

(referred back to committee)



Committee and date
<b>Southern Planning Committee</b>
<b>18th October 2022</b>

## Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

### Summary of Application

<b><u>Application Number:</u></b> 22/02565/FUL	<b><u>Parish:</u></b>	Bitterley PC
<b><u>Proposal:</u></b> Construction of a solar farm together with all associated works, equipment, necessary infrastructure and biodiversity enhancement areas.		
<b><u>Site Address:</u></b> Brick House Farm, Greete, Ludlow, SY8 3BZ		
<b><u>Applicant:</u></b> Bluefield Renewable Developments Ltd		
<b><u>Case Officer:</u></b> Grahame French	<b>email:</b> graham.french@shropshire.gov.uk	

**Recommendation:- Approve subject to the conditions set out in Appendix 1 of Annex 1 and a supplementary condition on managing best and most versatile land.**



Fig 1 – Amended layout

## 1. INTRODUCTION

- 1.1 This application was considered by the Committee on 27<sup>th</sup> September 2022 when Members resolved to defer the proposals to allow the applicant to investigate whether it would be possible to remove the best and most versatile agricultural land ('B&MV') from the scheme.

## 2. PROPOSED AMENDMENTS

- 2.1 The applicant Bluefield Ltd has since conducted a full technical and design review to identify which areas of the proposed solar farm could be re-designed to enable removal of solar modules from the BMV land. In conducting this redesign, Bluefield had to be mindful of the accessibility of the remaining areas for potential food production. They also had to take into account both the engineering integrity and the overall economic viability of the project.
- 2.2 Following this assessment, Bluefield has been able to remove a significant area of solar modules from four parcels of BMV land totalling 15.4 acres (6 hectares). This leaves just 6.06 acres of Grade 3a land being required for solar due to remaining engineering and design constraints.
- 2.3 The redesign means that 95% of the solar farm is now on grade 3b land which is not BMV. Of the remaining BMV land which has been taken out of solar use, 15.4 acres are allocated as 'Food Opportunity Areas' with the remaining 6 acres allocated as Additional Biodiversity Enhancement Areas. The above calculations have been verified by the company's retained independent agricultural consultant.
- 2.4 The amendments have resulted in a loss of 5MW of the solar farm capacity, which, according to Bluefield would have provided enough electricity to power the equivalent of 1,500 homes. The proposals retain a significant capacity of 45MW which is sufficient to power 13,500 homes.

## 3. RESEARCH AND DEVELOPMENT

- 3.1 Bluefield is committed to grazing sheep within the solar farm. However, there is relatively little research in the UK as to uses of the land within solar farms for other types of food production (sometimes known as 'Agrivoltaics'). Bluefield has therefore contacted Dr Jonathan Cooper at Harper Adams University, Newport to explore undertaking a major research project at the site to explore the options for growing food crops both within the solar farm and also within the Food Opportunity Areas.
- 3.2 It is envisaged that Bluefield will sponsor one or more Masters students and potentially a PhD student, together with commissioning a wider research project from the University's Department of Agriculture and Environment. The outcome of this research would inform the choice of crops and rotation at Brick House Farm Solar Farm and would also be published more widely to inform other developers and local authorities. The company believes this would be ground-breaking research which would provide a benchmark for future solar projects in the county and nationally.

#### 4. POLICY CONSIDERATIONS (UPDATE FROM SEPTEMBER 27<sup>TH</sup> REPORT)

- 4.1 The September committee report refers to relevant policies and guidance. However, this update report provides the opportunity to give further clarity on key policies relating to B&MV land and renewable energy in the light of Member's concerns.
- 4.2 NPPF Paragraph 174 advises that 'planning policies and decisions should contribute to and enhance the natural and local environment by'.. amongst other matters b) 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'.
- 4.3 Paragraph 175 advises that Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework<sup>58</sup>; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- 4.4 Footnote 58 states that 'where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'. The footnote therefore introduces a sequential test with respect to B&MV land. However, it relates to Paragraph 175 which refers specifically to plan making rather than decision-taking. As such, the NPPF requirement to apply a sequential test to proposals affecting B&MV (footnote 58) does not require this to be undertaken when determining planning applications.
- 4.5 Nor does the requirement to 'recognise' the 'economic and other benefits of the best and most versatile agricultural land' (Para 174) amount to an instruction to refuse all applications affecting B&MV land. This is not a higher order issue for national policy like for instance protection of the AONB. There is no additional national guidance on the weight to be given to protection of B&MV land. It is a matter for the decision taker to weigh up against other matters such as renewable energy benefits as part of the planning balancing exercise.
- 4.6 In contrast to the NPPF Policy DP26(k) (Infrastructure Provision) of the emerging Shropshire Local Plan requires a sequential test to be applied to decision taking (rather than just plan making) in determining solar farm applications. Some weight may be attributed to this emerging policy where it has not been subject to objection, but this must be balanced against other relevant development plan issues, including the benefits of renewable energy.
- 4.7 A discussion on wider food and energy resilience issues linked to solar farm development is included at Annex A1 below.

## 5. SUPPLEMENTARY PLANNING CONDITION

- 5.1 The requirement to maintain B&MV land within the proposed site in active food production would be secured by a proposed supplementary planning condition which has been agreed with the applicant and is listed in full below:

### SUGGESTED CONDITION TO SECURE FOOD PRODUCTION IN B&MV AREAS:

- 1a. *The four locations defined on the approved layout plan as 'food opportunity areas' shall be maintained free of solar arrays and shall be managed with the objective of producing food where practicable throughout the operational life of the solar farm hereby approved.*
- b. *Six months following site energisation / commissioning of the development a scheme detailing cultivation proposals for the food opportunity areas shall be submitted for the written approval of the Local Planning Authority, not to be unreasonably withheld, and the approved scheme shall be implemented in accordance with the approved details.*
- c. *The operator shall maintain an annual records of food production within the food opportunity areas, following the first year's harvest and this shall be made available for inspection by the Local Planning Authority within two months of any prior written request.*
- d. *In the event that any material changes are proposed to the previously agreed scheme within the food opportunity areas then such proposals shall be submitted for the prior written approval of the Local Planning Authority, not to be unreasonably withheld, and the amended proposals shall be implemented in accordance with the approved details.*

*Reason: To preserve the use of Best and Most Versatile land within the Site for food production in accordance with Paragraph 174b of the NPPF or any subsequent equivalent re-enactment of this national guidance (having regard also to draft policy DP26.k. of the emerging Shropshire Local Plan).*

## 6. ENVIRONMENTAL CONSIDERATIONS

- 6.1 The proposed amendments have been assessed against the applicant's technical reports and the findings of consultations which are listed in the September committee report (Annex 1). It is considered that there would be no material changes in terms of visual impact, cultural heritage, construction activity or ecology and that the effects on B&MV land have been addressed positively.
- 6.2 Given the lack of new / adverse impacts the proposed amendments are not considered to meet the criteria for formal re-consultation with planning consultees.

## 7. CONCLUSION

- 7.1 The amendments now proposed would reduce the amount of affected B&MV land to 5% of the site area and would reinstate 6ha of B&MV land into active food production. The proposals would also initiate a research process linked to Harper Adams Agricultural College which has the potential to yield results of national relevance regarding the ability to maintain food production within solar far sites. It is concluded that the proposals have now addressed the Committee's reason for deferral and are fully compliant with relevant policies and guidance regarding B&MV land.
- 7.2 Other issues are assessed in the September committee report (Annex 1) which concludes that there are no unacceptably adverse impacts after mitigation. Accordingly, the report recommends approval subject to conditions. This recommendation is repeated here, subject to inclusion of the supplementary condition on food production in B&MV areas.

## **ANNEX A1**

### **DISCUSSION ON SOLAR FARMS AND FOOD AND ENERGY RESILIENCE**

- i It is contended that an overarching policy rationale for protecting of B&MV land is to ensure greater self-sufficiency, particularly in the event of a serious national food crisis. Whilst international issues have raised the profile of food security the UK is a relatively wealthy nation with an efficient agricultural sector and soils and climate are generally favourable for food production. There are no recurring histories of famine.*
- ii. Plenty of currently uncultivated land is capable of being brought back into intensive production. The area occupied by UK agri-environment schemes in 2021 was 3.6m hectares (0.177% of UK land) as opposed to 2.3m hectares for solar farms (0.1% of UK land). It can be argued that the temporary if longer-term use of some best and most versatile land for solar energy production does not offend the core objective of national policy with respect to the strategic food resilience value B&MV land.*
- iii. The UK has less resilience in terms of energy production. Coal and gas fired power stations are closing, liquid gas storage capacity has reduced significantly, any new nuclear facilities will take at least 7 years to become operational. The Government must therefore consider removing the fracking moratorium and issuing additional gas licenses in the North-Sea in conflict with legally binding climate change objectives. This is compounded by international energy security issues leading to a major increase in energy prices which currently exceeds any equivalent rise in food prices. According to a recent announcement by the National Grid there is the potential for power cuts this winter and instructions for industry not to use energy at peak times are anticipated. It can therefore be argued that at this time energy*

*security is a greater threat than food security to the national interests. Solar is one of the few technologies in this respect with the ability to address energy security issues in a realistic timescale.*

- iv. NPPF paragraph 158 advises that ‘when determining planning applications for renewable and low carbon development, local planning authorities should:*
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
  - b) approve the application if its impacts are (or can be made) acceptable<sup>54</sup>...*

*It can be argued that the NPPF requirements to ‘recognise the benefits of even small-scale renewable energy development’ and ‘to approve such applications where impacts can be made acceptable’ represents a stronger instruction in national policy terms than the requirement to ‘recognise the economic and other benefits of the best and most versatile agricultural land’.*

# APPENDIX A1



Committee and date  
**Southern Planning Committee**  
**20th September 2022**

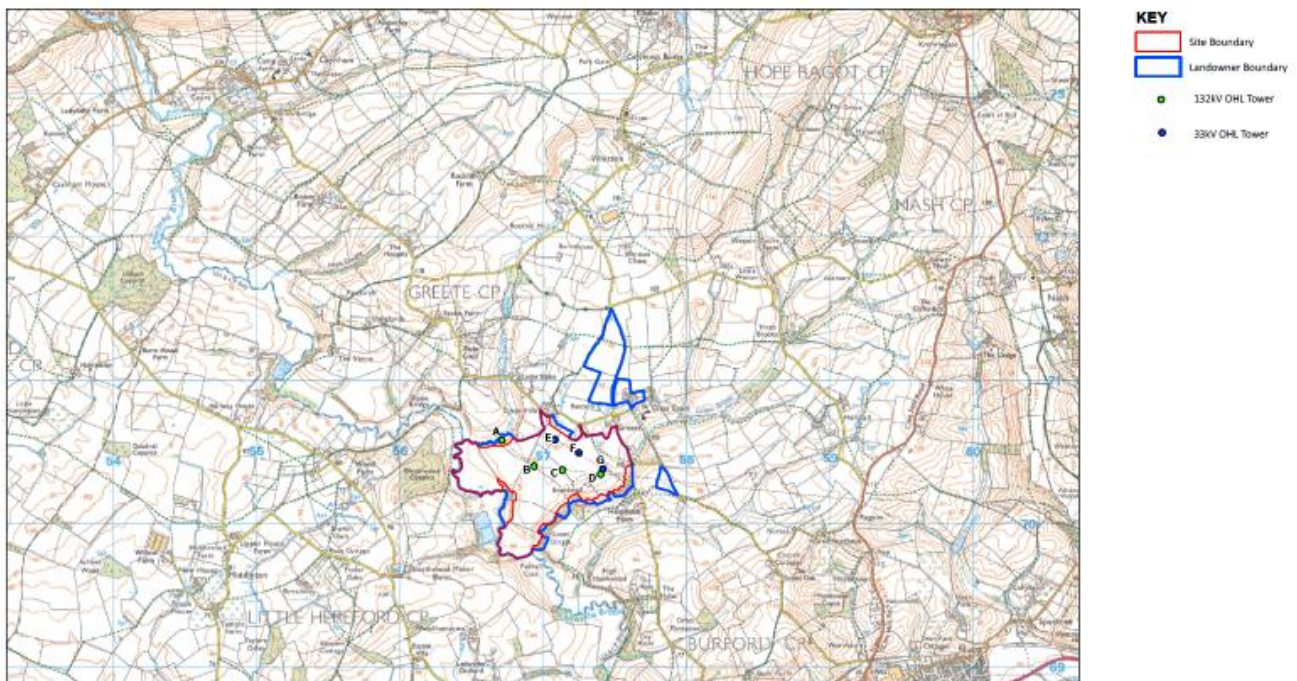
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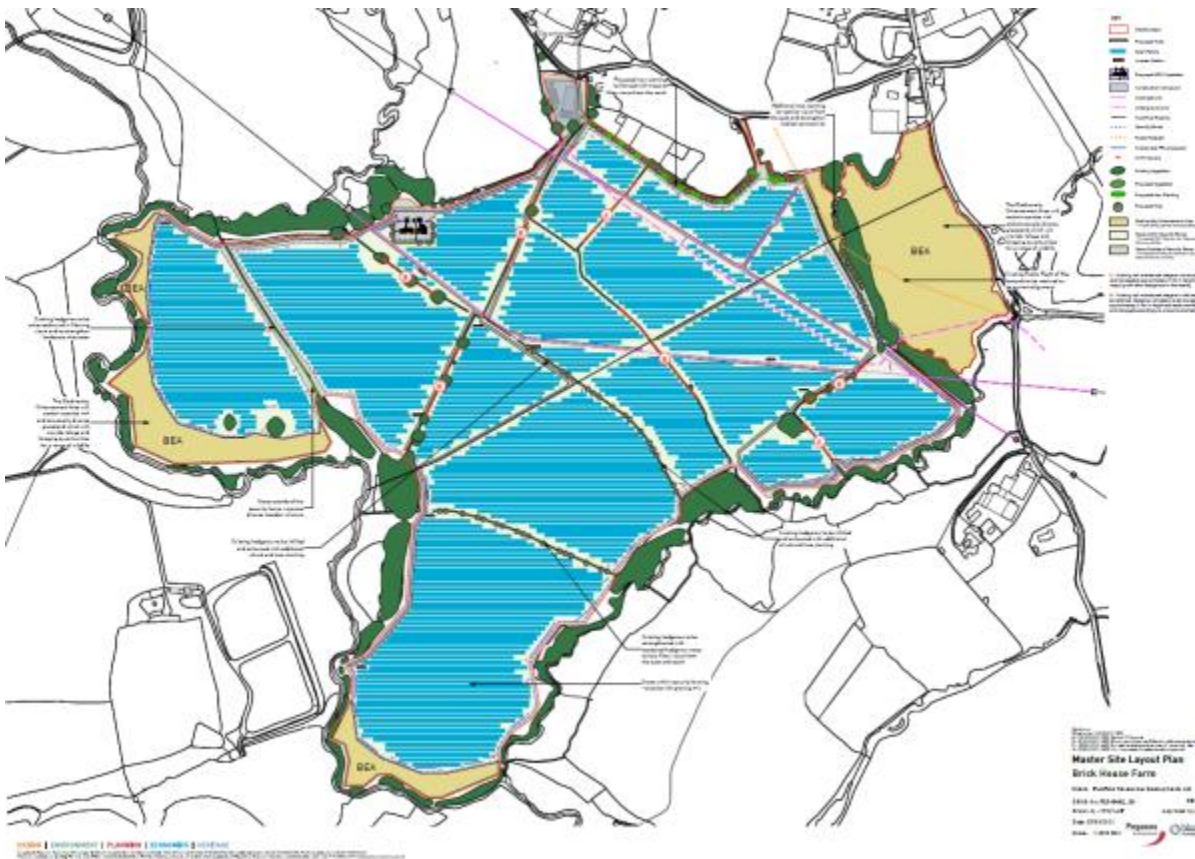
**Recommendation:- Approve subject to the conditions set out in Appendix 1.**



## REPORT

### 1.0 THE PROPOSAL

- 1.1 The application is for a solar generating facility with a capacity of 49.99MW comprising solar photovoltaic (PV) panels and associated infrastructure including security fencing, CCTV cameras, an internal access track, underground cabling, inverters, substations, grid connection, environmental enhancement measures and other ancillary development.
- 1.2 Construction would take 6 months. The site would have an operational life of up to 40 years, after which it would be decommissioned, and the agricultural land would be reinstated.
- 1.3 The solar park would consist of photovoltaic solar arrays with a maximum height of 3m (limited to 2.1m in the south-western part of the site). The panels would be mounted to a metal frame securely fixed with appropriate ground piles and located in the areas shown on Plan 2 below.



**Plan 2 – Site layout**

- 1.4 The PV panels would be mounted in rows across the site in an east-west orientation to face the south at 15 to 25 degrees from the horizontal to maximise efficiency, with a maximum height of 2.8m. Approximately 95% of the land between the solar panels will be accessible for plant growth, biodiversity enhancements and complementary agricultural activities such as sheep grazing, during the operational phase of the scheme.
- 1.5 The following structures are also proposed:



- Inverter Substation
- Deer proof perimeter fencing and access gates
- Infrared CCTV fixed on poles
- Landscaping and Biodiversity Enhancement Areas
- WPD Substation Compound
- 25m Communications Tower
- Customer Switchroom
- DNO Switchroom

- 1.6 The construction and decommissioning phases would also require the utilisation of a Temporary Site Compound positioned adjacent to the access point
- 1.7 Substations and Grid Connection: The proposed substation and associated ancillary infrastructure would be located in the north - western area of the site, to the north of the existing 132kV high voltage Overhead Line. An underground 132kV cable would connect the substation to an existing tower on the site. This position uses established vegetation and nearby woodland as a visual screen and wooded backdrop. Swales are proposed at locations around the periphery of the site as part of the drainage strategy.
- 1.8 Footpath: A right of way (footpath 0529/10A/1) running south-east to north-west through the eastern parcel of the Site would be retained and one of the proposed Biodiversity Enhancement Areas is at this location.
- 1.9 Security Fencing and Access Gates: The solar farm would be enclosed by a 2.5m high perimeter deer fence with small mammal access points to allow the passage of wildlife.
- 1.10 CCTV and Lighting: In addition to fencing, it is proposed that 2.5m high pole mounted CCTV security cameras will be installed inside and around the Site. The CCTV system operates by infrared which will avoid the need for floodlighting. The development would not require any external lighting during the operational phase.
- 1.11 Access Access for construction would be achieved via the existing access off Caynham lane to the west of Lower Cottage. A temporary construction compound would be established on land to the west of the access track; to be reinstated to agriculture upon completion of construction. The proposed internal access tracks would follow field boundaries and utilise the existing gaps in vegetation / field accesses where possible. The construction access would require removal of a 9m stretch of low clipped hedgerow.
- 1.12 Construction and operation - It is anticipated that the solar farm would take approximately six to nine months to complete. It is proposed that impacts during the construction phase are controlled via a Construction Method Statement and Construction Environmental Management Plan. Once installed, the facility would be unmanned, being remotely operated and monitored. Operational access would only require about one trip by a small van or pick-up truck month for maintenance and cleaning.

