



Committee and date
Southern Planning Committee
15th November 2022

Development Management Report

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

Summary of Application

<u>Application Number:</u> 22/03068/FUL	<u>Parish:</u>	Boningale PC
<u>Proposal:</u> Construction and operation of a solar photovoltaic farm with battery storage and associated infrastructure, including inverters, substations, security cameras, fencing, access tracks and landscaping		
<u>Site Address:</u> Proposed Solar Farm to the south of Holyhead Road, Albrighton		
<u>Applicant:</u> Low Carbon Solar Park 16 Ltd		
<u>Case Officer:</u> Grahame French	<u>email:</u> graham.french@shropshire.gov.uk	

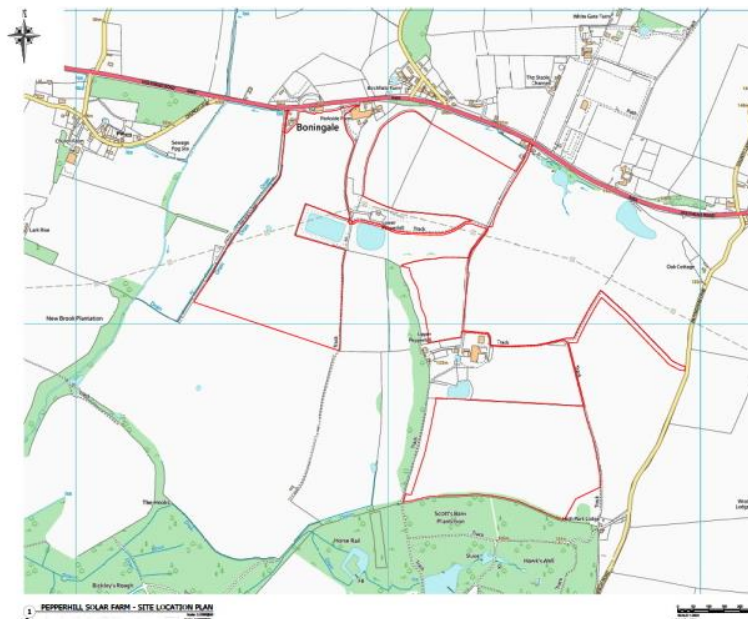


Fig 1 location

Recommendation:- Approve subject to the conditions set out in Appendix 1 and legal agreement securing funding to refurbish Grade II Listed Pepperhill Farmhouse

REPORT

1.0 THE PROPOSAL

- 1.1 The application is for a solar generating facility with a capacity of 23 megawatts comprising solar photovoltaic (PV) panels and associated infrastructure including security fencing, security cameras, internal access tracks, underground cabling, inverters, substations, battery storage, grid connection, landscaping and other environmental enhancement measures. The site would generate enough electricity to power approximately 7,642 homes annually.
- 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.



Fig 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 3m. There would be a gap of approximately 3-

4 m between each row. The panels would be mounted on a frame, to be installed using spiked foundations of approximately 1-2 m deep.

1.5 The following structures are also proposed:

- Inverter Substation
- Deer proof perimeter fencing and access gates
- CCTV cameras
- Batteries within containers
- WPD Substation Compound
- Communications mast
- Customer Switchroom
- DNO Switchroom
- Landscaping and Biodiversity Enhancement Areas

1.6 Batteries: The batteries would be contained within shipping containers or a similar cabin type structure. Each cabin would measure up to approximately 12 m long, 2.5 m wide and 3 m high. Each cabin would be placed on a hardcore base, with a stepped access at one end. The batteries would charge at off-peak times and then supply electricity to the local electricity distribution network at times of peak energy demand and/or when solar irradiation levels are lower, and the solar panels are generating electricity. This means that the Proposed Development can supply electricity to the local distribution network at all times.

1.7 Inverters: The inverters and batteries would be within containerised units similar to shipping containers. Each unit would measure approximately 12.2 m long, 2.5 m wide and 2.9m high. Each unit would be placed on a concrete base (with up to 1m deep foundations) and would be similar in appearance to the image in Figure 3.3 above. The inverters would convert the direct current ('DC') generated by the solar panels into alternating current ('AC'). Transformers, contained within the inverter cabins, convert the low voltage output from the inverters to high voltage suitable for feeding into the local electricity distribution network.

