. You appear to place too much weight on the WA reports and accept the criticisms that WA wrote about the Sightline report even when these criticisms conflict with your knowledge of the site.

You do acknowledge LVIA is important as you state “if however any unacceptably adverse effects remain after mitigation and/or relevant policy tests cannot be met then the development would not be sustainable and refusal would be appropriate.” (Para 6.1.7)

The first report produced by WA we thought was inadequate because it did not include a balanced view as it ignored many properties in Neen Sollars that have a clear view of the site. The overall purpose of submitting the Sightline report together with the additional photographs was to give additional information using the same methodology as WA so that a proper conclusion could be reached regarding the visual and landscape character impacts.

WA produced a lengthy response to the Sightline report which raised a number of criticisms. Significantly WA state that “The conclusions set out in the Sightline report are not founded on fact. The solar farm will not be located on the northern slope facing (and visible from) the village of Neen Sollars”.

This assertion by WA is fundamentally wrong, as you acknowledge in your report, the site is a north facing slope on top of a hill and as the photographs show is clearly visible from many parts of Neen Sollars, which you will have established from your site visit. Given this fundamental mistake most of the further comments WA make are equally flawed.

WA claimed that the Sightline report included no methodology; it is clearly stated in the report that the same methodology as WA was followed and the photographs were produced to the same specification.

WA claimed that the shading on the photographs used to show the location of the site obscured the intermediate planting; not true, when the photographs are produced in A3 format (as specified) you can clearly see existing planting and see that neither the topography nor the planting screen the site and given the slope of the site no additional planting would screen the view either.

WA claim that as the view would be from the North the impact is less; Sightline have pointed out that is not the case and that the views from the North can be more intrusive. WA claimed the Sightline report focussed on the area round Neen Sollars; it was intended to as this area was not adequately covered by WA in their first report.

You now have the second report from Sightline which deals with the WA criticisms and which provides a much better basis for decision making than the WA response which as we point out is fundamentally flawed.

Our conclusion, the only reasonable conclusion that can be drawn from all the evidence, is that the character and scenic quality of the landscape will be adversely affected and hence it follows that the development is not sustainable and should be refused.

### **Consistency**

A refusal would also be consistent with applications for solar park developments in similar areas of undulating landscapes which have already been refused either by the committee or under delegated powers.

We consider that throughout this process the applicant has sought to mislead the planners by submitting reports which are misleading or flawed which present facts in a distorted way so as to lead one to think that this application could be approved.

We have sought to counter that by providing balanced accurate information which provides a much better basis for decision making.

### **Site Visit**

The fundamental issue here is whether there any adverse effects which will remain after mitigation. We argue that there will be and that the photographs we have provided prove

this. The site visit will confirm our position provided the planning committee are able to stand on the site and enjoy the views from the top of the hill and also get a chance to visit some of the areas of the village that have a clear view of the site.

We ask you to ensure that the committee have sufficient time to visit the site and also to see the views from Quarry Cottages on Neens Hill, the Church and the bridleway that runs from the Village Hall to Sturt Farm.

We estimate that if you are walking from High Point Farm to the site that would take about 20 mins and 20 mins return journey; if you allow 10 mins on the site you need 50 mins or so for a proper visit.

In order to see other sites the minibus could drive down Neens Hill from High Point stopping at the car park opposite Quarry Cottages, stopping again outside the Church, then driving on up to the Village Hall and down the track next to the Hall towards Sturt Farm where we have arranged for the minibus to be able to turn in a field just off the bridleway to allow the committee to stand on a footpath and get a view of the site and the village. We estimate the total time needed to be about 90 minutes.

**Reason for refusal**

In light of all the evidence available the application should be refused because the scale and location of the proposed solar farm, by reason of the topography of the site set within an undulating landscape, ridgeline position, orientation of the panels and views of the site from the village of Neen Sollars including its many heritage assets and rights of way in the locality would have an unacceptable adverse impact on the character and scenic quality of the local landscape, and also on local amenities and leisure and tourism interests, including use of public rights of way. It is not considered that the benefits of the proposal, which include the generation of renewable energy, would outweigh the identified harm. Therefore the application is contrary to the objectives of Core Strategy Policies CS5, CS6, CS8, CS16, CS17 and sections 109 and 134 of the National Planning Policy Framework.

We have tried consistently to deal with this application in a professional and helpful manner, if we can provide any further assistance to you please do contact us and we will do our best to help.

Item No.	Application No.	Originator:
11	14/04463/FUL (High Point Solar Farm)	Applicants response to Save Our Green Hills critique of officer report (letter to Development Manager)

I write with regards to the above application, and specifically in response to the latest comments from the ‘Save Our Green Hills’ (SOGH) group’s comment, which were emailed to you, Grahame French and the members of the south Planning Committee and their substitutes. We feel it is inappropriate to lobby Councillors directly, however if you consider that it will assist the decision making process, we are happy for this letter to be passed on to Members. The purpose of this letter is to address a number of the statements made in the latest SOGH correspondence.