1.13 Mitigation Measures and Enhancements: The proposed layout incorporates a number of built-in mitigation measures such as exclusion of the eastern parcel of land between the unnamed watercourse and Burford Lane which is potentially overlooked by residential properties and footpath users. Land within Flood Zones 2 and 3 would also be excluded.

1.14 The following planting measures are proposed:

- 6.4 hectares of Biodiversity Enhancement Areas.
- 1,418 square metres of native woodland with shrub understorey along the north-eastern boundary.
- Reinforcement of the existing woodland along the unnamed watercourse separating the eastern parcel to strengthen habitat connectivity and restrict views from the east.
- A new hedgerow with trees along the eastern, southern and western boundaries of the substation.
- Species-rich meadow grassland around the periphery of the site outside the security fencing.
- 815 linear metres of strengthening for hedgerows at an infill rate of 30% to help filter views from the north, south, and west.

The development would deliver an overall biodiversity net gain of 46% and a hedgerow unit gain of 20%.

1.15 Drainage - A SuDS type drainage system would be implemented within the site to reduce the rate of run-off to the adjacent water course.

1.16 Decommissioning: The solar farm would be decommissioned, and the site fully restored at the end of the 40-year operational lifespan. The decommissioning process would take approximately three to six months and would be secured by a suitably worded planning condition. The Applicant also has decommissioning obligations within their 40-year lease with the landowner including the requirement for a decommissioning fund to be set up.

1.17 Community benefits: Whilst not forming an integral part of the current application the applicant has also committed to provide a community benefit fund for use by the local community.

## 2.0 SITE LOCATION / DESCRIPTION

2.1 The Application Site extends to 54 hectares (ha) of agricultural land situated west of the hamlet of Greete and 2.2km south-east of Burford. The Site sits within the administrative boundary of Shropshire Council, with the western and southern boundary of the Site adjacent to the County of Herefordshire.

2.2 The land slopes south with boundaries defined by hedgerow and mature trees around the existing field pattern. The southern boundary is defined by Greet Brook and Ledwyche Brook, flanked by a dense line of vegetation. The western boundary follows the edge of Ledwyche Brook flanked by continuing dense vegetation. The northern boundary is defined in part by Stoke Brook flanked with vegetation and

continues eastwards across the arable field boundaries. The eastern boundary is adjacent to an unnamed road bypassing through Greete. The surrounding countryside is predominantly open arable farmland with small hamlets and dispersed farmsteads.

- 2.3 The site is not subject to any statutory or non-statutory nature or landscape conservation designations, nor are there any ecological designations bordering the Site. Shropshire Hills AONB at its closest point is c.2.4km to the north. The nearest designations are the River Teme SSSI, circa 1.7km south and circa 4km west; and Nine Holes Meadows SSSI, circa 4.6km south-east. The Site is located within an SSSI Impact Risk Zone for River Teme SSSI. However, the development does not fall under the criteria whereby the Local Authority would be required to consult with Natural England regarding potential risks to the SSSI.
- 2.4 The Site is not located within any statutory or non-statutory heritage designated sites. The closest Listed Building is Lower Cottage (Grade II - List ID: 1383519), c.20m east of the northern boundary. This property is owned by the application site's landowner.
- 2.5 Several Public Rights of Way (PRoW) are found in close proximity to the site. Footpath 0529/10A/1 runs south-east to north-west through the eastern parcel of the site. Footpath 0529/10A/1 connects to footpath 0529/10/2 and 0529/9/2 220m east of the site, linking Greete to Harthall. Footpath 0513/10/1 runs parallel to the southern boundary and 120m to the south of the site.
- 2.6 The applicant, Bluefield Renewable Developments Ltd, develops solar farms on behalf of the wider Bluefield Group and the Bluefield Solar Income Fund (BSIF). BSIF is listed on the London Stock Exchange and currently operates over 100 UK solar assets, with an aggregate capacity of 670MWp.
- 3.0 REASONS FOR COMMITTEE DECISION
- 3.1 The application has been referred to the committee by the local member and this decision has been ratified by the Chair of the Committee.
- 4.0 COMMUNITY REPRESENTATIONS
- 4.1 Greete Parish Meeting (GPM): Objection. The wording of a consultant's letter acting on behalf of Greete Parish Council is included in Appendix 2 below. The main objections relate to best and most versatile agricultural land, visual impact, traffic, ecology and amenity. Appendix 2 also includes a response from GPM to recent clarifications provided by the applicant.
- 4.2 Herefordshire Council: Any comments received will be reported in the additional representations report.
- 4.3 AONB Partnership: Standard comments on the need to protect the AONB.
- 4.4 Environment Agency: We would have no objection to the proposed development but make the following comments and recommendations.

- i. Site context and flood risk: The site is bounded by the Greet Brook to the south, Ledwyche Brook to the west, and Stoke Brook to the northwest. An unnamed drain runs to the Greet Brook in the east of the site. All watercourses in the vicinity of the site are designated ordinary watercourses and therefore Shropshire Council is the relevant risk management authority. The western and southern boundaries of the site are in Flood Zones 2 and 3 based on our Flood Map for Planning (Rivers and Sea) as defined in Table 1 of the Planning Practice Guidance (PPG). At this location, this is based on a national, generalised flood mapping technique called JFLOW as no model is present for this watercourse. We do not have any flood assets and hold no records of any third party-maintained assets in the vicinity of the site area.
  - ii. The Flood Risk Assessment (FRA) by PFA Consulting (May 2022) has used available information, however, we have no flood modelling for the watercourses and no historical data for the area. The FRA highlights that the vast majority of the proposed development is in Flood Zone 1 (low probability of fluvial flooding). The security fence running along the western and southern portions of the site is in Flood Zone 2 along with a few instances of minor encroachment into this Flood Zone by the solar panels. The FRA mentions flood depths of less than 0.4 m in Flood Zone 2 but presents no flood level for 1% AEP plus climate change level. Given the nature of the development and minor encroachment into Flood Zone 2, we would not expect modelling to be undertaken. Flood Zone 2 could be used as an indicative 1 in 100 year with climate change extent. The FRA suggests a negligible loss of floodplain storage as the solar panels are raised above ground level by at least 0.8 m on narrow frames and security fencing will be permeable to flood waters.
  - iii. The solar farm proposal is classed as 'essential infrastructure' (PPG Table 2) and is appropriate for development in Flood Zone 2 as highlighted in Table 3 of the PPG. The Biodiversity Enhancement Areas will be situated in Flood Zones 2 and 3 and contain no infrastructure associated with the proposed development. This element of the proposal is considered 'water compatible' (PPG Table 2) which is appropriate in the floodplain, providing ground levels are not raised. Access and egress will be via routes situated in Flood Zone 1 and should remain free of flood waters.
  - iv. Recommendations: The proposal includes a security perimeter fence. This wire mesh should have a minimum of 100 mm spacing to ensure the risk of blockage and diversion of flood waters is avoided or minimised. There should be no raising of ground levels above existing within those parts of the site which are located within flood zone 2 (as an indicative 1 in 100 year with climate change flood area) e.g. the biodiversity enhancement area. This will ensure floodplain capacity is maintained and prevent impact on flood risk elsewhere. We would also advise that the proposals should be designed (raised or flood-proofed) to avoid any potential water damage e.g., flood susceptible electrics.
- 4.5i. SC Climate Change Task Force: Support. The climate crisis is a serious threat to the lives of millions of people globally, nationally and locally. The mitigation of greenhouse gas emissions and adaptation measures to build resilience is now urgent and essential to prevent the worst outcomes. Even if we are successful in mitigating the worst effects, we will continue to experience more pronounced and

frequent episodes of extreme weather effects. The much greater frequency of extreme weather events will significantly increase insurance risks and threaten the health, wellbeing and future resilience of our communities and infrastructure.

ii. The Department for Business, Energy and Industrial Strategy publication – ‘Climate Change Explained’ has identified the following likely impacts:

- The effects of rising temperatures on the UK
- The effect of warming on rainfall patterns and water supplies
- Changes in the oceans
- The impact of warming on food production
- The impact on ecosystems
- The impact on human health
- Poverty
- The impact of extreme weather events globally

iii. In this context, Shropshire Council’s Climate Task Force strongly supports in principle the delivery of additional renewable energy generation infrastructure and capacity in the county as a positive contribution to the policy objectives outlined below. Solar farms have the potential to deliver significant environmental benefits in terms of:

- Decarbonisation of energy supplies:
  - “By 2030, 95 per cent of British electricity could be low-carbon; and by 2035, we will have decarbonised our electricity system, subject to security of supply.”
  - “The net zero economy will be underpinned by cheap clean electricity, made in Britain. A clean, reliable power system is the foundation of a productive net zero economy as we electrify other sectors – so we will fully decarbonise our power system by 2035, subject to security of supply.”
- Greater energy security
  - “The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets. Indeed, without the renewables we are putting on the grid today, and the green levies that support them, energy bills would be higher than they are now. But now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies. Most critically, when we have seen how quickly dependence on foreign energy can hurt British families and businesses, we need to build a British energy system that is much more self-sufficient.”
- Green growth
  - “We also envisage that the renewable energy sector can become a major local industry with significant employment and wealth generation for Shropshire. We have therefore also projected a 30% surplus by 2030 to create an element of power ‘export’ from Shropshire to adjacent industrial regions.”

iii. Shropshire Council declared a ‘Climate Emergency’ on 16 May 2019 reflecting the conclusions of the Intergovernmental Panel on Climate Change (IPCC) at that time.

Shropshire Council subsequently adopted a Climate Strategy and Action Plan on 17 December 2020 which sets out a range of principles which include:

- Support Clean and Inclusive Growth:
  - a. Our local economy needs to grow while our emissions shrink. The transition to a green economy can provide significant growth opportunities for businesses as well as providing a cleaner and more inclusive future;
  - b. We want the Shropshire economy to shift to one which is zero carbon and abides by circular economy principles, whilst enabling our communities to build and enjoy their prosperity. The choices we make now will determine whether we can deliver on our obligations, and the extent to which we can do so in a way which is also socially progressive;
  - c. We will support skills and training which allow our communities and businesses to benefit from Shropshire's transition to a low carbon economy.
  
- Work with others:
  - a. We are on a shared journey and will need to work with others. This will allow us to learn from them and make use of external resources to help us to achieve net carbon zero and manage the effects of extreme climate events.
  - b. We will help establish and support a Climate Action Partnership of stakeholders and the wider community. The Council will work with the Partnership to provide advice, support and encouragement to our communities, businesses and charitable organisations to help them to mitigate their emissions and adapt to the inevitable impacts of the climate crisis.
  - c. The climate crisis is of particular significance for young people who will inherit the consequences of our actions. We will therefore work with schools across the county to ensure that the Climate Emergency is integrated as an issue across the curriculum and provide opportunities for schools and young people to contribute directly to the development and implementation of our Climate Emergency Strategy.
  - d. Throughout the development and implementation of our Climate Emergency Strategy and Action Plan we will be as open as possible in engaging the wider community and provide opportunities for them to contribute.
  
- Influencing the behaviour of others:
  - a. In addition to direct control of our own Green House Gas (GHG) emissions, we have significant influence over emissions indirectly resulting from our policies, and through our regulatory functions.
  - b. Shropshire Council also has significant influence through its purchasing power. We will put in place measures to assess the carbon footprint of our procurement choices.
  - c. We will lead by example and seek to positively influence the purchasing power or funding allocations of others like the Marches LEP and its members to favour low carbon initiatives and products.

Our vision is for Shropshire Council to become carbon net-neutral by 2030 and assist in the ambition for the whole of Shropshire to become carbon net-neutral

in the same year. In addition to this, we aim to be entirely renewable energy self-sufficient as an organisation within the decade.

- The UK Government has committed to a legally binding target of net zero by 2050.
  - “Now is the time the world needs to go further and faster to tackle climate change. The UK is stepping up to that challenge. Here we set out our ambitious strategy – the first of its kind in the world of a major economy - to create new jobs, develop new industries with innovative new technologies and become a more energy secure nation with clean green British energy. At the same time we will reduce greenhouse gas emissions across the economy to reach net zero by 2050.”
  
- National Energy Security Strategy:
  - “Accelerating the transition from fossil fuels depends critically on how quickly we can roll out new renewables.”
  - “With the sun providing enough daily energy to power the world 10,000 times over, solar power is a globally abundant resource. There is currently 14GW of solar capacity in the UK split between large scale projects to smaller scale rooftop solar.”
  
- Marches LEP Energy Strategy:
  - “The 2030 Vision within the Marches Local Enterprise Partnership (LEP) Energy Strategy, launched in July 2019, includes an objective for renewable electricity to meet 50% of local demand by 2030. This was confirmed at the Energy Strategy launch as being locally sourced renewables and not derived from national production.”
  - Recent modelling work undertaken by the Marches Energy Agency (2022) <https://mea.org.uk/wp-content/uploads/2022/05/Report-Meeting-the-Marches-Vision-of-50-power-from-local-renewables-by-2030.pdf> suggests that achieving 50% self-sufficiency in renewable power in the Marches would require, as a minimum, an additional 50 large solar farms (40 MW each), together with 625 small scale commercial roof PV (200 kWp) systems, 12 large commercial roof PV (3.811 MWp Lyreco type) systems and 75,000 domestic homes with solar PV by 2030. However, if alternative sources of renewable power such as wind turbines cannot be delivered as envisaged, then achievement of this objective would require at least an additional 120 large solar farms of 40 MW each.
  
- The Zero Carbon Shropshire Plan
  - “Over the next few years we need to make a rapid transition from natural gas, oil and other fossil fuels to renewable energy sources, including electricity (from wind, solar or hydro-sources), methane from anaerobic digestion, ‘green’ hydrogen, carbon-neutral synthetic fuels or biomass.”

Whilst we are planning for renewable energy self-sufficiency as an organisation by 2030, we actively support the community-led Shropshire Climate Action Partnership (SCAP) and have worked with them to commission the mapping of renewable energy potential in the county [https://zerocarbonshropshire.org/renewable\\_energy\\_mapping\\_project/](https://zerocarbonshropshire.org/renewable_energy_mapping_project/) and

they have identified a need for around an additional 5,000 megawatts (MW) of generating capacity if the whole county is to become self-sufficient in renewable energy. The ambition to utilise this generating capacity is set out in the Marches LEP Energy Strategy which states:

“BEIS energy and emissions projections 2017 forecast national renewable electricity generation making up over 50% of total electricity generation by 2030. The Marches is aiming to contribute to this in kind with renewable electricity to meet 50% of local demand.”

And goes further still by setting a target for the Marches:

“Our new Energy Strategy sets a target of 50 per cent of all electricity to come from renewable sources by 2030 and the creation of 1,000 low carbon jobs.”

The Zero Carbon Shropshire Plan supports the Marches LEP Strategy:

“Increase electricity generation so that Shropshire can be at least self-sufficient by 2030 using renewable sources and also become an exporter of electricity to generate wealth and employment locally.”

And suggests this can be achieved by:

“Create a number of large-scale photo-voltaic arrays (solar farms, PV) and wind farms (wind and PV offer commercial opportunities at similar cost but have different site factors and a mix of, for example, 1/3 PV and 2/3 wind offers the opportunity to maintain better continuity of supply and balance grid loads).”

The electricity distribution grid in Shropshire is heavily constrained and this means that opportunities to obtain a grid connection to allow power to be exported are very limited and are unlikely to improve. This significantly restricts where solar farms can be located, together with our ability to generate more renewable energy, which makes a crucial contribution to reducing carbon emissions and tackling climate change.

iv. **Application Specific Comments:**

It's recognised by the Climate Task Force that the development would contribute 49.99MW towards the approximate total of 5,000MW required to make the county self-sufficient in renewable energy. According to Greenhouse gas reporting: conversion factors 2022 – UK electricity this development would be expected to produce an approximate carbon saving of 9.7 ktCO<sub>2</sub>.

4.6 **SC Public Protection:** No comments.