1.8 Substations and Grid Connection: The point of connection for the Proposed Development into the electricity grid is via an overhead line which runs above the Site to its east. The solar panels would feed DC electricity into the inverters. This would be converted to AC electricity to be transferred through the switchrooms, through the meters, to the substation compound before stepping up the voltage to feed into the grid via an underground cable into a nearby 33 kV electricity line. The substations, inverters and solar panels would be connected by underground electrical cables. The Proposed Development would also feature ancillary equipment like a meter room and customer switchroom.

1.9 Communications mast: The Proposed Development also comprises a communications mast located adjacent to the south west of the substation compound. The mast will be a lattice steel structure measuring 1.2m wide on all faces and would be 15-20m high with three antenna poles. It would be installed on a concrete base.

- 1.10 Security Fencing and Access Gates: Stock-proof (mesh with wooden posts or similar) to a height of approximately 2 m would be installed along the outer edges of the Site in order to restrict access. This would be sited inside the outermost hedges/trees/vegetation, ensuring that the fence is visually obscured, and access is available for hedge trimming and maintenance. Gates would be installed at the access point for maintenance access. These would be the same design, material and colour as the fencing.
- 1.11 CCTV and Lighting: The perimeter of the Site would be protected by a system of CCTV cameras and/or infra-red cameras (facing into the Site to protect privacy). The cameras would be on poles of up to approximately 3-4m high, spaced at approximately 50 m intervals along the security fence. There would be no lighting within the Site at night-time.
- 1.12 Construction and operation - It is anticipated that the solar farm would take approximately 12-18 weeks to complete. It is proposed that impacts during the construction phase are controlled via a Construction Method Statement and Construction Environmental Management Plan. Proposed working hours would be 08:00 – 18:00 Monday to Friday; and 08:00 – 13:00 Saturday. 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: Key landscaping proposals include:
- establishing flora margins/buffer strips along field boundaries, between the boundary hedge/vegetation and the proposed fence;
 - elsewhere sowing areas with a species-rich grassland mix, including beneath and in between rows of solar panels;
 - retaining all existing woodland, trees and hedgerows (and field margins generally) within and adjacent to the Site, to retain the sense of enclosure and avoid opening long views;
 - providing enough space for new/replacement hedgerows and vegetation to be planted, to integrate the Site into the surrounding landscape as far as practicable; and
 - using native species only.
- 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 54.7 hectares (ha) of agricultural land and is made up of four adjacent parcels of agricultural land.

2.2 The Site is situated within a rural and agricultural setting south of the village of Boningale. A handful of residential properties, a farmstead and the A464 are all located directly north of the Site, with the majority of Boningale located north of the road. A large, dense area of woodland is located directly south of the Site and forms part of the Patshull Hall Registered Park and Garden

2.2 The buildings of Upper Pepperhill Farm are located north of the southern parcel. The wider surrounding area comprises agricultural fields, scattered farmsteads, woodland and small water bodies. Pylons and telephone cables border three of the parcels that make up the Site, giving a slight industrial element.

2.3 The site is not subject to any statutory designations but is located within the Green Belt. An Ancient Woodland is situated to the west and a public footpath runs along the eastern boundary. Parts of the Site fall within a locally designated Green Infrastructure Corridor and Biodiversity Opportunity Area.

2.4 The Patshull Hall Registered Park and Garden is located directly south of the southernmost parcel of the Site (Development Zone 5). A Grade II Listed Building (Pepperhill Farmhouse) is located between two of the parcels (Development Zones 4 and 5). There are further Grade II and II* Listed Buildings and one Grade I Listed Building located within the wider area, largely within the village of Boningale and the Patshull Hall Registered Park and Garden. These assets are generally a considerable distance from the Site.