Firstly, it would appear that Grahame has, in fact, seen the latest Sightline report as he has included graphics from it in his planning report. In terms of Agricultural Land Classification (ALC), the content of the Ministry of Agriculture, Fisheries and Food (MAFF) guidance makes it clear that soil is only one aspect of the overall classification process. Mr Weaver is more widely qualified than SOGH’s soil expert and is also a farmer. His reports include comment on yields, climate, discussions with the farmer of the land, accurate gradient assessments (using a gradiometer not simple and generalised contour analysis) and laboratory analysis of soil samples. As Mr Weaver points out in his response to SOYL’s latest report, “I am still concerned by the inference that a ‘critique’ of my ALC report can be accurately made without having visited the site”.



Mr Weaver has undertaken numerous other ALC assessments on our behalf, and the approach he takes has been upheld at planning appeal. In this case, more information and analysis than has been required for other sites has been provided at the Council's request.

It is not unusual for professionals to come to different conclusion on such issues, however in this case, Mr Weaver has followed the relevant methodology and his conclusions are sound. His reports form appropriate and accurate evidence for a planning decision.

In terms of the Landscape and Visual Impact Appraisal (LVIA) issues, it is again worth noting that different consultants can come to different conclusions. However, in this case, the Sightline reports and figures do not follow any established methodology and have fundamental flaws as pointed out in Wardell Armstrong's (WA) responses. It is worth noting that WA operate numerous externally accredited quality control methods, work on behalf of several public bodies and do not produce inaccurate or misleading work which could damage their reputation.

The issue of north facing land is relied on heavily by SOGH. It is worth noting that at no stage has any member of TGC's project team said the site does not face north. Indeed, WA advised TGC to remove the panels on the steep facing section, which is visible from the village. This has been done to mitigate visual impacts directly in response to concerns of members of the local community. SOGH have included half a quote from the WA report, which in full reads as follows:

"2.5.1 The conclusions set out in the Sightline report are not founded on fact. The solar farm will not be located on the northern slope facing (and visible from) the village of Neen Sollars (the majority of properties within which are over 1.2km from the site). Views of the solar farm will be limited as a result of the northernmost boundary of the panels being positioned beyond the ridge line within the north-western part of the site. Only the less visual, rear of the panels would be seen in views from the north. Other parts of the development site are screened by intervening landform and vegetation".

The Sightline report and associated graphics do not assist with the accurate determination of the application. The criticism of the red shading is based on it being on top of existing screening, which will hide panels from view. Such deliberate graphical manipulation reflects the biased approach to the Sightline assessment.

Lastly, the Sightline and SOGH arguments centre on the factual aspects of the Proposals such as scale, location, visibility, orientation, rather than the impacts, which is what must be assessed. These impacts have been mitigated as best possible (removal of steep north facing portion of the site, screening) and whilst there are residual impacts, these are not unacceptable and are outweighed by the benefits of the Proposals.

It is also worth noting recent renewable energy appeal decision 2186222, which states that "nowhere does the NPPF state the decision-making should be on the basis of a count of those in favour compared to those against or that the level of objections in itself should be a reason to withhold permission".

We appreciate that this project has resulted in strong opinions, however our objective planning assessments are accurate, we have worked hard to consider and address the local community's concerns, and consider that overall the proposals comply with planning policy. As ever, I am happy to clarify any issues to you, colleagues, or elected members.

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The applicant has submitted an updated site plan with the following minor amendments and clarifications regarding visual mitigation:

- reducing the height of all the panels on the site from 3.0 to 2.6m;
- removing all panels north of the overhead line;
- Use of green mesh fencing;
- Provision of a new hedge along the northern boundary with fast growing climbers on this fence to dissipate views as the hedge and shrubs establish.

The applicant states that the recent change from steel palisade fencing to wooden post and wire deer fence will also be visually beneficial. The following text accompanies the amended plans:

*Further to the below, please find attached Site Design Rev. A5. This supersedes Rev. A4. You will note that we have removed all the panels to the north of the existing overhead line, bringing the panels well away from the ridge line and containing them behind and below this existing visual element. We are also happy to reduce the panels to a maximum height of 2.6m.*

*Can I suggest a condition to control any further required changes to panel location/height/appearance? This would allow micro-siting (providing it's compatible with farming activity, in the context of bringing this land back into agricultural use, for grazing), and as your recommendation is approval, even before the attached changes, I assume this would be OK (i.e. the impacts are acceptable in planning terms before fine tuning to reduce as much as possible).*

*You will note that the attached also shows the requested changes to the northern boundary landscape treatments. We're happy to make these changes to alleviate the specific concerns raised over the last few days from the local community, however are somewhat frustrated that these weren't brought up before. For example, we repeatedly offered to meet with the Parish and the anti-group however this wasn't take up. For example, the below is from my email of 28 October 2014 into which you were copied:*

*"we have worked hard to take the community's points into account during the site design and planning process. We are grateful for your input so far with this in mind. In advance of your response to the Local Planning Authority, we would be happy to meet with you again if this would be of assistance".*

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11	14/04463/FUL (High Point Solar Farm)	Cllr Gwilym Bultler

In relation to the application I have attended some of the public meetings and visited the site over the weekend .

I do not intend to repeat the issues that the objectors have placed in their pack but wish to support their objections on the ground that this Parish is part of Cleobury Country which is now renowned for its whole ethos of country life , tourism , walking , local markets , and a total bottom up approach from communities in leading their destiny and looking after each other .

Whilst the input of renewable energy is encouraged We have two Turbines recently installed locally , this application is too large and is in the wrong place and has too much of a detrimental effect on too many people and to the Cleobury Country area as a whole .

I cannot support the application.

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