4.7 **SC Trees:** No objection. The Tree Team broadly supports the findings in the Barton Hyett Associates arboricultural impact assessment dated April 2022. The details indicate that a number of short sections of hedgerow might be removed to improve access and facilitate the boundary fence erection, any such losses should be appropriately compensated for. If this application is granted planning consent a higher level of detail on tree protection and specific solutions to potentially damaging encroachments on the root zones of retained trees will be required to that end the Tree Team have recommended conditions (included in Appendix 1)



- 4.8 SC Drainage: No objection. The surface water run-off from the solar panels is unlikely to alter the greenfield run-off characteristics of the site therefore the proposals are acceptable. An informative note on drainage is recommended.
- 4.9i. SC Ecologist: Comments to be reported in additional representations report.
- 4.10a. SC Archaeology (Initial comments) Further information required
- i. The Historic Environment Record (HER) records a rectangular single ditched cropmark enclosure (HER PRN 31505) of probable Iron Age to Roman date within the development site. A number of non-designated heritage assets relating to prehistoric and later activity are also located within the wider area. A number of designated heritage assets are located in the area, including but not limited to the Grade II listed Lower Cottage (National Ref: 1383519) on the northern boundary of the development site, the Grade II\* listed Greete Court (National Ref: 1383517), the Grade II\* listed Church of St James (National Ref: 1383510) and the Grade II\* listed Stoke Court (National Ref: 1383520). In a wider context issues of setting may also affect other designated heritage assets including the Scheduled Bower moated site (National Ref: 1020146).
  - ii. A Heritage Desk Based Assessment (Pegasus Group, P21-0442, April 2022) has been submitted with the planning application in order to meet the requirements of Paragraph 194 of the NPPF and Policy MD13 of the Shropshire Local Plan. In terms of indirect impact the assessment identified that the proposed development may result in a small degree of harm, at the lower end of the less than substantial spectrum, to the significance of the Grade II listed Lower Cottage. The assessment concluded that the proposed development will cause no harm to any other designated heritage assets in the immediate or wider locality.
  - iii. In terms of direct impact on the archaeological interest of the proposed development, the assessment identified the potential for buried archaeological remains in relation to the single ditched enclosure from the later prehistoric or Roman period. The assessment found that the development site comprised farmland throughout the medieval, post-medieval and modern periods, suggesting the potential for buried remains of historic agricultural activity. Some structural evidence and/or domestic debris associated with the former barn associated with Lower Cottage, and the former cottage and outbuilding called Bran Wall / Brandwall of limited heritage significance, may also be found within the development site.
  - iv. In terms of indirect impact, we concur with the conclusions of the Heritage Assessment and are satisfied that the proposed development will not cause harm to the significance of any Scheduled Monuments through development within their setting. We understand that the Conservation Officer will provide further comments on the impact on the listed buildings and the built historic environment.
  - v. In terms of direct archaeological impact, in our pre-application advice, it was recommended that alongside a Heritage Assessment, the results of a field evaluation should be submitted with the planning application, to comprise a geophysical survey of the whole of the proposed development site, and depending upon the results, an archaeological trial trenching exercise. A geophysical survey of the development site was undertaken in January 2022 (Headland Archaeology,

January 2022, BHFG21). We request that this report is submitted with this planning application. The results of the geophysical survey identified anomalies likely to be the result of pedological and/or geological variations combined with topographical conditions, with a small number of anomalies likely to be of agricultural origin. Whilst the geophysical survey did not identify the enclosure site, the report indicates that the geological anomalies in that area are particularly dense and extensive, so the natural magnetic responses could be masking weaker responses from the enclosure. Its presence could therefore not be dismissed.

- vi. In view of this and given that Shropshire Council held aerial photography from 2013 indicates that the cropmark is convincing as an enclosure site, further evaluation in the form of a trial trenching exercise within the field containing the enclosure site was requested in order to satisfy the requirements of Policy MD13 of the Local Plan and Paragraph 194 of the Framework. A written Scheme of Investigation (WSI) has been approved for this work, and we note in the Planning Statement, that the results of the trench evaluation will be submitted prior to the determination of this planning application. There should be no determination of the application until the results of the field evaluation has been submitted to the Local Planning Authority. This in turn would enable an informed planning decision to be made regarding the archaeological implications of the proposed development in relation to Paragraph 203 of the NPPF, and whether further archaeological mitigation (including by design) would be required as a condition of any planning consent in relation to Paragraph 205. Please reconsult us again once the results of the required archaeological evaluation have been submitted by the Applicant.

4.10bi. SC Archaeology (subsequent comments 18/08/22) I confirm I have now had the opportunity to read the WSI, and can confirm approval of it.

4.11i. SC Conservation In considering the proposal due regard to the following local and national policies and guidance has been taken; when applicable: policies CS5 Countryside and Green Belt, CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, policies MD2, MD7a and MD13 of the Site Allocations and Management of Development (SAMDev), the National Planning Policy Framework (NPPF) published July 2021, Planning Practice Guidance and Historic England's GPA3 The Setting of Heritage Assets. In legislative terms Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) is applicable when considering whether to grant planning permission for development affecting a listed building or its setting, where the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- ii. The application proposes the construction of a solar farm together with all associated works, equipment, necessary infrastructure and biodiversity enhancement areas on this site at Brick House Farm, Greete. The site lies close to a number of listed buildings. The application is accompanied by a Heritage Desk-Based Assessment which concludes that the proposed development will result in harm to the setting of the Grade II listed Lower Cottage, this harm being identified at the lower end of less than substantial harm and concludes no harm to other heritage assets. We would concur that the proposal will result in less than

substantial harm to the setting of Lower Cottage and the harm identified should therefore be weighed against the public benefits of the proposal in line with paragraph 202 of the NPPF with great weight being given to the conservation of the heritage assets in line with paragraph 199 of the NPPF.

- 4.12i. SC Highways No objection subject to a Construction Traffic Management Plan condition. This condition ensures that construction traffic, particularly HGVs, access the site via the most appropriate route and that any damage to that route is repaired by the Developer. In addition, this condition aims to ensure that on site safety is considered and that in some cases, segregation occurs between construction traffic and existing traffic (e.g. development at, or near to, schools). The Construction Traffic Management Plan and Access Route should also ensure that the most appropriate route to access the site is used.
- ii. Section 59 of the Highways Act (1980) enables the LHA to recover its costs in making good extraordinary damage to the highway. This condition requires the Developer to enter into an agreement with the LHA in advance, stipulating how any abnormal wear and tear will be monitored and rectified. Reaching agreement in advance provides clarity to both parties of what is expected and helps avoid costly disputes at a later date.
- 4.13ai. SC Landscape advisor (initial comments) The methodology for the LVIA is generally clear, proportionate and compliant with the best practice set out in GLVIA3. It is appropriate for the nature of the proposed development and scale of likely effects. However, the assessment of effects has not been carried out in compliance with the methodology and at present we do not consider it to be reliable to be used to make a sound planning judgement. The proposed development has the potential to comply with Local Plan policies CS6, CS8, CS17, MD2 and MD12, however additional information will be required before we can recommend that compliance is demonstrated. We have made 3 recommendations relating to the LVIA which we consider should be addressed prior to determination of the application.
- ii. Although we have raised 2 concerns over shortcomings of the LVIA methodology, these have no material effect on the assessments given that the content of the LVIA addresses these issues. Other than these, the LVIA methodology is clear, proportionate and compliant with the best practice set out in GLVIA3. Information will be required before we can recommend that compliance is demonstrated.
- iii. The mitigation proposals are likely to remain appropriate and capable of reducing adverse effects, subject to submission of details on specification and aftercare. We therefore recommend that the LVIA be amended prior to determination of the application so that:
- Judgements of value and susceptibility are provided for landscape element receptors
  - Assessments of landscape and visual effects are undertaken for the 3 development stages defined in the LVIA methodology
  - The potential for ridge and furrow landform as a landscape receptor is considered

4.12b SC Landscape advisor (*note – the applicant amended the LVIA in accordance with the landscape advisor's recommendations on 1/09/22*)

4.13 Councillor Richard Huffer (Clee) has been informed of the proposals.

#### Public Comments

4.16 The application has been advertised in accordance with statutory provisions and the nearest properties have been individually notified. At the time of writing 111 representations have been received - 97 objecting, 13 in support and 1 neutral. A 6 signature petition in support of the proposals has also been received. The main issues of concerns of objectors can be summarised as follows:

#### Objection comments:

- i. Impact on arable land: The land has been independently (ALC) classified as 75% Grade 3b, producing valuable yields of cereals, potatoes and other crops, as well as raising cattle. Its' versatility as a resource has been demonstrated by the range of crops harvested and the consistent yields. At a time when agricultural land is at a premium it should not be taken out of production. In view of the war in Ukraine we need to grow more crops ourselves and stop being reliant on imports. Technology is moving forward so fast that the panels used today will soon be obsolete. Tying up agricultural land for so many years is an unacceptable waste. This planning application effectively removes a whole and productive farm from the Country's food production capabilities to be replaced by an industrial development in the centre of a village on good agricultural land farmed throughout the centuries. Shropshire Council has an opportunity to be an exemplar in rural planning by refusing this planning application in this location, encouraging and assisting the developer to seek a brownfield site for a solar project and ensuring that agricultural land is preserved in appropriate stewardship. This land has been farmed well for the last 70+ years and is very productive, producing very good yields of grain and grass for milk and beef cattle. It has been constantly manured with farmyard manure resulting in very good consistent fertility. In the current economic climate when food production is going to be of great importance this must be taken into consideration. Replacing good productive agricultural land with an ugly industrial complex will be a blight on unspoilt virgin countryside and will undermine the country's need for food security, as quoted by our prospective Prime Minister, Liz Truss. It would industrialise over 50 hectares of productive agricultural land (18% is classed as grade 2 or grade 3 and over 70% is classified as grade 3b). Initially the overriding aim would be to address the carbon reduction and renewable energy proposals set by the UK Government. However, recent World events have now added a further influence which has been addressed by the UK Government in its recently published Food Strategy.
- ii. Highways / construction: Access to the site is along narrow winding lanes with few passing places. It is hard enough having to reverse round blind bends for the local traffic. It would be extremely unsafe with site traffic. Many locals walk the lanes, with and without dogs and there are many horses in the area that are exercised daily along them. I find the applicant's Construction Traffic Management Plan,

especially the mitigation suggestions to be unworkable. If this plan was to be accepted, I believe that highway safety would be compromised. One of the construction traffic route sections that concerns me is the road described in the plan as Caynham Access Road which is a single tracked road of over 2 miles in length. I have ridden my horses for many years along this single-track road and there are large sections that are desperately narrow and sometimes steep. Drivers who aren't used to rural roads may not understand what to do when meeting horse riders. Are the applicant's suggesting that the construction traffic use the privately owned field accesses? The potential for causing damage to these accesses and field gates is highly likely. This bridge is Grade 2 listed very narrow and so steeply hump backed that the on-coming traffic cannot be seen until you are at the narrowest part of the bridge. The construction traffic route once you have negotiated this listed hump backed bridge then passes the local primary school located at the village of Ashford Carbonnel. There is only one swept path analysis that has been undertaken and that is on the specially constructed site entrance. No swept path analysis has been undertaken on any other part of the route even though there are numerous narrow bends on the Caynham Access Road. The six abnormal load movements that are going to be going along the Caynham Access Road would also benefit from being assessed by a swept path analysis to ensure the transport of these loads are possible without damaging the listed bridge, hedgerows, banks, trees, walls and verges. The roads in the vicinity of the site may be lightly trafficked but the applicants in their Construction Traffic Management Plan have failed to address highway safety (which is a material planning consideration) regarding vulnerable road users and primary school children, and everyday regular traffic along the single track Caynham Access Road. The proposed site can only be accessed by one road system which is narrow. This is used by local people and needs to be driven with care. Any extra heavy duty traffic will not only cause more damage to the already poor road system, but will increase the danger to local people. Delays to emergency services caused by traffic blockages could cause suffering or even death. The location under consideration may be conveniently placed for access to the National Grid but is reached down a winding single track lane with few passing places.

- iii. Location: There are millions of acres of rooftops both industrial and domestic that would better serve as a place for solar panels. It is short sighted to take the easy option and place them on much needed land. Better to help people to put panels on the roof. If it is really necessary to use land there must be suitable brown field sites that could be used instead. I am very aware that as a country we need to be more self-sufficient in energy and I am also very aware that the reason these solar farms are being proposed is their proximity to the main electric pylon system, but this must not be a factor in allowing these proposals to go ahead. Sufficient funds must be sought to allow solar farms to be created on brown field sites where the environmental benefits would be greatly increased.
- iv. Biodiversity: The farm has a high level of natural bio-diversity and good wildlife environments within the field margins; surrounded by rough pastures along the Greete brook and Ledwyche river system and many old hedgerow systems. Although the proposed scheme states it will improve the bio-diversity, the destruction of the already existing habitat and soil structure whilst constructing the Solar farm will be detrimental. As Biodiversity & Planning Officer of the House

Martin Conservation UK & Ireland organisation, I am very concerned that the ecological survey and biodiversity strategy does not consider species such as house martins, which are endangered and are a red listed species in the UK, which forage over the land to be developed. These should be fully assessed by an independent ecologist before development can be considered.

- v. **Visual impact:** This proposal and the other 4 or 5 solar farms that are going to be proposed in the area surrounding Ludlow will have a very detrimental effect on the area and taking valuable agricultural land, be it arable or grassland and covering it with industrial solar panels will permanently change the vista of the area. A solar farm in this location would be totally inappropriate in terms of its visual impact on local residents. South Shropshire is an area of outstanding natural beauty with many historical artifacts and our towns, villages, country lanes, churches etc are what make this part of the world so special.
- vi. **Heritage:** The historical heritage of Greete will be impacted. I am also convinced that irreparable damage could be done to our beautiful rural roads and a Grade 2 listed bridge. There is potential for damage to a Grade 2 listed bridge along the construction traffic routing. The area where the proposed site storage is; is traditionally believed to be old Ridge and Furrow which is of historical importance and this will be entirely destroyed if the area is used as proposed.
- vii. **Tourism:** A community who does not benefit from this development, reliant on tourism and its impact on the local economy will be affected by this proposed development. There has been no consideration for the local people who have worked hard for their little PEACE of countryside.
- viii. **Other:** A footpath crosses the edge of the site. Is that to remain open? A fuel pipeline built in 1972 crosses the site might that be damaged in the course of construction and it will need inspection and maintenance. We all love, enjoy and care for this pristine and unspoilt terrain. To replace it with harsh and unforgiving industrial hardware would be damaging to the mental health of all for generations. We already have a problem with incoming workers who have no interest in the appearance and upkeep of our area. The inevitable devaluation of our properties. This is the wrong location for such development. These developments should be primarily located in the South and East of England where the gain will be greatest. We need to retain important farmland and the beauty of our landscapes in this region. The whole area south of the A49 and Ludlow will become a Solar Farm Valley if this and other applications are given the go ahead. We understand Shropshire does not have a fully formed policy on solar farms. This leaves the county planners without local guidance and at risk of creating the wrong policy on an application by application basis. The benefits to the local community are absolutely zero. After installation, no employment opportunities will be available as the site doesn't need workers and the loss of the agricultural use means no work for agricultural workers. Thus there will be no incomes to be spent in the local economy.

Support comments:

- i. **General support:** This is the clean, green energy of the future for all and deserves support because it is another step towards a cleaner environment. I have seen

many solar farms around the country with the land beneath the solar panels still in use for grazing sheep. A great step forward if the application is approved. I am in favour of this solar farm providing the lanes and infrastructure is put back to rights and the inconvenience is kept to a minimum.

ii. Support Petition text: I am writing to you in support of planning application 22/02565/FUL for the installation and operation of a solar Farm at Brick House Farm. I support the application on the following grounds:

- The solar farm will generate low-cost renewable energy, reduce reliance on imported fossil fuels and help address the climate emergency.
- The proposed development would create enough renewable energy to meet the annual electricity needs of approximately 15,000 homes. It would also offset approximately 11,200 tonnes of CO2 each year, the equivalent to taking around 5,160 cars off the road.
- The solar farm will contribute towards the security of energy supply in Shropshire through the provision of local, renewable energy supply.
- The proposed development will provide a significant net biodiversity net gain.
- The proposed development will be accompanied by a community fund which will invest in local projects and initiatives
- The solar farm will only be temporary, allowing the land to rest for up to 40 years. Once the solar farm's life is over, full restoration of the site will be secured via planning condition.
- Overall, the proposed development will have a positive impact on the community with careful consideration being given to avoid effects on landscape, heritage, or ecological designations.

## 5.0 THE MAIN ISSUES

- Policy context;
- Principle of the development;
- Justification for location;
- Landscape and Visual impact;
- Existing land use;
- Other environmental issues;
- Timescale / decommissioning.

## 6.0 OFFICER APPRAISAL

### 6.1 Policy context:

6.1.1 The National Planning Policy Framework (NPPF) is a key material planning consideration. Paragraph 11 establishes a presumption in favour of sustainable development whilst Paragraph 158 advises that 'when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) should approve the application if its impacts are (or can be made) acceptable'. As such, planning permission should be granted for renewable energy development unless:

- The level of harm would “significantly and demonstrably outweigh benefits” when assessed against the requirements of the NPPF as a whole, or
- If specific policies in the NPF indicate the development should be restricted.

- 6.1.2 The NPPF practice guide on renewable and low carbon energy advises that “the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively”. The guide encourages use of previously developed land or advocates continued agricultural use with biodiversity enhancements around arrays and recognises that solar farms are temporary structures. There is a need to assess glint and glare, the effect of security measures, effects on heritage conservation, the potential for mitigation through landscape planting and the energy generating potential of a particular site.
- 6.1.3 One of the strategic objectives of the Shropshire Core Strategy (objective 9) is ‘responding to climate change and enhancing our natural and built environment’. Policy CS8 supports ‘positively encouraging infrastructure, where this has no significant impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation.’. Policy CS5 advises that <development> ‘proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits’.
- 6.1.4 Policy CS8 positively encourages infrastructure that mitigates and adapts to climate change, ‘where this has no significant adverse impact on recognised environmental assets’. Policy CS13 aims to plan positively to develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth and prosperous communities. Policy CS17 seeks to protect and enhance the diversity, high quality and local character of Shropshire’s natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. The proposals would respond to climate change, but it also necessary to protect the rural environment.
- 6.1.5 SAMDev Policy MD2 (sustainable design) requires development to contribute to and respect locally distinctive or valued character and existing amenity. Policy MD8 (infrastructure) requires that development shall only take place where there is sufficient existing infrastructure capacity or where the development includes measures to address a specific capacity shortfall. Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. This includes with respect to:
- i. Residential and other sensitive neighbouring land uses;
  - ii. Visual amenity;
  - iii. Landscape character and sensitivity, including impacts on sensitive skylines;



- iv. Recognised natural and heritage assets and their setting, including the Shropshire Hills AONB (Policy MD12);
- v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);
- vi. Noise, air quality, dust, odour and vibration;
- vii. Water quality and resources;
- viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;
- ix. Cumulative impacts.

6.1.6 Policy MD12 (the natural environment) aims to conserve, enhance and restore Shropshire's natural assets, and to ensure that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets including biodiversity and visual amenity. Policy MD13 (the historic environment) provides equivalent protection for heritage assets.