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.i. Boningale Parish Council: Objection. This majority decision has been reached following consultation with residents via various means. We do not oppose the development of solar energy farms in general but object to this planning proposal for the reasons below.

ii. The application is for the development of a solar farm within the Green Belt. National and local policy states that inappropriate development (e.g. solar farms) is harmful to the Green Belt and should not be approved except in very special circumstances. The proposed solar farm is large and therefore in itself significant. It is one of three sites around the Albrighton/Boningale area currently under

consideration (one granted) and therefore the cumulative impact on the local Green Belt will be very significant and harmful. There will be significant loss of amenity to some residents. The area is very well used by walkers and cyclists and the current landscape setting will be damaged. The proposal includes the parish's highest point which currently commands views of Shropshire's highest hills. This vista will be severely compromised. It is the view of the Council that the application will harm the Green Belt and that it fails to demonstrate any benefit to the local area.

iii. The proposal will entail the use of a large amount of good quality agricultural land - the best and most versatile (BMV) land. 94% of the land to be used is good quality agricultural land Grade 1 / Grade 2 and Grade 3a.. 65% of the land is Grade 1 and 2, the very best BMV land. Local and national policy states that solar farm developments should avoid the use of our best agricultural land and should be developed on moderate or poor land. The need for any development must justify the scale and nature of the loss, in this case of so much high quality land. The application fails to do this. Productive agricultural land must be prioritised for food production.

4.2i. South Staffordshire District Council: The application relates to the creation of a solar farm on land close to the Staffordshire / Shropshire boundary. South Staffordshire have been consulted as a neighbouring authority, with the decision falling to Shropshire Council based upon the location of the site. As has been stated in the comments from the Shropshire Council historic environment team the principal impact of the scheme will be upon the setting of designated heritage assets in Shropshire.

ii. As has also been stated, the site is within the setting of elements that formed part of the wider park associated with Patshull Hall. The changes will have an impact upon this setting, and whilst more minimal than the impact upon the listed buildings within Shropshire, I would concur with the assessment that ultimately despite the reversibility of the scheme there are objections to the proposals, which will cause less than substantial harm to the historic environment.

4.3i. 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/ 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 23MW 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 4.4 ktCO₂.

4.4 SC Public Protection: I have examined the submitted tetra tech noise report ref 784-B040528 and would recommend that if permission is granted that the following condition is included. The noise mitigation measures as recommended in section 6 of tetra tech noise report ref 784-B040528 shall be implemented in full.

4.5i SC Trees: No objection. The site occupies several fields, some of which lie alongside or close to a north-south running strip of ancient semi-natural woodland (ASNW) between Lower and Upper Pepperhill. ASNW is a rare and irreplaceable habitat which is afforded particular protection within the National Planning Policy Framework. To avoid harming it, the layout of the submitted scheme has been designed to meet or exceed the development stand-off recommended within Natural England and Forestry Commission standing advice on ancient woodland and ancient and veteran trees, as a buffer between the ASNW and the development. As a result, I note that the Ecological Appraisal (EDP Ltd, June 2022) concludes that the proposed development will have no direct or indirect impacts upon the Pepperhill ASNW.

ii. I accept the findings and recommendations of the Arboricultural Impact Assessment (Barton Hyatt Associates, June 2022) and agree that the minor amount of hedgerow removal and very limited tree removal required to implement the proposed development will have negligible impact upon the arboreal nature of the location and will be more than compensated by the native tree and hedge planting

proposed in the Landscape Strategy Plan (EDP 6), which I support. Retained trees and hedges can be afforded adequate protection by the measures described in the Arboricultural Impact Assessment (AIA), subject to the preparation of a final Arboricultural Method Statement and Tree Protection Plan, to be prepared in accordance with the Heads of Terms given in Section 8 of the AIA.