6.1.7 The emerging Shropshire Local Plan provides equivalent policies to protect natural and historic assets and local amenities with specific policies covering landscape protection and the AONB. Draft Policy DP26 (Strategic, Renewable and Low Carbon Infrastructure) covers renewable energy. The most relevant sections of the draft policy include:

2. Non-wind renewable and low carbon development will be supported where its impact is, or can be made, acceptable. To aid in this determination, all applications should be accompanied by an assessment of the proposal's effect on the following during both the construction and operational stages:

- a. Visual amenity (including the considerations within Policy DP17);
- b. Landscape character (including the considerations within Policy DP17);
- c. Natural assets (including the considerations within Policy DP12);
- d. Historic assets (including the considerations within Policy DP23);
- e. Air quality, noise and public amenity (including the considerations within Policy DP18);
- f. Water quality and water resources noise (including the considerations within Policy DP19);
- g. Traffic generation and the nature of vehicle movements;
- h. The Shropshire Hills AONB (including the considerations within Policy DP24)...
- k. Large scale ground mounted solar photovoltaic solar farm proposals should show how they have made effective use of previously developed and non-agricultural land. Where a proposal requires the use of agricultural land, poorer quality land should be used in preference to land of a higher quality (see also Policy DP18). Proposals should allow for continued agricultural use wherever possible and/or encourage biodiversity improvements around arrays. The assessment should pay particular attention to the impact of glint and glare on neighbouring land uses and residential amenity as well as aircraft safety, (including defence operations).

The emerging plan is at a relatively advanced stage so some limited weight can be given to the draft policies at this stage.

6.1.8 The "Zero Carbon Shropshire Plan" published in January 2021 by the Shropshire Climate Action Partnership describes its vision for a sustainable Shropshire as follows: "Shropshire will become net zero carbon by 2030. Starting immediately, organisations, businesses and communities across Shropshire will participate in a collaborative approach to rapid decarbonisation; large scale restoration of biodiversity and the natural environment; and the development of sustainable, resilient and inclusive communities and the enterprises required for a sustainable future.". Page 34 of the report advises that that 500 acres (200 ha) of solar farms (plus wind farms) will need to be installed to power the grid and private wire demand, and to create 120GWh/year of electricity generation capacity to provide green hydrogen for HGV/agricultural use.

6.1.9 In considering the current proposals it is necessary to assess:

- The characteristics of the site and the nature of any impacts to the local environment, landscape and amenities
- Whether any identified impacts are capable of being satisfactorily mitigated.

6.1.10 If there are no unacceptably adverse impacts after mitigation has been applied and / or the benefits outweigh any residual impacts then relevant policy tests will have been met and the development would be 'sustainable' when taken under the NPPF as a whole. As such, permission should be granted under NPPF paragraph 158. However, if any unacceptably adverse effects remain after mitigation and outweigh the potential benefits then the development would not be sustainable.

6.2 Justification for the development:

6.2.1 Justification for choice of site: Section 158 of the NPPF does not require applicants for renewable energy schemes to demonstrate the need for the development. However, the NPPF practice guide on renewable and low carbon energy advises that planning authorities should consider 'the energy generating potential (of a solar PV site), which can vary for a number of reasons including, latitude and aspect'.

6.2.2 The principal determinant of suitability of a site to accommodate solar PV development is its proximity to a point of connection to the local electricity distribution network which must also have the capacity to receive the renewable electricity generated by the development. Other key determinants are land availability, technical suitability of the site to deliver the solar farm and its suitability within the planning context. These considerations impose significant constraints on the land which is suitable in practice for solar farm development.

6.2.3 Solar farm installations typically require an underground cable route to be developed to facilitate connection to nearby substations, thus requiring additional off-site infrastructure. The Distribution Network Operator (Western Power Distribution) has confirmed, via a formal grid offer, that a technically and commercially feasible connection to the onsite high voltage 132kV line is available. Sites which offer these characteristics are scarce across the UK and within Shropshire, where grid capacity is now extremely limited. The Applicant has therefore subsequently secured and accepted this grid offer.

- 6.2.4 Choice of site – agriculture: The NPPF states at paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland."
- 6.2.5 National Planning Practice Guidance on renewable and low carbon energy describes the specific planning considerations that relate to large scale ground-mounted solar photovoltaic farms. A local planning authority will need to consider amongst other matters that: "where a proposal involved greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."
- 6.2.6 Core Strategy Policy CS6 describes that new development should make effective use of land and safeguard natural resources, including high quality agricultural land. The Applicant commissioned the preparation of an Agricultural Land Classification Report which concludes that 75% of the site comprises of subgrade 3b soils which is therefore not best and most versatile. The limiting factors for this grade as identified within the report are wetness or droughtiness; stone content; and slope. The amount of best and most versatile land identified does not exceed the 20ha required for Natural England consultation. Whilst some areas of Grade 2 have been identified these are confined to the Ledwyche Brook area and of limited size.
- 6.2.7 The applicant advises that the proposed solar farm is a temporary form of development which can be fully reversed at the end of its life. Agricultural production can also be maintained (though constrained) during the operational life of the solar park. Consequently, the development proposal would not result in the permanent loss of agricultural land resource or the degradation of its ALC grade. The applicant advises that the change from arable to sheep grazing will improve soil health by enabling an increase in soil organic matter and soil organic carbon and by increasing soil biodiversity and improving soil structure. Greet Parish Meeting has queried this conclusion (Appendix 2).
- 6.2.8 The applicant also advises that the MAFF provisional (pre-1988) agricultural land classification ALC information shows that Shropshire has a high proportion of best and most versatile agricultural land compared with the rest of England. Consequently, it is stated that the proposed development will not significantly harm national agricultural interest.
- 6.2.9 The applicant has provided the following further clarifications with regard to the agricultural effects of the proposals:
- Solar farms currently account for 0.08% of total land use (Solar Energy UK 2022)

- Government targets for a fivefold increase in solar would result in 0.3% of the UK land area being used by solar (Carbon Brief, 2022). This is the equivalent to around half of the space used nationally by golf courses
- Brick House is predominantly grade 3b
- The current tenant farmer wishes to retire at the end of next year due to ill health. The landowner has ensured that he will be able to remain in the farmhouse in which he was born in perpetuity. We have discussed maintenance contracts with the current farm business manager
- Bluefield currently grazes sheep on more than 40% of its solar farms and intends to do so at Brick House Farm. This enables a balance of agricultural use and biodiversity enhancement

6.2.10 Greet Parish Meeting has challenged the stated ability to graze sheep on the site (Appendix 2). However, the applicant advises that this is undertaken successfully in over 40% of their sites. The officer has researched this and has no reason to doubt the ability to graze sheep on the proposed solar site in this instance.

6.2.11 In conclusion, most of the site is not best and most versatile quality and the land will remain in agricultural use as sheep pasture between the arrays. The land will be fully reinstated at the end of the design life of the solar farm, with the soil having not been subjected to the effects of intensive arable farming during this time, thereby allowing a natural soil ecosystem to develop. It is considered that the benefits of renewable energy in this instance significantly and demonstrably outweigh any residual impact arising from the temporary loss of arable land including some best and most versatile land.

6.2.12 Choice of site – alternatives: While the solar development could theoretically be developed elsewhere, much of the district is within the AONB and beyond the distance at which a grid connection could be achieved. The applicant's comprehensive site search survey advises that there are few alternatives that do not have greater constraints. The possible existence of other potential sites in the wider surrounding area does not amount to an alternative. This is given that the site has been proposed to utilise capacity to export renewable energy to the electricity grid which is only available in this particular area and via a connection at this specific location.

6.2.13 Choice of site – conclusion: It is considered that the justification for the choice of this site is capable of being accepted in principle, provided there would be no other unacceptably adverse land use impacts. There is in the opinion of the officer no evidence that the proposal will result in significant or permanent loss of agricultural land.

6.2.14 Climate change and economic benefits: The development would save approximately 8,200 tonnes of CO<sub>2</sub>e<sup>1</sup> each year, the equivalent to taking around 5,000 cars off the road. It would provide approximately 40,000MWh of renewable energy per annum equivalent to the annual electricity consumption of approximately 10,400 homes<sup>2</sup>. This is compliant with the climate change chapter of the NPPF, with strategic objective 9 of the Core Strategy, with the Council's declaration of a climate emergency in 2018 and with subsequent strategies referred to above in the

consultation response from the Council's climate change task force. Solar installations reduce the dependence of local economies on energy imports.

6.2.15 The installation and maintenance of these facilities can generally be provided by local workers. The proposals are also capable of contributing in principle to the sustainability of rural communities by bringing local economic and community benefits, including through farm diversification and delivering sustainable economic growth and prosperous communities. This is provided there would be no unacceptable impacts in relation to other interests such as the leisure / tourism economy (Core Strategy Policies CS5 and CS13).

6.2.16 The applicant has provided the following summary statement on the benefits of solar energy:

'Solar is key to addressing both the Climate Emergency and the Cost of Living Crisis:

- Between June and August this year, solar often provided up to 25% of UK daytime electricity. In the southwest, it was up to 65% (National Grid ESO carbon app)
- The demand for daytime electricity will grow as climate change increases the requirement for daytime cooling and as the EV fleet increases
- The cost of UK solar power is now less than one quarter of the cost of gas and less than one third of the cost of nuclear – it is also by far the quickest energy technology to deploy
- The government's Energy Security Strategy (2022) proposed a five-fold increase in solar by 2035. This can only be achieved by deploying solar on both land and buildings
- Without subsidy, solar farms are rarely viable on brownfield sites because the land value is usually too high.
- The BEIS Public Attitudes Tracker (June 2022) shows that solar is by far the most popular form of energy with 87% support for more solar. Only 7% expressed opposition to solar farms. (BEIS PAT Spring 2022 Energy Infrastructure and Energy Sources)

6.2.17 The officer considers that the above statements are consistent and aligned with the objectives of the Marches LEP Energy Strategy and the Zero Carbon Shropshire Plan as referred to in section 4 above by the Climate Change Task Force.

### 6.3 Environmental considerations:

6.3.1 Landscape and visual impact: Local Development Plan policies CS6 'Sustainable Design and Development Principles', MD2: 'Sustainable Design', and MD12 'The Natural Environment' seek to ensure that new development protects, restores, conserves and enhances the natural environment taking into account the potential effects on the local landscape character and existing visual amenity value. The NPPF describes in Chapter 15 'Conserving and enhancing the natural environment'. Paragraph 174 advises that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia): protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified

quality in the development plan); and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

- 6.3.1 The planning application is accompanied by a Landscape and Visual Impact Assessment (LVIA) prepared in accordance with Landscape Institute guidelines. The LVIA assesses the baseline landscape and visual context at the site and its surroundings and the potential for landscape and visual effects arising from the development. It also identifies mitigation measures to reduce the effect of any identified impacts.
- 6.3.2 The LVIA confirms that the site does not fall within any statutory or non-statutory landscape designations and identifies no current schemes in the surrounding area with the potential to raise any cumulative impact issues. The proposed layout is described within the LVIA as incorporating a number of built-in mitigation measures including exclusion of the eastern parcel of land (between the unnamed watercourse and Burford Land) from the Site that is in closest proximity to and potentially overlooked by residential properties in Greete and users of footpath 0529/10A/1; the retention of footpath 0529/10A/1 as open as existing throughout all phases of the Lifecycle of the scheme; and exclusion of land for solar farm development along Ledwyche Brook within Flood Zones 2 and 3.
- 6.3.3 The LVIA advises that that development will also give rise to extensive landscape enhancements including:
- Biodiversity Enhancement Areas (BEA) providing a total of 6.4ha of habitat;
  - Planting approximately: 1400 sqm native woodland belt with shrub understorey along the north-eastern boundary to enhance screening to close-distance views from Greete, longer distance views from the AONB, and intervening land to the north, as well as enhancing wildlife corridor provision;
  - Reinforcement of the existing woodland along the unnamed watercourse separating the eastern parcel to strengthen habitat connectivity and restrict views from the east.
  - Implementing a new length of hedgerow with hedgerow trees along the eastern, southern and western boundaries of the substation to restrict views from those directions.
  - Proposing species-rich meadow grassland around the periphery of the site outside the security fencing.
  - Infilling and strengthening 815 linear metres of hedgerow at an infill rate of 30% within the site to strengthen landscape structure and assist in filtering views from the north, south, and west.
- 6.3.4 Overall the LVIA concludes that the proposed development has been designed to reduce its level of inter-visibility with the surrounding host landscape. Whilst it would physically introduce a new element into the receiving landscape, its presence would not manifest itself in the wider landscape due to the moderate level of enclosure within and around the site, as a result of interactions with topography, vegetative cover, and the proposed mitigation measures.

6.3.5 The majority of the identified and assessed visual receptors that would experience a change in their would be very close range. Distant views from elevated land within the Shropshire Hills AONB would be experienced in the context of a broad and complex panorama encompassing the Teme valley set against the Herefordshire plateau, the site occupies a very small part of that landscape. Views achievable form the AONB would also be of the rear of the panel elevations and the view achievable from Clee Hill will also incorporate near views of a housing estate. The identified and assessed viewpoints, and visual receptors within the wider landscape are subject to negligible or neutral effects. The planting of a new woodland belt, and enhancement and reinforcement of an existing woodland belt and hedgerows within and around the site, may be viewed as a long-term landscape benefit. Overall, the LVIA concludes that the proposed development can be effectively integrated and assimilated into the surrounding landscape.

6.3.6 The slides below are taken from the LVIA.



CONTEXT BASELINE VIEWPOINT 1  
Titterstone Quarry Clee Hill OAL/footpath 0508/UN2/2 looking south



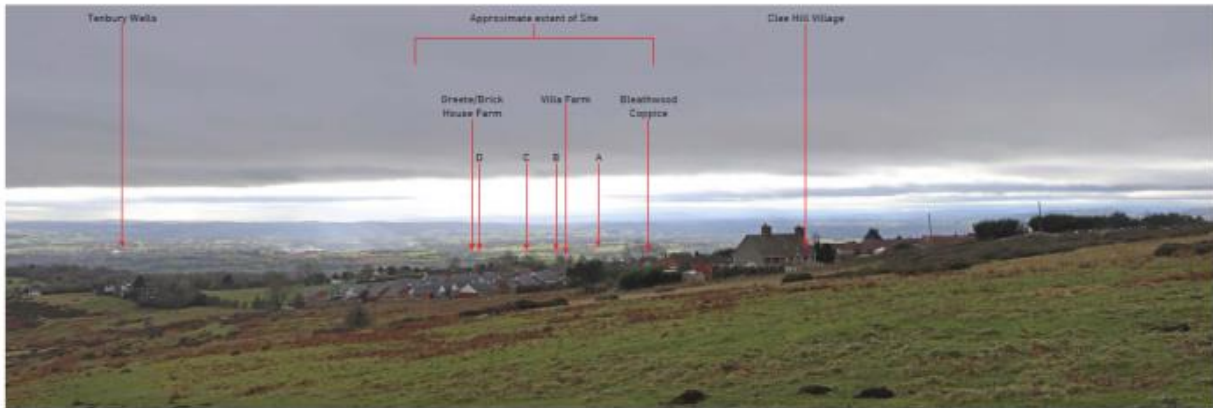
Camera make & model - Canon EOS 4D, PPS Viewpoint height (AOD) - 457m  
Date & time of photograph - 07/02/2022 R 14:57 Distance from site - 7133m  
OS grid reference - 359324, 277577

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE



P21-0442\_06 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

Fig 3



**CONTEXT BASELINE VIEWPOINT 2**

Clee Hill Toposcope viewing point OAL/Bridleway 0523/13/2, footpaths 0523/32/3 & 0523/33/3 looking southwest



**KEY**

A - D indicates perceptible overhead line towers within site

Camera make & model - Canon EOS 4D, PFG Viewpoint height (AGD) - 271m  
 Date & time of photograph - 21/02/2022 @ 14:29 Distance from site - 1101m  
 OS grid reference - 359824, 275320

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE



P21-0622\_08 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 4**



**CONTEXT BASELINE VIEWPOINT 3**

Footpath 0532/2/2 looking southwest



**KEY**

A - D indicates perceptible overhead line towers within site

Camera make & model - Canon EOS 4D, PFG Viewpoint height (AGD) - 221m  
 Date & time of photograph - 21/02/2022 @ 13:38 Distance from site - 3837m  
 OS grid reference - 258647, 274344

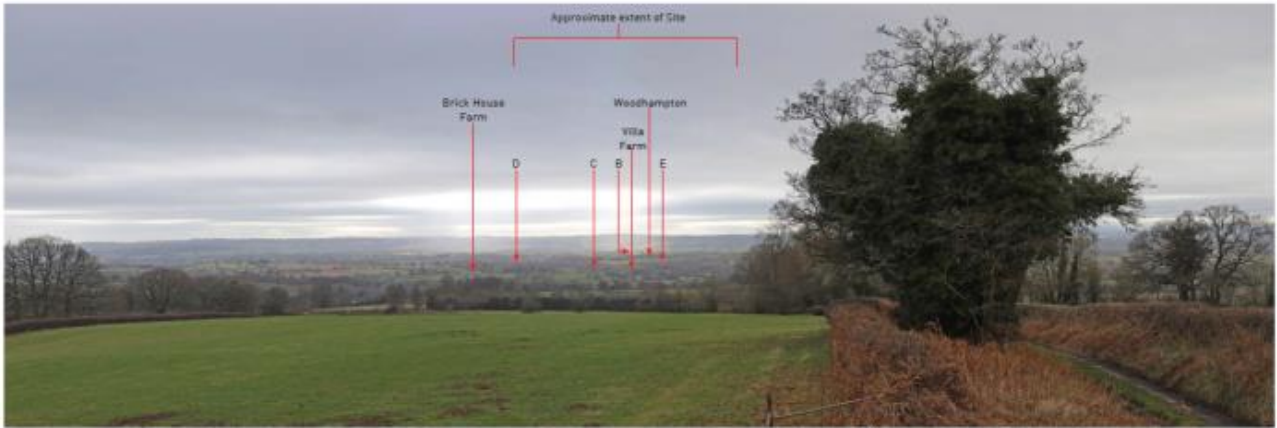
DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE



P21-0622\_08 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 5**





**CONTEXT BASELINE VIEWPOINT 4**

Whitewayhead Lane/footpath 0564/21/1 looking south



Camera make & model - Canon EOS 6D, FFS  
 Date & time of photograph - 07/02/2022 09:13:20  
 OS grid reference - 357861, 274287

Viewpoint height (AOD) - 232m  
 Distance from site - 25.25km

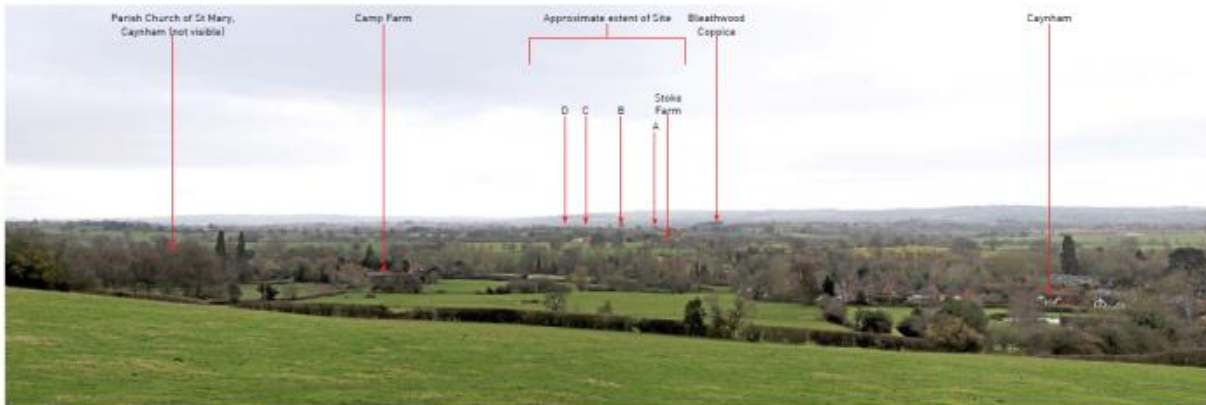
DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

**KEY**  
 B - E indicates perceptible overhead line towers within site



P21-0442\_08 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 6**



**CONTEXT BASELINE VIEWPOINT 5**

Footpath 0514/19A/1 looking southeast



Camera make & model - Canon EOS 6D, FFS  
 Date & time of photograph - 07/02/2022 09:12:59  
 OS grid reference - 354838, 273587

Viewpoint height (AOD) - 166m  
 Distance from site - 34.15km

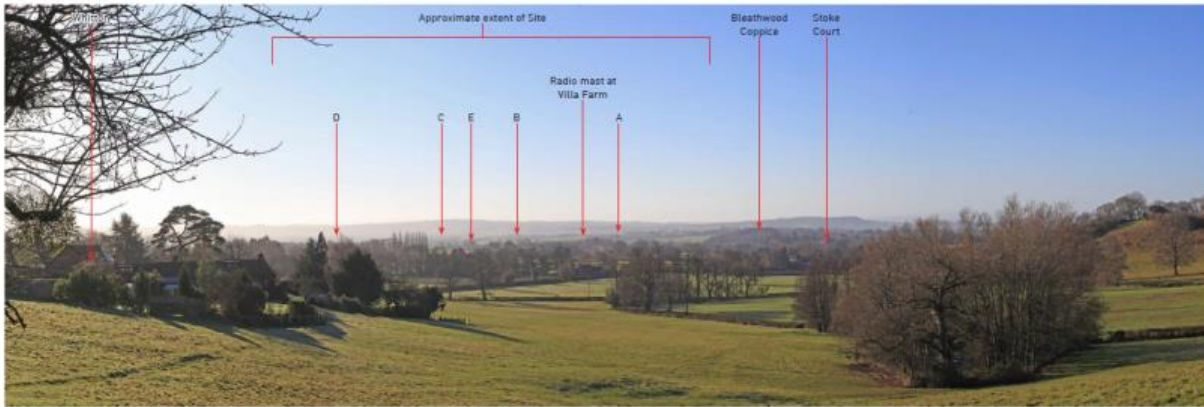
DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

**KEY**  
 A - D indicates perceptible overhead line towers within site



P21-0442\_09 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

Fig 7



CONTEXT BASELINE VIEWPOINT 6  
Footpath 0564/14/1 looking south



Camera make & model - Canon EOS 4D, PPS  
Date & time of photograph - 17/01/2022 @ 10:47  
OS grid reference - 257501, 272832

Viewpoint height (AOD) - 137m  
Distance from site - 2100m

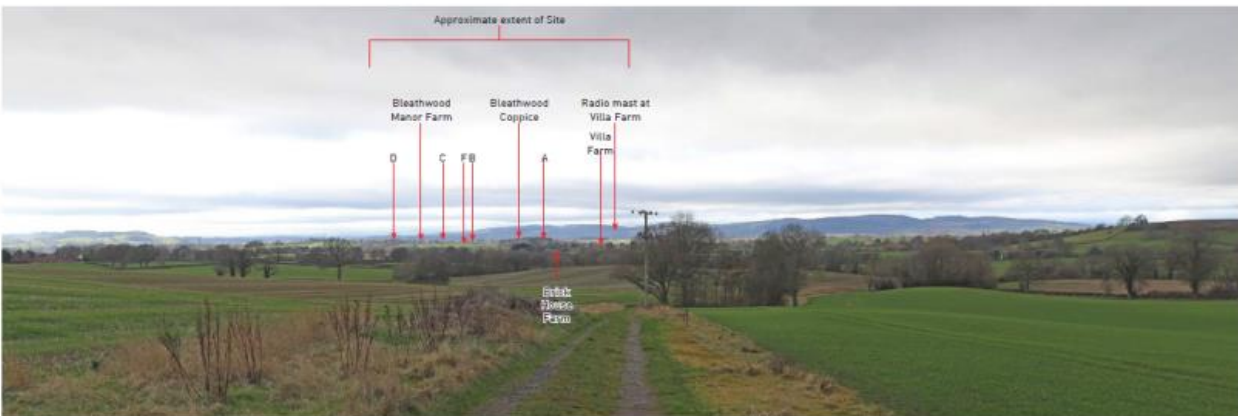
DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

KEY  
A - E indicates perceptible overhead line towers within site



P21-6643\_06 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

Fig 8



CONTEXT BASELINE VIEWPOINT 7  
Footpath 0548/1/3 looking west



Camera make & model - Canon EOS 4D, PPS  
Date & time of photograph - 07/02/2022 @ 14:09  
OS grid reference - 257749, 277660

Viewpoint height (AOD) - 135m  
Distance from site - 2365m

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

KEY  
A - F indicates perceptible overhead line towers within site

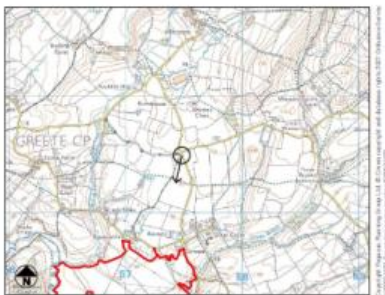


P21-6643\_06 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 9**



**CONTEXT BASELINE VIEWPOINT 8**  
Bridleway 0529/11/2 looking south



**KEY**  
C, D and E indicates perceptible overhead line towers within site

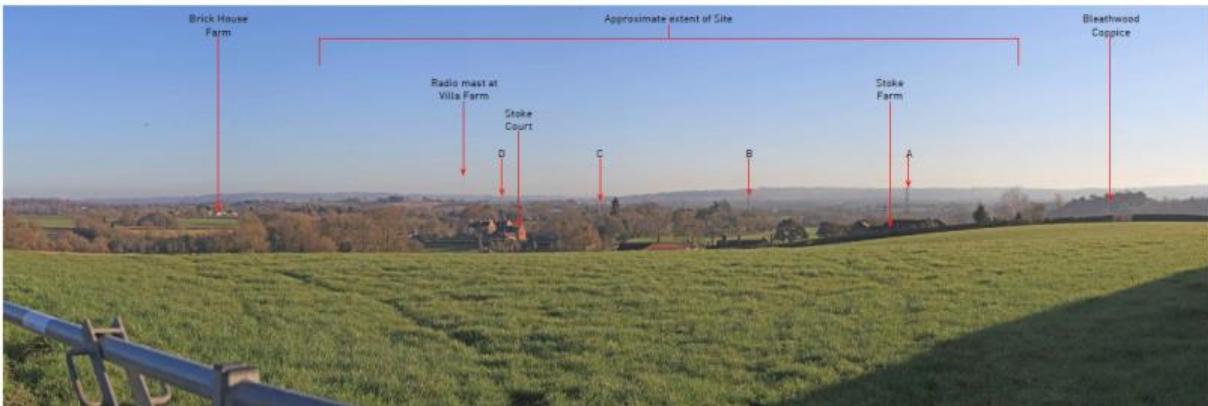
Camera make & model - Canon EOS 4D, PPS  
Date & time of photograph - 07/02/2022 @ 12:30  
OS grid reference - 357480, 271405  
Viewpoint height (AOD) - 102m  
Distance from site - 803m

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

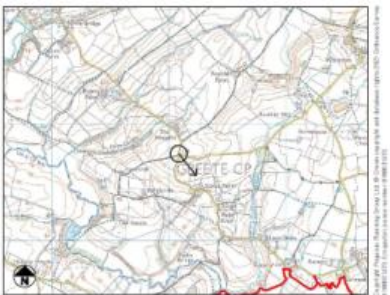


P21-0442\_08 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 10**



**CONTEXT BASELINE VIEWPOINT 9**  
Caynham Lane looking south



**KEY**  
A - D indicates perceptible overhead line towers within site

Camera make & model - Canon EOS 4D, PPS  
Date & time of photograph - 13/01/2022 @ 14:52  
OS grid reference - 356089, 271731  
Viewpoint height (AOD) - 117m  
Distance from site - 1147m

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE



P21-0442\_08 | BRICK HOUSE FARM | BLUEFIELD RENEWABLE DEVELOPMENTS LTD

**Fig 11**

- 6.3.8 The Council's landscape adviser has supported the LVIA methodology and conclusions subject to a recommendation for 3 amendments which the applicant has subsequently provided in an updated LVIA. The applicant's visual appraisal as assessed by the Council's landscape adviser supports the conclusion that the proposals can be accepted with respect to visual and landscape effects.
- 6.3.9 Visual impact – glint and glare: A Glint and Glare assessment concludes that no significant impacts are predicted on local amenities or road / footpath users. Hence, there is no need for the scheme to integrate any mitigation requirements related to glint and glare effects.
- 6.3.10 Visual impact – conclusion: Whilst the concerns of some public respondents with regard to visual impact are noted it is not considered that refusal on the grounds of landscape and visual impacts could be justified. This is having regard to the lack of objection to the LVIA from the Council's landscape advisor and taking also into account the benefits of renewable energy as highlighted in particular by the Council's climate change task force. (Core Strategy Policies CS5, CS6, CS17, SAMDev Policies MD12, MD13)
- 6.3.11 Heritage appraisal: Section 194 of the NPPF advises that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness. (NPPF 197).
- 6.3.12 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. (NPPF 132). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. (NPPF 134).
- 6.3.13 A Heritage Assessment assess the significance of the historic environment and archaeological resource at and surrounding the site, including the effects of the development on heritage assets and their setting. Relevant source information has been obtained and a site visit has been undertaken to assess the intervisibility between the site and designated heritage assets identified. The assessment has identified a cropmark in the southern field representing a single ditched enclosure from the later prehistoric or Roman period. However, there is currently no evidence to suggest a level of significance which would preclude development. No other

archaeological features with the potential to precluding the development have been identified.

- 6.3.14 A total of 17 Listed Buildings lie within a 1km radius of the site. The nearest is the Grade II Listed Lower Cottage, immediately outside the northern boundary of the site. The settlement of Greete contains a cluster comprising Grade II\* Listed Church of St James, the Grade II\* Listed Greet Court, and 9 Grade II Listed Buildings, situated approximately 200-350m to the north-east of the site. The Grade II\* Listed Bleathwood Manor Farm lies c.630m southwest of the site; the Grade II\* Listed Stoke Court and its Grade II Listed Stables lie c.650m north-west of the site; the Grade II Listed Stoke Farmhouse lies c.985m north-west of the site; and the Grade II Listed Woodyetts lies c.960m west of the site. There are no Scheduled Monuments, Registered Parks and Gardens, Registered Battlefields, or Conservation Areas located within a 1km radius of the site.
- 6.3.15 The report assesses the potential impact of the development on the setting of the designated heritage assets identified within and beyond a 1km radius of the site, prepared with reference to 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 2' published by Historic England. Particular attention has been given to the Grade II Listed Lower Cottage, the Grade II\* Listed Greet Court, and the Grade II Listed Brick House Farmhouse, on account of their historic associations and/or potential intervisibility with the site.
- 6.3.16 The far northern part of the site and northern central part of the site are considered to make a contribution to the setting of Lower Cottage as a result of the historic association of land ownership and partial intervisibility with the asset. The introduction of solar arrays and infrastructure to these fields is appraised to change the historic landscape character as experienced in views towards and from the asset. The assessment identifies that this may result in a small degree of harm, at the lower end of the less than substantial spectrum to the significance of Lower Cottage. The development has not been identified to cause harm to any other designated heritage assets in the immediate or wider locality.
- 6.3.16 A geophysical survey records a range of magnetic responses across site which are interpreted as likely to be due to natural causes. No anomalies have been identified at the location of the cropmark interpreted as a prehistoric rectangular enclosure. As the geophysical survey has not picked up any anomalies a schedule for further trench evaluation has been agreed with Shropshire Council's Archaeology Officer.
- 6.3.17 It is considered that sufficient information has been provided on heritage and archaeology to enable the planning authority to appraise the impacts of the development in accordance with the obligations of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, Chapter 16 of the NPPF and the heritage provisions of Policies CS17, MD8 and MD13 of the adopted Site Allocations and Management of Development Plan (2015).
- 6.3.18 A small amount of harm at the lower end of the 'less than substantial' spectrum has been identified as occurring at the Grade II Listed building, Lower Cottage, to the north of the site. The NPPF describes at paragraph 202 that "where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

- 6.3.19 The Councils conservation section (Historic Environment Team) agree that the proposed development will result in harm to the setting of the Grade II listed Lower Cottage, at the lower end of less than substantial harm spectrum and concludes no harm to other heritage assets. They advise that harm identified should therefore be weighed against the public benefits of the proposal in line with paragraph 202 of the NPPF with great weight being given to the conservation of the heritage assets in line with paragraph 199 of the NPPF.
- 6.3.20 The officer considers with reference to NPPF paragraph 202 that the public benefits of this proposal in terms of renewable energy provision and addressing climate change are sufficient to outweigh the small amount of harm identified which will be temporary and fully reversible upon decommissioning of the site. It is concluded that the proposals would not give rise to any significant impacts on heritage assets and can therefore be accepted in relation to heritage policies and guidance including the historic environment chapter of the NPPF, core strategy policy CS15 and SAMDev Policy MD13.
- 6.3.21 Noise: A noise assessment has been prepared taking into account relevant planning policy and British Standards and WHO Guidelines and considering likely worst case noise levels generated by the solar farm. The assessment concludes that the operation of the solar farm would generate very low noise levels at surrounding properties throughout the day and night and would not result in unacceptable levels of noise, demonstrating full compliance with the requirements of the NPPF and development plan policy.
- 6.3.22 Access / traffic and construction: Paragraph 111 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe. SAMDev Policy MD8 (Infrastructure Provision) states that applications for strategic energy provision will be supported to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. The Policy states that in making this assessment particular consideration should be given to the potential for adverse impacts on the following (as related to highways, access, and construction):
- Noise, air quality, dust, odour and vibration
  - Impacts from traffic and transport during the construction and operation of the infrastructure development
  - Proposals for temporary infrastructure will be expected to include measures for satisfactory restoration, including progressive restoration, of the site at the earliest practicable opportunity to an agreed after-use or to a state capable of beneficial after-use.
- 6.3.23 The application is supported by a Construction Traffic Management Plan which sets out the strategy for site access, routing for construction traffic, construction vehicle size and frequency and mitigation, including condition surveys. The site is proposed

to be accessed via an existing field gate access off an unnamed road (referred to within this statement as 'Caynham Lane') situated along the site's northern frontage which routes between Greete and Caynham. The Caynham Lane access road is a single lane carriageway measuring between 3-3.5m in width, with verge either side and limited passing places. Caynham Lane is subject to the national speed limit, however traffic surveys indicated that travelling speeds of vehicles using the lane were well below the limit. The road predominantly serves access to agricultural land and a small number of residential dwellings and opportunities to pass are presented at these entrances. Traffic flows along the road are low as confirmed during site visits and via an Automatic Traffic Count undertaken. Historic data indicates that there are no accident patterns or clusters within the vicinity of the site which would indicate a highways safety issue.

- 6.3.24 Due to the characteristics of the local lane between Caynham and the site, only smaller HGVs, with the exception of inverters and substation deliveries, would be permitted to access the site, larger HGVs will unload off-site at a temporary compound to the west of Caynham with loads transferred to tractor and trailer vehicles to deliver to the site. The traffic management measures proposed within the CTMP include the use of Stop/Go boards where one-way vehicle flow only is achievable. A Temporary Traffic Regulation Order (TTRO) would be sought to close part of the Caynham Access Road along the construction route. Residential access to properties along Caynham Access Road will be maintained at all times. Local residents would be given a single point of contact for information relating delivery and construction works.
- 6.3.25 A temporary onsite construction compound would enable delivery vehicles to offload equipment and turn effectively and provide temporary parking space for contractors' vehicles. The temporary construction compound would be fully restored to the existing use following completion of construction as controlled by planning condition. The construction phase would take 26-36 weeks to complete, assuming a six-day working. A maximum of 60 construction workers are forecast to be on the site during peak times during the construction period. Trips will be shared where possible to minimise the impact on the local highways network and parking provided within the temporary construction compound.
- 6.3.26 The construction traffic management plan (CTMP) demonstrates that suitable visibility splays can be achieved at the site access subject to the removal of a short section (9m) of existing hedgerow.
- 6.3.27 Shropshire Right of Way 0529/10A/1 is the sole PRoW which routes across the site and is situated wholly within the proposed 'Biodiversity Enhancement Area'. This PRoW will be maintained at all times during the construction and operational phase.
- 6.3.28 The CTMP concludes that the level of traffic during the construction or operation period can be accommodated by the highways network without giving rise to detrimental impact on its safety or operation. Highways condition surveys would be undertaken to ensure that any remedial work required to the highways following the construction phase is identified and implemented.

- 6.3.29 The Greete Parish Meeting and some local residents have questioned the ability to properly control construction traffic in practice given the narrow nature of the approach roads. However, SC Highways have not objected subject to a construction management plan condition. The NPPF are very stringent. Paragraph 111 of the NPPF advises that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. There has been no objection from SC highways who advise that a Construction Management Plan is sufficient to address highway issues during the temporary construction phase. As such it is considered that a highway based refusal reason could not be sustained and that the proposals can be accepted in relation to highway and access considerations. Core Strategy Policy CS5, CS6, CS7, CS8).
- 6.3.30 Ecology: The planning application is accompanied with an Ecological Assessment (EA) incorporating a Biodiversity Management Plan. The site is not located within any statutory designated sites for nature conservation and is outside of any Impact Risk Zones relating to this development type. Two SSSIs (Nine Holes Meadow and River Teme) and a Local Wildlife Site (Pastycraft Meadow) have been identified within a 5km radius of the site. The assessment concludes that there will be no direct effect on these sites due to the separation distances. The potential for indirect effects on these designated sites is limited due to there being no clear connected pathways. Greet Brooke and Ledwyche Brook provide potential pathways for effects on the River Teme SSSI. However, any discernible effects on the SSSIs are considered unlikely due to the passive nature of the development which will mostly affect intensively managed arable land and improved grassland of low ecological value. The solar panel array layout has been designed to avoid field boundary features such as hedgerows, trees, woodland and watercourses which provide the greatest ecological interest.
- 6.3.31 The proposed access tracks will largely exploit existing farm accesses and gaps in hedgerows, requiring only very localised removal or disturbance of short sections of hedgerow (maximum 5m wide. A short section of hedgerow (an approximately 9m length) will need to be removed at the Site entrance to allow for the visibility splay. Overall, the network of hedgerows will be retained and protected, maintaining habitat connectivity and linkages across the site and with the surrounding wider landscape. The assessment demonstrates that protected species will be protected subject to implementation of the measures described within the Biodiversity Management Plan.
- 6.3.32 Opportunities have been sought for nature conservation and enhancement of the site to provide an overall biodiversity net-gain. Three distinct areas within the Site, identified as a 'Biodiversity Enhancement Areas' will be left undeveloped and managed as open meadow. These measures will provide enhanced wildlife benefits over and above the low value agricultural land currently present. Land between and beneath the panels would be grazed by sheep on a rotational basis and managed to deliver biodiversity enhancements.
- 6.3.33 Hedgerows would be managed for wildlife, and a range of breeding boxes erected for bats and birds. Biodiversity Enhancement Areas including wildflower meadows and wild bird seed grasslands



- 6.3.34 The biodiversity impacts associated with the proposed development have been assessed and quantified utilising the Natural England/Defra Biodiversity Net Gain Metric Calculator. The calculation results show that the proposed development will result in a clear biodiversity net gain of 46% in Habitat Units, and 20.81% in Hedgerow Units. The applicant Bluefield would own and operate the solar farm and is committed to delivering biodiversity benefits across all its solar projects throughout their operational lifetimes.
- 6.3.35 The layout has been designed to minimise impacts on protected species and makes provision for the integration of a number of enhancements which will benefit protected species, for example, e.g. via the introduction of 15 bat roosting boxes. Overall, the development will not adversely impact upon the ecological value and function of the site and will deliver significant nett biodiversity gain. It therefore complies with Core Strategy Policy CS17 'Environmental Networks' and SAMDev Policy MD12 'The Natural Environment' and relevant legislation. This is subject to the ecological conditions which are included in Appendix 1.
- 6.3.36 Drainage / hydrology: The majority of the site falls within Flood Zone 1 (lowest flood risk). Along the western boundary a small number of solar panels and security fencing is located in Flood Zone 2, which is defined as medium probability. These panels will be raised above the flood levels and the security fence will be permeable to the flood water. All equipment is located outside of Flood Zone 3.
- 6.3.37 A Flood Risk Assessment (FRA) provides sufficient flood risk information to demonstrate that the development would be appropriately safe for its lifetime without increasing flood risk elsewhere. The FRA incorporates a Sustainable Drainage Strategy via the implementation of SuDS including the provision of swales in the lower areas of the site to intercept any extreme flows which may already run off site. The swales are provided as a form of drainage 'betterment'.
- 6.3 38 The FRA demonstrates that future users of the development would remain appropriately safe throughout the lifetime of the proposed development and that the development would not increase flood risk elsewhere and would reduce flood risk overall. It is therefore consistent with national and local policy objectives. The Council's drainage team has not objected and it is considered that the proposals can be accepted in relation to relevant drainage considerations. (Core Strategy Policy CS17, CS18).
- 6.4 Timescale and decommissioning:
- 6.4.1 Greete Parish Meeting have questioned whether appropriate decommissioning and reversion to agricultural land would take place in practice at the end of the operational life of the solar farm. Current solar photovoltaic arrays have a design life of approximately 40 years. It is recommended that any planning permission includes a condition requiring decommissioning and removal of the solar panels and associated infrastructure at the end of their design life and reinstatement of the field to 'normal' agricultural use, as stated in the application. This would ensure that future arable productive capacity is protected. A condition covering decommissioning has been recommended in Appendix 1. A decommissioning

clause would also be included in the applicant's tenancy agreement and is supported by insurance. The value of the solar equipment at the end of its design life would provide a further incentive for decommissioning.

## 6.5 AONB

6.5.1 At its' nearest the site is located 2.5km from the Shropshire Hills AONB, a statutory landscape designation. The area in which the site is located has no statutory landscape designation but is protected by Core Strategy policy CS5 which protects the open countryside but also supports sustainable development to diversify the rural economy. Policy CS17 requires that new development should take account of landscape character assessment which grades landscapes according to their sensitivity. The applicant's landscape and visual appraisal complies with this requirement. It is considered that the visual information submitted in support of the application indicates that the AONB is located too far away to be materially affected by the proposed development and that this is supported by the applicant's visual appraisal.

## 6.6 Leisure and Tourism

6.6.1 Core Strategy Policy CS16 (Tourism, Culture and Leisure) seeks to deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy. Amongst other matters the policy seeks to promote connections between visitors and Shropshire's natural, cultural and historic environment.

6.6.2 The applicant's visual appraisal supports the conclusion that the site is capable of being effectively screened and would not give rise to any unacceptable visual impacts. No detailed evidence has been presented to support the conclusion that any residual views of the site would be prominent from or would have a significant impact on any local leisure / tourist interests.

6.6.3 A number of solar park schemes are now operational in other parts of Shropshire. There have been no reports of impacts on leisure / tourism interests from operation of these sites which, once installed, are generally passive, have no emissions and require minimal maintenance. Solar parks and tourism are not incompatible. In 2011 Hendra Holiday Park, one of Cornwall's biggest holiday facilities switched over to their new 10-acres solar farm, built adjacent to the park, providing 75% of the park's power requirements.

6.6.4 South West Research Company was commissioned by renewable energy supplier Good Energy to research the effects of wind and solar development and conducted face-to-face interviews with more than 1,000 visitors during August 2013. The study concluded that for the majority of visitors, the presence of wind and solar farms in Cornwall had no impact on their holiday. Crucially, more than nine out of ten visitors (94%) said the farms would make no difference to their decision to visit Cornwall again. The survey confirmed that the risk of poor weather and value for money were far more important factors in determining people's choice of holiday destination than was the presence of wind and solar farms: [www.goodenergy.co.uk/visitor-impact-research-Nov2013](http://www.goodenergy.co.uk/visitor-impact-research-Nov2013).

- 6.6.5 Additionally the applicant advises that recent (sept 22) research by survey company Survation finds that 77% of UK public support development of solar and wind farms to tackle the energy crisis and reduce energy bills. <https://www.current-news.co.uk/news/77-of-uk-public-support-development-of-solar-and-wind-farms-to-tackle-the-energy-crisis-says-survation> . The survey breaks the result down by constituency and finds (in line 337) that in the Ludlow constituency of the application 93% support solar power, 91% support renewable energy projects in their local area and 91% believe that the Govt should use wind and solar farms to reduce energy bills.
- 6.6.4 It is considered that there is insufficient evidence to support the conclusion that that the current site would result in unacceptable impacts on leisure / tourism interests. Officers do not consider therefore that refusal on grounds of Core Strategy policy CS16 could be sustained.
- 6.7 Other matters:
- 6.7.1 Community engagement: A Statement of Community Involvement describes comments received from the local community prior to submission of the application, including with respect to:
- Potential landscape and visual impact, including from the PRow;
  - Construction traffic routing;
  - Loss of arable land;
  - Potential impact upon biodiversity;
  - Potential impact upon tourism revenue.
- 6.7.2 The Applicant has responded to these concerns with amendments to the design of the proposals. In particular:
- The PRow will remain in situ and unaffected during the construction/decommissioning phase of development.
  - The planning application is supported by a Construction Traffic Management Plan which describes in detail the construction traffic route as well as management and mitigation measures proposed.
  - The Applicant commissioned an Agricultural Land Classification Report which has been reviewed for robustness against the 'Working with Soil Guidance Note on Assessing Agricultural Land Classification Surveys in England and Wales, Guidance Document 1. Further soil sampling and analysis was also commissioned.
  - The development proposal will deliver Biodiversity Net Gain ('BNG') of 46% (habitat units) and 20% (hedgerow units) as described within the Ecology Assessment Report prepared by Avian Ecology Ltd. The amount of BNG is significantly in excess of the delivery of 10% which will be required for all new developments from 2023 as per the Environment Act 2021.
  - The Applicant notes the comment made regarding the potential impact upon tourism businesses in the vicinity at the consultation event however, no specific examples of potential businesses at risk of impacts were cited during the discussion.

- 6.7.3 Benefits: The development would generate 40,000MWh per annum, equivalent to the annual electricity consumption of approximately 10,400 homes. In terms of carbon saving, the generation of renewable electricity would provide a carbon saving of 8,200 tonnes CO<sub>2</sub>e. The generation of this amount of renewable electricity represents a substantial contribution towards meeting national and local greenhouse gas emissions reductions targets.
- 6.7.4 The benefits of renewable electricity generation is also consistent with the imperatives of the 'Climate Emergency' declared by Shropshire Council and further articulated by the Shropshire Climate Action Partnership within the 'Zero Carbon Shropshire Plan' published in January 2021. This supports the delivery of a "number of large-scale photo-voltaic arrays (solar farms)" within the district required to achieve net zero by 2030.
- 6.7.5 The applicant advises that the scheme also represents a significant financial investment of over £25 million into the local and wider economy with approximately 100 temporary jobs (both direct jobs on-site and indirect/induced roles) being created during the construction period. Local contractors will be used where possible. Moreover, annual business rates contributions are estimated to be in the region of around £250,000 per annum for the 40 year operational time period, giving rise to a total of over £11m at 2.75% RPI over 3 years over the lifetime of the project, which represents a significant contribution to the Council's budget.
- 6.7.6 The proposal places a strong emphasis on the delivery of landscape and biodiversity enhancements which includes the delivery of dedicated Biodiversity Enhancement Areas and significant hedgerow and tree planting. The development will deliver an overall biodiversity net gain of 46% and a hedgerow net gain of 20%. The submitted Biodiversity Management Plan (appended to the Ecology Assessment report) describes further environmental benefits including new ecological features such as bat and bird boxes and insect habitats. Construction will also require the removal of invasive weeds which will deliver benefits for species at the site. Local contractors will be sought to maintain the landscape and biodiversity measures described within the plan as far as possible.
- 6.7.7 Whilst not a material planning matter the applicants have advised that they will on a voluntary basis to make funding available for local community uses in order to provide a benefit to the local community. It is envisaged that this would take the form of a legal agreement (Unilateral Undertaking) with a local community group with payment into a community fund at a level consistent with that of other recent UK solar park schemes. This supports the overall NPPF objective of facilitating social sustainability and is therefore to be welcomed.
- 6.7.8 CCTV and privacy: It is proposed that CCTV would be used at the site for security reasons. Cameras would be sensitively positioned and would point away from the nearest residential properties in the interests of privacy.
- 6.7.9 Recent Government communications: Objectors have referred to recent ministerial correspondence establishing a general preference against the use of best and most versatile land for solar photovoltaic schemes. This correspondence is noted.

However, it does not alter adopted planning guidance set out in the NPPF and the associated low carbon and renewable energy guide and referred to in section 10 of this report. Shropshire is a predominantly rural county and there is insufficient brownfield land to deliver the progress in renewable development expected by policies and guidance without some use of agricultural land.

6.7.10 Objectors refer to recent Government proceedings at the Environmental Audit Committee where the former Environment Minister George Eustace MP referred to solar farms and agricultural land and stated that best and most versatile land was Grade 3b and above. The applicant refers to a subsequent letter from Mr Eustace MP to Philip Dune MP, Chair of the committee in which Mr Eustace corrects this and acknowledged that Grade 3b is not 'best and most versatile' land.

## 7.0 CONCLUSION

7.1 The proposed solar array would operate for a temporary period of 40 years and would be fully restored after decommissioning. The development would offset approximately 11,200 tonnes of CO<sub>2</sub> per annum, equating to an emission saving equivalent to a reduction in approximately 5160 cars per annum. This is equivalent to the average annual UK electricity consumption for approximately 15,000 homes per annum. The development would therefore make a positive contribution towards delivery of renewable electricity required to achieve the UK Government's legally binding greenhouse gas emissions reduction targets, along with the LPAs aims to meet their declared climate emergency targets. Additionally, operation of the solar farm would generate business rate revenue in the region of around £250,000 per annum for Shropshire Council for the duration of the operational period of 40 years.

7.2 The NPPF, development plan, and emerging development plan support the transition to a low carbon future and encourage the use of renewable resources. The development would deliver a range of public benefits which are in accordance with the economic, social, and environmental pillars of sustainable development and which will support climate and ecological resilience.

7.3 The application site is not subject to any land use designations which would preclude the the presumption in favour of sustainable development. Paragraph 158 of the NPPF makes clear that when determining planning applications for renewable development local planning authorities should "approve the application if its impacts are (or can be made) acceptable".

7.4 The planning application supporting documents indicate that the potential for adverse impacts arising from the development is low and capable of mitigation. This conclusion is supported by the responses of technical consultees.

7.5 Appropriate conditions have been recommended, including the requirement for a construction management plan and final decommissioning. Subject to this it is considered that the proposal also meets the criteria for development in the countryside as set out in Core Strategy Policy CS5. The proposal is therefore in general accordance with the Development Plan.

7.6 The NPPF advises that the production of renewable energy is a material consideration which should be given significant weight and that sustainable development proposals which accord with the development plan should be approved without delay (S158). It is concluded that the proposals are sustainable and can therefore be accepted, subject to the recommended conditions.

## 8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management: There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights: Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities: The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

## 9.0 FINANCIAL IMPLICATIONS:

9.1 There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and

nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10.0 BACKGROUND:

### 10.1 Relevant guidance

#### National Planning Policy Framework (NPPF) (DCLG – 2021)

10.1.1 The NPPF clearly states from the outset that there is a presumption in favour of sustainable development and that local plans should follow this approach so that development which is sustainable can be approved without delay. One of the core planning principles is to ‘support the transition to a low carbon future in a changing climate...and encourage the use of renewable resources (for example, by the development of renewable energy)’. The NPPF expands further on this principle in paragraph 155: “To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Paragraph 157 advises that when determining planning applications, local planning authorities should:

- Not require applicants for energy developments to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- Approve the application if its impacts are (or can be made) acceptable...”

11.1.6 Paragraph 81 advises that ‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development’.

11.1.7 Particularly relevant chapters of the NPPF are:

6. Building a strong, competitive economy
8. Promoting healthy and safe communities
11. Making effective use of land

14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

10.2 Relevant planning policies:

10.2.1 The Shropshire Core Strategy (Adopted February 2011) sets out a Spatial Vision for Shropshire and the broad spatial strategy to guide future development and growth during the period to 2026. The strategy states, "Shropshire will be recognised as a leader in responding to climate change. The Core Strategy has 12 strategic objectives, the most relevant is Objective 9 which aims "to promote a low carbon Shropshire delivering development which mitigates, and adapts to, the effects of climate change, including flood risk, by promoting more responsible transport and travel choices, more efficient use of energy and resources, the generation of energy from renewable sources, and effective and sustainable waste management". Relevant Policies include:

- Policy CS5 - Countryside and the Green Belt:
- Policy CS6 - Sustainable Design and Development Principles
- Policy CS8 - Infrastructure provision positively encourages infrastructure, where
- Policy CS13 - Economic Development, Enterprise & Employment
- Policy CS16 - Tourism, Culture and Leisure
- Policy CS17 - Environmental Networks

10.4 Site Management and Allocation of Development Document  
Relevant Policies include:

- MD2 - Sustainable Design
- MD7b - General Management of Development in the Countryside
- MD8 - Infrastructure Provision
- MD11 - Tourism facilities and visitor accommodation
- MD12 - The Natural Environment
- MD13 - The Historic Environment

10.5i. Emerging Development Plan Policy

The Regulation 19: Pre-Submission Draft of the Shropshire Local Plan (2016 to 2038) was submitted to the Secretary of State for examination on 3rd September 2021. The emerging Local Plan is at an advanced stage of production currently in the Examination Stage. Shropshire Council have issued responses to initial questions raised by the Planning Inspectorate. Dates for the Examination in Public of the Shropshire Local Plan (2016 to 2038) have been scheduled. The emerging policies may attract some weight as part of the determination of this planning application.

- ii. The emerging Shropshire Local Plan (2016 to 2038) contains a new policy on climate change. Policy SP3 has been added though the draft policy does not explicitly refer to solar energy schemes. Policy SP3 confirms development in Shropshire will support the transition to a zero-carbon economy including reducing carbon emissions through a number of means, including through 'integrating or supporting both on and off-site delivery of renewable and low carbon energy'.



- iii. Emerging Policy DP26 'Strategic, Renewable and Low Carbon Infrastructure' is also of relevance and reflects the current wording of the National Planning Policy Framework whereby "non-wind renewable and low carbon development will be supported where its impact is, or can be made, acceptable" and includes a list of technical assessments which should be submitted alongside the application.
- iv. Part k of Policy DP26 refers to solar farm development in particular and describes that:  
"Large scale ground mounted solar photovoltaic solar farm proposals should show how they have made effective use of previously developed and on-agricultural land. Where a proposal requires the use of agricultural land, poorer quality land should be used in preference to land of a higher quality (see also Policy DP18). Proposals should allow for continued agricultural use wherever possible and/or encourage biodiversity improvements around arrays. The assessment should pay particular attention to the impact of glint and glare on neighbouring land uses and residential amenity as well as aircraft safety, (including defence operations)."

Part 3 of Policy DP26 describes that the assessment included within the application submission should be proportionate to the development proposed and include sufficient information to allow for an accurate evaluation of all impacts, both negative and positive, and should also cover all necessary ancillary infrastructure and the cumulative effects of existing or consent development types with similar impacts in the surrounding area.

- v. Other relevant policies contained within the emerging Local Plan include:
- Policy S2: Strategic Approach
  - Policy SP4: Sustainable Development
  - Policy SP10: Managing Development in the Countryside
  - Policy SP12: Shropshire Economic Growth Strategy
  - Policy DP12: The Natural Environment
  - Policy DP16: Landscaping of New Development
  - Policy DP17: Landscape and Visual Amenity
  - Policy DP18: Pollution and Public Amenity
  - Policy DP21: Flood Risk
  - Policy DP22: Sustainable Drainage Systems
  - Policy DP23: Conserving and Enhancing the Historic Environment
  - Policy DP29: Mineral Safeguarding

## 10.6 Other Relevant Guidance

- 10.6.1 The UK Renewable Energy Strategy (July 2009) - The UK Government published the Renewable Energy Strategy in July 2009. The strategy explains how it intends to "radically increase our use of renewable electricity, heat and transport". It recognises that we have a legally binding commitment to achieve almost a seven-fold increase in the share of renewables in order to reach our 15 target by 2020. It suggests that the amount of electricity produced from renewables should increase from 5.5 to 30 .
- 10.6.2 Planning practice guidance for renewable and low carbon energy (2015). This practice guide reaffirms the importance of renewable energy and advocates community led renewable energy initiatives. The following advice is provided

specifically with regard to the large-scale ground-mounted solar photovoltaic farms:

*'The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include:*

- *Encouraging the effective use of previously developed land, and if a proposal does involve greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays;*
- *That solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use ;*
- *The effect on landscape of glint and glare and on neighbouring uses and aircraft safety;*
- *The extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;*
- *The need for, and impact of, security measures such as lights and fencing;*
- *Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*
- *The potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *The energy generating potential, which can vary for a number of reasons including, latitude and aspect'.*

11.0 RELEVANT PLANNING HISTORY:

11.1 There is no planning history associated with the application site.

12.0 Additional Information

List of Background Papers: Planning application reference 22/02151/FUL and plans.
Cabinet Member (Portfolio Holder): Cllr Ed Potter
Local Member: Cllr Richard Huffer, Clee
Appendices: Appendix 1 – Conditions.

**APPENDIX 1**

## CONDITIONS

### Commencement of Development

1. The development hereby approved shall be commenced within 3 years of the date of this permission. Such date shall be referred to hereinafter as 'the Commencement Date'.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 and in recognition of the part-retrospective nature of the development.

### Definition of the Permission

2. Except as otherwise provided in the conditions attached to this permission or otherwise agreed in writing the operations hereby permitted shall be carried out strictly in accordance with the application form dated 30<sup>th</sup> May 2022 and the accompanying planning statement and supporting documents and plans.

Reason: To define the permission.

3. This permission shall relate only to the land edged red on the site location plan (Reference P21-0442\_01), hereinafter referred to as 'the Site'.

Reason: To define the permission.

### Highways

4. For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.

Reason: In the interests of maintaining highway efficiency and safety.

5. Prior to any construction works taking place and post construction a full condition survey shall be carried out on the route between the site access and the A49.

Reason: In the interest of safety of the users of the public highway and safety of the users of the site

### Arboriculture

6. Where the approved plans and particulars indicate that construction work excavations or level changes are to take place close to or within the Root Protection Area (RPA) of any retained tree(s), large shrubs or hedges, prior to the commencement of any development works, a Tree Protection Plan (TPP) supported by an arboricultural method statement (AMS) where any breach of the tree(s) or hedgerows RPAs is proposed detailing how the retained trees / hedgerows will be protected during the development, shall be submitted and agreed in writing by the Local Planning Authority before the commencement of any ground clearance, demolition, or construction work

Reason: To ensure that retained trees shrubs and hedgerows are appropriately protected during the development, so that their condition and amenity value is not compromised or eroded.

7. No demolition ground clearance or construction works will commence until the Local Planning Authority has approved in writing that the approved Tree Protection Measures have been established in compliance with the final approved tree protection plan (Photographs of it in place might suffice).

Reason: To ensure that the Tree protection is set up and maintained in accordance with the Tree Protection Plan

#### Landscape and Ecological Mitigation Plan

- 8a. No development shall take place (including ground works and vegetation clearance) until a landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. Planting plans, creation of wildlife habitats and features and ecological enhancements in accordance with the Biodiversity Management Plan by Avian Ecology.
- ii. Written specifications for establishment of planting and habitat creation;
- iii. Schedules of plants/seed mixes, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- iv. Implementation timetables.

Native species used are to be of local provenance (Shropshire or surrounding counties). The plan shall be carried out as approved.

- b. Planting and seeding shall be undertaken within the first available planting season following the completion of construction works and in accordance with a scheme which shall be submitted for the approval in writing of the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. The developer shall notify the Local Planning Authority in writing of the date when planting and seeding under the terms of condition 6a above has been completed.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

8. All new planting within the Site shall be subject to aftercare / maintenance for a period of 5 years following planting, including weeding and replacement of failures

Reason: To secure establishment of the landscaped area in the interests of visual amenity and ecology.

#### Ecology

9. All site clearance, development, landscaping and biodiversity enhancements shall occur strictly in accordance the Biodiversity Management Plan by Avian Ecology.

Reason: To ensure the protection of and enhancements for habitats and wildlife.

10. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
  - i. An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented;
  - ii. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
  - iii. Requirements and proposals for any site lighting required during the construction phase;
  - iv. A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
  - v. The times during construction when an ecological clerk of works needs to be present on site to oversee works;
  - vi. Pollution prevention measures.
  - vii. Identification of Persons responsible for:
    - Compliance with legal consents relating to nature conservation;
    - Compliance with planning conditions relating to nature conservation;
    - Installation of physical protection measures during construction;
    - Implementation of sensitive working practices during construction;
    - Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and
    - Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented strictly in accordance with the approved plan.

Reason: To protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 175 of the NPPF.

11. Within 28 days prior to any pre-development site enabling works an inspection for badgers and otters shall be undertaken by an appropriately qualified and experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence (further to that submitted in support of the approved planning consent), or a change in status, of badgers or otters is recorded during the pre-development survey then the ecologist shall submit a mitigation strategy for prior written approval that sets out appropriate actions to be taken during the construction stage. These measures will be implemented as approved.

Reason: To ensure the protection of badgers (under the Protection of Badgers Act 1992) and otters (under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended)).

12. 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 lighting plan

shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The submitted scheme shall be designed to take into account the advice on lighting set out in the Institution of Lighting Professionals and Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK (available at <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>). All external lighting shall be installed strictly in accordance with the specifications and locations set out on the plan, and thereafter retained for the lifetime of the development. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To minimise disturbance to bats, which are European Protected Species [and other species].

#### Fencing

- 13a. Fencing shall be provided strictly in accordance with the details shown on the approved fencing plan reference BKH-DWG005; Fencing Details.
- b. Site security shall be provided in accordance with the specifications detailed in the approved drawing reference BKH-DWG006.2 (CCTV Details) and drawing reference BKH-DWG006.1 (CCTV Layout).

Reason: In the interests of and visual amenity and privacy.

#### Archaeology

14. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

#### Amenity complaints procedure

15. Prior to the Commencement Date the operator shall submit for the approval of the Local Planning Authority a complaint procedures scheme for dealing with noise and other amenity related matters from the construction and operational phases of the development. The submitted scheme shall set out a system of response to verifiable complaints of noise received by the Local Planning Authority. This shall include:
- i. Investigation of the complaint
  - ii. Reporting the results of the investigation to the Local Planning Authority
  - iii. Implementation of any remedial actions agreed with the Authority within an agreed timescale.

Reason: To put agreed procedures in place to deal with any verified amenity related complaints which are received during site operation.

#### Final decommissioning

16. All photovoltaic panels and other structures constructed in connection with the approved development shall be physically removed from the Site within 40 years of the date of this permission and the Site shall be reinstated to agricultural fields. The Local Planning Authority shall be provided with not less than one week's notice in writing of the intended date for commencement of decommissioning works under the terms of this permission.

Reason: To allow the site to be reinstated to an agricultural field capable of full productivity at the end of the planned design life of the development and to afford the Local Planning Authority the opportunity to record and monitor decommissioning.

#### Notes:

##### Design life

- i. *The typical design life of modern solar panels is up to 40 years. Any proposal to re-power the Site at the end of its planned design life would need to be the subject to a separate planning approval at the appropriate time.*

##### Drainage (Shropshire Council Drainage Team comments)

- ii. *For the transformer installation, the applicant should consider employing measures such as the following:*
- *Surface water soakaways*
  - *Water Butts*
  - *Rainwater harvesting system*
  - *Permeable surfacing on any new driveway, parking area/ paved area*
  - *Greywater recycling system*
- iii. *Watercourses are present on the boundaries of the development site. A 3m wide easement from the top of each watercourse bank, is required for maintenance purposes.*

##### Flood risk (Environment Agency Comments)

- iv. *The proposal includes a security perimeter fence. This wire mesh should have a minimum of 100 mm spacing to ensure the risk of blockage and diversion of flood waters is avoided or minimised. There should be no raising of ground levels above existing within those parts of the site which are located within flood zone 2 (as an indicative 1 in 100 year with climate change flood area) e.g. the biodiversity enhancement area. This will ensure floodplain capacity is maintained and prevent impact on flood risk elsewhere. We would also advise that the proposals should be designed (raised or flood-proofed) to avoid any potential water damage e.g., flood susceptible electrics.*

##### Highways

- v. *This planning permission does not authorise the applicant to:*
- *construct any means of access over the publicly maintained highway (footway or verge) or*
  - *carry out any works within the publicly maintained highway, or*
  - *authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or*
  - *undertake the disturbance of ground or structures supporting or abutting the publicly maintained highway*

*The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details*

*<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/>*

*Please note Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.*

- vi. *The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application.*
- vii. *The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.*
- viii. *Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.*

### Ecology

- ix. *Hazel dormouse is a European Protected Species under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb a dormouse; and to damage, destroy or obstruct access to its resting places. There is an unlimited fine and/or up to six months imprisonment for such offences. If a dormouse should be discovered on site at any point during the development then work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice. The Local Planning Authority should also be informed.*
- x. *It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences. Should any works to mature trees be required in the future (e.g. felling, lopping, crowning, trimming) then this should be preceded by a bat*



survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works. The bat survey should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's Bat Survey: Good Practice Guidelines (3rd edition). If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

- xi. *The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences. All vegetation clearance, tree removal and scrub removal should be carried out outside of the bird nesting season which runs from March to August inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. No clearance works can take place with 5m of an active nest. Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/>.*
- xii. *Widespread reptiles (adder, slowworm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.*

*The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.*

*If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to September) when the weather is warm. Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife. The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.*

*All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife. 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 close-fitting 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.*

*Any common reptiles or amphibians discovered should be allowed to naturally disperse, or moved to a hibernacula. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present. If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.*

*If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801). Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.*

## APPENDIX 2

### FULL WORDING OF CONSULTANT'S OBJECTION ON BEHALF OF GREETE PARISH COUNCIL

#### 1. Introduction:

1.1 Addison Rees Planning Consultancy have been instructed by the Greete Parish Meeting (GPM) to make representations on the proposed solar development at Brick House Farm in Greete. Whilst there has been significant correspondence submitted by individual residents, raising a number of material concerns, GPM have the following primary concerns and objections which are set out in detail below.

#### 2. Policy Background:

2.1 Part 38 (6) of the Planning Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

2.2 The Shropshire Council Development Plan comprises the Core Strategy Development Plan Document (DPD) adopted on 24th February 2011 and the Site Allocations and Management of Development (SAMDev) Plan adopted on 17th December 2015. Since the adoption of the Site Allocations and Management of Development (SAMDev) Plan, any saved planning policies from the district council are considered out of date and have been replaced by the Local Plan.

2.3 Current Policy MD8 (Infrastructure Provision) of the Site Allocations and Management of Development (SAMDev) outlines the following:

“...New Strategic Infrastructure

3. Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:

- i. Residential and other sensitive neighbouring land uses;
- ii. Visual amenity;
- iii. Landscape character and sensitivity, including impacts on sensitive skylines;
- iv. Natural and heritage assets, including the Shropshire Hills AONB (Policies MD12 and MD13);
- v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);
- vi. Noise, air quality, dust, odour and vibration;
- vii. Water quality and resources;
- viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;
- ix. Cumulative impacts.

Development proposals should clearly describe the extent and outcomes of community engagement and any community benefit package”.

- 2.4 Emerging Local Plan - The Regulation 19: Pre-Submission Draft of the Shropshire Local Plan (2016 to 2038) was submitted to the Secretary of State for examination on 3rd September 2021. This emerging Plan identifies a vision and framework for the future development of Shropshire to 2038, addressing such issues as the needs and opportunities in relation to housing, the local economy, community facilities and infrastructure; and seeks to safeguard the environment, enable adaptation to climate change and helps to secure high-quality and accessible design
- 2.5 The emerging Local Plan is at an advanced stage of production currently in the Examination Stage. Shropshire Council have issued responses to initial questions raised by the Planning Inspectorate. Dates for the Examination in Public of the Shropshire Local Plan (2016 to 2038) have been scheduled and further information has been sought following the initial examination stage. As such, whilst the policy position is complex, the emerging policies may attract some weight as part of the determination of this planning application.
- 2.6 Of most relevant of the Emerging Local Plan, is policy DP26 (Strategic, Renewable and Low Carbon Infrastructure) which deals specifically with non-wind and low carbon developments. It states:  
“Non-wind renewable and low carbon development will be supported where its impact is, or can be made, acceptable. To aid in this determination, all applications should be accompanied by an assessment of the proposal’s effect on the following during both the construction and operational stages:
- a. Visual amenity (including the considerations within Policy DP17);
  - b. Landscape character (including the considerations within Policy DP17);
  - c. Natural assets (including the considerations within Policy DP12);
  - d. Historic assets (including the considerations within Policy DP23);
  - e. Air quality, noise and public amenity (including the considerations within Policy DP18);
  - f. Water quality and water resources noise (including the considerations within Policy DP19);
  - g. Traffic generation and the nature of vehicle movements;
  - h. The Shropshire Hills AONB (including the considerations within Policy DP24)...
  - k. Large scale ground mounted solar photovoltaic solar farm proposals should show how they have made effective use of previously developed and non-agricultural land. Where a proposal requires the use of agricultural land, poorer quality land should be used in preference to land of a higher quality (see also Policy DP18). Proposals should allow for continued agricultural use wherever possible and/or encourage biodiversity improvements around arrays. The assessment should pay particular attention to the impact of glint and glare on neighbouring land uses and residential amenity as well as aircraft safety, (including defence operations).

The assessment should be proportionate to the development proposed and include sufficient information to allow for an accurate evaluation of all impacts, both negative and positive. It should cover necessary ancillary development such as security measures, lighting, access tracks and fencing. Impacts should be considered cumulatively against those existing or consented development types with similar impacts in the surrounding area. Mitigation measures to remove or reduce adverse impacts should be identified”.

The below assessment covers the material considerations outlined above, and specifically focuses on the significant areas of concern raised by GPM.

### 3. Material considerations

#### 3.1 Natural Assets – Best and Most Versatile Agricultural Land

- i. The Agricultural Land Classification Report submitted for the application identifies that part of the site falls within Grade 2 land; with the remainder for the site being identified as Grade 3b. The site has been farmed well for the last 70+ years and is very productive, producing very good yields of grain (local farmers have confirmed that the land produces 4 tonnes per acre of wheat) and grass for milk and beef cattle. It has been constantly manured with farmyard manure resulting in very good consistent fertility.
- ii. The NPPF states at paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland." Further, Core Strategy Policy CS6 describes that new development should make effective use of land and safeguard natural resources, including high quality agricultural land.
- iii. Government guidance acknowledges that solar is a highly flexible technology and as such can be deployed on a wide variety of land types. Where possible, ground mounted Solar PV projects should utilise previously developed land, brownfield land, contaminated land, industrial land, or agricultural land preferably of classification 3b, 4, and 5 (avoiding the use of "Best and Most Versatile" cropland where possible). The local MP Philip Dunne chaired a meeting on 29th June in Parliament where the Secretary of State for the Environment stated that this type of land should not be built on.
- iv. Whilst the land identified as Grade 2 land in the applicant's report does not exceed the amount of best and most versatile land (20ha) required for Natural England consultation, National planning guidance for solar farms stipulates that any use of "Best and Most Versatile Agricultural Land" (defined as Grades 1, 2 and 3a) must be justified by submitting a detailed report identifying and assessing alternative sites nearby. Such assessments and considerations have not been made and development of this site above other/s that may be available in the area has not therefore been justified.

The proposal will therefore fail to safeguard some of the best and most versatile agricultural land. This adverse impact significantly counts against the development.

#### 3.2 Impacts on Designated Heritage Assets

- i. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty in respect of listed buildings in exercise of planning functions. Subsection (1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- ii. Paragraph 194 of the Framework considers heritage assets by confirming that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...”.

Paragraph 199 also outlines that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

- iii. The development surrounds Lower Cottage, sited immediately outside the northern boundary of the site, which is a Grade II Listed Building. The size, scale and massing of the development will significantly alter the setting in which the Listed Building will be seen and appreciated. Other heritage assets in the immediate vicinity of the site include Grade II Listed Lower Cottage, the Grade II\* Listed Greete Court, and the Grade II Listed Brick House Farmhouse. These are particularly important due to their historic associations and/or potential intervisibility with the application site.
- iv. It is acknowledged by the application submissions that the far northern part of the site and northern central part of the site are considered to make a contribution to the setting of Lower Cottage as a result of the historic association of land ownership and partial intervisibility with the asset.
- v. It cannot be downplayed that the introduction of solar arrays and infrastructure to these fields will significantly change the historic landscape character when experienced in views towards and from this heritage asset. The applicant’s assessment identifies that this may result in a small degree of harm, at the lower end of the less than substantial spectrum to the significance of Lower Cottage. We do not agree with this assessment and consider the harm to be substantial and that the weight attributed to this harm needs to be reassessed and balanced in the overall planning judgement.

### 3.3 Archaeological importance

- i. The site contains significant archaeological potential. This could be an Iron Age or Roman enclosure, there are two in Greete and standing stones marked on the 1893 OS map (as shown in the applicants’ submissions). The submission however, only focused on a 1km radius of the site, but the list of assets covers the whole of Greete. We believe the assessment should have covered a greater distance than 1km. The submission therefore fails to fully assess the potential impact of the development upon heritage assets.
- ii. Further, as identified from the Council’s Archaeological Officer comments, trench evaluation findings are outstanding and have not been provided by the applicants. As such currently insufficient information has been provided to enable the LPA to appraise the impacts of the development in accordance with the obligations of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, Chapter 16 of the NPPF and the heritage provisions of Policies CS17, MD8 and MD13 of the adopted Site Allocations and Management of Development Plan (2015).

### 3.4 Landscape Character

- i. Local Development Plan policies CS6 'Sustainable Design and Development Principles', MD2: Sustainable Design', and MD12 'The Natural Environment' seek to ensure that new development protects, restores, conserves and enhances the natural environment taking into account the potential effects on the local landscape character and existing visual amenity value. The site is 90m above sea level and highly visible in the surrounding undulating landscape. The size, scale and sprawling nature of the solar farm fails to recognise the intrinsic character and beauty of the surrounding rural countryside.
- ii. A comprehensive assessment needs to be made on the landscape harm and visual impact of the development. The submitted LVIA takes into account the landscape and visual receptors and makes an assessment on the effects of the scheme. The LVIA particularly fails to consider in detail the cumulative impacts of the other pending solar farm proposals at Rock Farm, Caynham and Henley Hall. GPM are also aware that there are also at least three more potential solar farm proposals in the area also being informally considered, at Pervin and The Venns, and Bleathwood that could also come forward in the future. These, we believe are smaller but significant on the accumulating effect on the landscape. These cumulative impacts need to be carefully and thoroughly considered and assessed, particularly given the potential impacts on highly sensitive areas and views from the Shropshire Hills AONB and the views on the landscape from other elevated positions such as the High Vinnals and Clee Hill. The submitted LVIA completely fails to take these other sites and potential developments into account, dismissing them in the scoping information as being in preliminary stages.
- iii. Given the above, it is our view that the proposals fail to accord with the policy objectives of these policies to protect, restore, conserve and enhance the natural environment taking into account the local context and character as per Policy CS6 'Sustainable Design and Development Principles' and MD2: Sustainable Design; and MD12 'The Natural Environment'.

### 3.5 Visual Amenity

- i. The proposed scheme will have a substantial impact upon the visual amenities of the area. A development of this size and scale would result in an incongruous feature within a traditional agricultural area. The site is dissected by the public right of way 0529/2A/3. The site would also be visible from the Shropshire Rights of Way '0513/10/1', Little Hereford Footpath 18 and Little Hereford Bridleway 12. Users of public rights of way are regarded as the most sensitive receptors for visual impacts. The impacts of glint and glare must be thoroughly considered, both in respect of the health impact to walkers but must also apply to horses too given the proximity of well used bridleways in the area. Therefore, the provision of a large-scale solar farm in this location will have a significantly adverse impact visually upon those users of the public rights of way.

### 3.6 Air quality, noise and public amenity

- i. Should permission be granted, the construction and maintenance works associated with the development will generate noise and dust nuisance from the significant levels of vehicle movements to and from the site. This will have a detrimental impact upon the amenities of the surrounding residential properties, particularly given the rural nature

and use of the narrow country lane. The provision of solar panels would also require the site to be bounded by 2.2m high deer proof security fencing as well as other urbanizing security measures such as CCTV cameras and also associated lighting in an area of dark skies and where there is no light pollution from streetlights or other external lighting in the area. The applicants' assessment of the noise created identifies that there would be harm caused and that the levels of noise emitted from the substation and associated equipment would be – this remains a concern for the neighbouring residents and GPM.

### 3.7 Traffic generation and the nature of vehicle movements

- i. The suitability and condition of the highway network and access roads to the application site and impacts on highway safety is one of the primary concerns for GPM. There are a number of inaccuracies and matters that are significantly downplayed in the applicant's highways submissions that must be highlighted and clarified and that are particularly important to understand from a local perspective. The key concerns are summarised as follows:
  - The access lane is not unnamed and is called Greete Lane. - There are some 41 residencies in Greete who use this road as their main route to Caynham and beyond to Ludlow. The road is far more used and active than the submission data suggests, used much more than for predominantly agricultural purposes for accessing the surrounding agricultural land.
  - The access road is a single lane carriageway, which measures 2.7m at best (less than the 3-3.5m stated) in width. There are very limited areas with verges either side and the majority of the road has high field hedges on either side abutting the lane. Thus visibility is poor and manoeuvring is difficult if having to pass/reverse when vehicles meet.
  - It is suggested that there are 'limited passing places' on the road. There are no formal passing places along the entire length of the proposed access road. Any possible passing places rely on field gateways or driveways of individual properties (where the good will of the owners allow into their driveways to facilitate passing). These would not be suitable or practical for the frequency and types of large machinery and vehicles that would be required for the construction and decommission phases of this project.
  - Given the length of the road (some 2.3 miles) and the narrow single carriageway width of the road and high roadside hedges, it would be necessary for vehicles that meet to reverse a significant distance in order to pass. The ability to drive along this route, for ALL other traffic will be seriously curtailed. This could also be dangerous and lead to accidents.
  - There are particular concerns about access in the area for Fire, emergency and medical services. This is very important as this proposal will hugely increase the risk of fire. Also, many residents are elderly and have medical visits, which may well be obstructed by the works.
  - Given the rural and undulating character of the area, there are 21 blind bends and 2 blind summits plus several steep gradients along the extend of the access road. Walkers and horse riders frequently use this road and there are 9 or so PROW that directly exit or cross over this lane. This means that there are often pedestrians or persons in the roadway that pose a very real risk to highway safety.
  - The proposed traffic management measures (proposing one-way traffic and stop and go boards) are impractical and will not account for all trips along the lane. This may result in vehicles reversing from a side road onto the main road, for example if a vehicle



is traveling from Caynham it will have to reverse onto the Ashford to Clee Hill Road. This would be highly dangerous, potentially resulting in traffic exiting onto a busy road with limited visibility in reverse.

- It is known locally that there have been more road traffic incidents than reported in the highways submissions. Whilst there have been no fatalities, there have been notable accidents – specifically in 2017 and 2019 there were two incidents with casualties needing ambulance assistance.
- It is considered that the amount of trips along Greete Lane in terms of the day to day lives and livelihoods of residents, such as trips for school runs, work runs, farming duties, exercise activities, plus the associated 60 construction workers present daily will upend the local community entirely. This is contrary to The Shropshire Plan which states that large solar farms cannot be built at the expense of the community.
- The traffic management measures will necessitate a 'three way' system at the Caynham junction and a 'one way' system between the Greete junction and the entrance to the construction site.
- In the absence of 'off road' parking for vehicles waiting both on the Ashford and Cleehill road and on the Greete to Caynham road all vehicles, except construction traffic, will not be able to proceed past 'waiting' traffic. The suggestion that such waiting traffic would need to reverse to allow oncoming traffic to pass would be impractical. To reverse where? The few passing places available could only accommodate no more than one, or possibly two vehicles, as stated above.
- For the proposed solar farm development to proceed the Greete to Caynham road would need to be completely closed to ALL traffic, other than construction site traffic, for the whole of the development time table, i.e. 6 months or for however long it actually takes.

Therefore, the proposals are considered to pose an unacceptable impact on highway safety, and the proposed traffic management measures are impractical given the real-life conditions and use of the local road network.

#### 4. Other matters:

- i. Clarification needs to be sought for the Council to be able to satisfy themselves on the following technical matters of the proposals in order to be able to make an informed decision on this application:
  - Whether there is sufficient information provided to assess the overall actual impact on wildlife and ecology and whether a biodiversity strategy has been considered. This is particularly in relation to the lack of consideration to the foraging value of the land for bats and birds, and specifically in regard to the consideration given to Housemartins, which are classed as endangered in the UK and are 'Red Listed'. No suitable mitigation has been suggested or considered for these protected species. The charity for Conservation of Housemartins highlight that Housemartins are a Red Listed species on the Birds of Conservation Concern report. These birds only make their nests out of mud, and feed on the wing, (airborne insects). The proposed bird boxes as shown on the ecological mitigation and enhancement details will not allow this species to exist on those fields.
  - Clarification and confirmation as to the extent of existing hedgerows across the entirety of the site and the extent of proposed hedgerow and tree removals. Reference is made to some hedgerow removal on the roadside, visible from Greete

Lane, but there is limited explanation as to further excavation of other hedgerows and trees within the site.

- The extent of the social impacts of the development, will result in the loss of a land which has been used for the past 55 years for camping by Church services, the river for wild water swimming, and horse riding. It is emphasized in government farming policy how much value is put upon these activities and that they should not be affected by such proposals.
- Clarification should also be sought as the extent and location of any electrical fencing – particularly in areas adjacent to public bridleways.
- Hedgerows –
  - There is no clear data showing which of the over 30 year old hedgerows and mature trees intended to cut back or demolish.
  - The maps are so small and blurred that any definition as to the intended excavation is impossible to discern.
  - The Tree Team indicate: "short sections of hedgerow will be removed to improve access and facilitate the boundary fence erection."
  - It is stated that "Approximately 9 meters of hedgerow to be demolished to form the Solar Farm entrance on Greete Road".
  - It is clearly stated by the Wildlife and Countryside Act 1981 that it is illegal to remove all or part of native hedgerows if they contain protected species and are over 30 years old. All the hedgerows are over 60 years old.
  - Any hedgerow over 30 years old is protected (therefore unlawful to remove) if it's on land used for agriculture or forestry. This applies to the hedge referenced above, including all others within the site.
  - The Wildlife and Countryside Act 1981 states that it is illegal to remove any hedgerow over 30 years old that contain Protected Animals. The Protected species below are contained within the hedge in question and the other hedges on site. These are - Bats, butterfly Large tortoiseshell, Butterfly small blue, Butterfly High Brown Fritillary, Butterfly wood white, Dormouse ,Spider ladybird, common toad , frog , hare, Hedgehog.
  - This hedge marks the boundary of Brook House Farm Estate and looks to be related to Lower Cottage, this cottage that was in existence before 1600, therefore it would be unlawful to remove any of this hedgerow.
  - Bluefields is stated in their data that they will be using existing hedgerow gaps for their machinery. There are no hedgerow gaps present on this land.
  - Hedgerows are a vital part of the ecosystem. The idea that Hedgehogs, bats, dorm mice and other protected small mammals would survive the destruction of their natural hedgerow/field habitat, and find their way through 135 acres of weed killed, panelled fields via a "conservation corridor" to a designated biodiversity field that Bluefield's intend to create, is heavily doubted.
  - There is no mitigation for the wildlife habitats currently in those hedgerows; the hedgehogs etc. These species will likely perish.
  - The Council must take these laws regarding hedges into account as part of their assessment of the application.

## 5. Conclusion:

- i. Drawing together the above, it is considered that there is insufficient information in respect of the archaeological significance and interest on the site, as well as very limited consideration given the properly assessing the cumulative impacts on the

landscape character of other future large scale solar farms in the local area. Further clarification should be sought in respect of protected species, particularly in regard to Housemartins and the impacts due to the extent of hedgerow removals as a result of the proposals. The development would result in the loss of best and most versatile agricultural land, and there would be harmful adverse impacts on designated heritage assets and highway safety.

- ii. We respectfully request that planning permission be refused for this development.

GPM has asked that they be kept informed of how any decisions will be made for this application, noting that they have been advised that the decision date has been delayed until 20th September 2022. They welcome opportunity to consider and comment further on any new information provided by the applicants prior to any decision being made by the Council.

Yours sincerely,  
Simon Rees BSc, MA, MRTPI (Director)  
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## **RESPONSE OF GREET PARISH MEETING TO APPLICANT CLARIFICATIONS 12/9/22**

Regarding the Brick House Solar Farm proposal 22/02565/FUL in Greete: Greete Parish Meeting (GPM) attach their Official Letter of Objection, and underneath, a response to Bluefields' (BF) recent update briefing to you.

Although the two letters below deal with the above application it must be added that The "Cluster Effect" of so many applications, all in exactly the same area, Ledwyche, Pervin, Venns, Bleathwood etc, are of huge concern to many, due to the absence of laws in the current Sam Dev Policy, or draft of the New Shropshire Plan, to stop the growing queue of applications.

Please include the above in your consideration of this particular application which would be a large part of what is, fundamentally, one big Solar Farm application across this whole area of South Shropshire.

Kind regards,  
Greete Parish Meeting.

Response to Briefing Update to Graham French

- i. BF: Solar farms currently account for 0.08% of total land use (Solar Energy UK 2022) Government targets for a fivefold increase in solar would result in 0.3% of the UK land area being used by solar (Carbon Brief, 2022). This is the equivalent to around half of the space used by golf courses.

GPM response: This is a clever but slanted statement: Bluefields refers to "total UK Land use". This proposal is about building on ARABLE LAND. The amount of arable land in the UK is in decline. It currently stands at 14.8

million acres, which is the lowest since World War 2. Arable Land is being taken out of cultivation at a rate of almost 100,000 acres per annum. GPM argues that it is for this reason that we cannot afford to lose this (and others) to solar due to both the crop growth, energy prices and Geo-Political issues.

ii. BF: Brick House is predominately grade 3B

GPM response: The word “predominately” is not appropriate. A “briefing” must be entirely precise and contain data. These are Bluefields own data in their original proposal:

SOIL

Grade 2 : 2.8%

Grade 3A 18.2%

Grade 3B 75.8%

These figures state over 20% of this 135 acre site is BMV land. This is before we get to the thorny issue of Grade 3b land which The Secretary of State for the Environment stated at a Parliamentary Committee “Grade 3b land is classified as best and most versatile”. Bluefields state that he is “incorrect”. Who says so ? Bluefields themselves? Or a third party? They must explain to the Council how they came to assert that on 29.6.22 George Eustice made an incorrect statement to a Parliamentary Committee. This soil grading is a key issue because the people that this Meeting represent simply do not believe the assessment that this land is sub-standard soil. Many of them and their forbears have productively farmed on those fields for many years so how can it suddenly be deemed “poor quality land”?

iii. Bluefields comments on the crop production on these fields with the following withering statement: Brick House is predominantly grade 3b and is currently used for growing potatoes supplied to McCains for oven chip production.

GPM response: This is wholly untrue. Potatoes are not grown on these particular fields, never have been. Here are pictures of barley and wheat grown in several of the fields in question taken in the spring and summer of this year. The Greete Parish Meeting understands that Bluefields needs to make reductive statements such as the one above in order for The Council to look favourably on their proposal, but ultimately it must be about the facts, not spin.

iv. BF: Food Security and Solar: “Record gas prices are driving the cost-of-living crisis, causing real harm to customers and the wider economy. As well as doing everything we can to protect customers now, we must diversify Britain’s energy supplies away from gas as soon as possible. Recent months have demonstrated that the arguments for boosting our energy security and building a home-grown supply have never been stronger. The economics of energy have fundamentally changed with green energy no longer a desirable but costly alternative, instead, it is now the secure, more reliable, and cheaper option.” Jonathan Brearley, Chief Executive of Ofgem, Net Zero Britain, Ofgem July 2022”

GPM response: The Soil Association says: “In order to ensure healthy and resilient food and farming systems in the UK, we must become more self-sufficient in delivering

what the population needs for a healthy diet.” The Soil Association web site, September 2022

- v. BF: Preferred access route for HGV's from north - 40 HGV's in total at a maximum of 4 a day.

GPM response: GPM note this figure has up from 4 HGV's a day originally, then to 60x2 HGV's a day and now back down to 40. GPM conclude from this that Bluefields know this construction plan is unworkable on 2.4 mile long / 3.5 m wide single track. They are now considering widening the track, which will mean bulldozing the hedgerows, which, as the Council knows, is illegal.

- vi. BF: “currently 500 solar farms...often built with single track access“

GPM response: This statement bears absolutely no relation to this proposal. Solar Farms are different sizes - this one large, and geographical lay-outs are obviously completely different. There is still no further information of where the Off-Site location will be, only that it will be West of Caynham, exact location to be confirmed quoted from their original Construction Management Plan(CMP). Bluefields state that Up to 80 construction workers during peak times will be used. This appears to have gone up from 60 in their original CMP. The transport needed for such a number is significant. The GPM has now re-read The Construction Management Plan. GPM urges the council to do the same. It is physically impossible to carry out its remit on Greete Lane and the surrounding areas. The Highways report is not accessible on the Council's portal.

- vii. BF: Bluefields solar and Biodiversity section: “resting the land”

GPM response: Bluefields make this sound as if BF are bestowing the greatest of gifts upon nature. The truth is this proposal would mean the land would be degraded with little potential for biodiversity. The likelihood of it recovery after 40 yrs is small, it would take at least ten further years to grass, if at all. The grazing, the breeding boxes and hedgerow management is all tokenism. It in no way compensates for the lost potential of the land. The pictures in the “Brief”of sheep grazing on fields, though a good marketing ploy, is again spin. A local sheep farmer who has farmed on this local land all his life, said “If my sheep got in their they'd chew through the plastic of these wires underneath the panels, they'd be dead in a day”. Bird and bat death are common in solar farms such as the one proposed as they mistake the glass for water.

- viii BF: Bluefield will own and operate the solar farm and is committed to delivering biodiversity benefits across all its solar projects throughout their operational lifetimes.”

GPM response: Bluefields cannot guarantee this over the 40 year life of the project. The assurances given here are entirely unenforceable. Bluefield might decide to sell the site. In any event the ownership and management of the company is bound to change with time and different priorities will apply.

In the end Graham, the practicality (leaving the financial implications to one side) of all the above boils down to two things: Soil and Access. They are at the very heart of whether this application should be granted, or not.