- iii. I therefore have no objection to this application on arboricultural grounds and recommend attaching tree protection and landscaping conditions to any permission granted (included in appendix 1).
- 4.6 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.
- 4.7. SC Ecologist: No objection. I am satisfied with the additional information and BNG calculations. The BNG calculation proposes 'net biodiversity gains of +93.57 (70.06%) habitat units and +26.29 (473.60%) linear habitat units.' This will be provided through the creation of ~436.7ha of species-rich grassland, the enhancement and strengthening of 2km of existing hedgerows through the planting of native species, and the creation of ~1.47ha of heathland scrub or mixed scrub (dependant on establishment success) planting along the boundaries. Conditions and informatives are recommended (included in appendix 1).
- 4.8i. SC Archaeology Further to our comments and recommendations of 22 July 2022, an evaluation of the proposed development site in the form of a geophysical survey and trial trenching has been completed and reported on (Archaeological Project Services, September 2022 and Wessex Archaeology, October 2022). It is advised that the Archaeological Desk-Based Assessment and evaluation provide a sufficient level of information about the archaeological interest of the proposed development site in relation to the requirements set out in Paragraphs 194-195 of the NPPF.
- ii. In the light of the above, and in relation to Paragraph 205 of the NPPF (July 2021) and Policy MD13 of the SAMDev component of the Shropshire Local Plan, it is advised that a programme of archaeological work be made a condition of any planning permission for the proposed development. This programme of archaeological work should comprise a watching brief during ground works - including the soil stripping for the site compound for the construction phase, inverters, substation and meter room buildings, and any site access tracks necessary during construction phase, and trenching for cables (condition included in appendix 1).
- 4.9i. SC Conservation The proposal site is surrounded by various heritage assets including Upper Pepperhill Farm which is grade II listed, along with other curtilage listed barn buildings. The principal farmhouse dates from the seventeenth century with later nineteenth and twentieth century alterations and is recorded on the Historic Environment Record (HER) as part of the Historic Farmsteads Characterisation Project. Bishton Manor lies to the west where this is grade II* listed where there is an accompanying set of barns that are grade II listed in their own right where these are also recorded as part of the Historic Farmsteads Characterisation Project. Patshull Hall Registered Park and Garden (grade II listed)

lies to the south of the site but largely lies within South Staffordshire District. To the west there is the settlement of Boningale which contains a conservation area that includes various listed buildings including the Church of St Chad which is grade II* listed and an accompanying cross which is a Scheduled Monument. There are also a number of non-designated heritage assets (as defined under Annex 2 of the NPPF), including Lower Pepperhill Farm, Boningale PH and Parkside Farm.

- ii. It is noted that this proposal follows that of a pre-application enquiry (PREAPP/21/00413) and that the expected lifespan of this proposal is expected to be in the region of forty years.
- iii. It is noted that a Heritage Impact Assessment (HIA) has been submitted in accordance with paragraphs 194-195 of the NPPF, Historic England guidance GPA3 and HEAN12 and policy MD13 of SAMDev by AOC Archaeology Group, along with an LVIA. The analysis of the HIA has been noted especially with regards to potential intervisibility with some of the relevant heritage assets as identified above. As previously stated to the pre-application enquiry, there is concern with regards to impact upon setting not just with regards to the panels but the accompanying paraphernalia including the inverters (containers) and security provision. The following analysis is noted:
 - Upper Pepperhill Farm - despite the close proximity to the panels immediately to the north, the main scope of intervisibility shall be to the west, where the farmstead is located on top of a sandstone escarpment that provides considerable views to the west;
 - Patshull Hall Registered Park & Garden - the proposal shall run up the site, so therefore shall be in close proximity as per Upper Pepperhill Farm, though there is some screening via existing trees and an existing boundary brick wall.
 - Church of St Chad - may be some intervisibility and glimpse views via the churchyard but is largely screened.
 - Boningale Conservation Area - some potential intervisibility towards the east.
 - Non-designated heritage assets of Lower Pepperhill Farm, Boningale PH and Parkside Farm - little intervisibility and therefore negligible impact.
- iv. The submitted Design and Access Statement states/concludes that the proposal shall consist of 'less than substantial harm' (as defined under paragraph 202), albeit mitigated through the provision of consolidatory landscaping and planting. As previously stated, tree belts (copses) are typically found within the landscape within east Shropshire and the Staffordshire borderlands, some of which is probably historically associated with the designed landscape of Patshull Hall, where further provision (especially for areas where these have probably been lost to agriculture over the twentieth century). It is therefore welcomed that the proposal shall include that of replacement planting and reinstatement of lost historic field boundaries, where should be informed by the use of the relevant historic first and second edition mapping.
- v. SC Archaeology's comments are noted where the site has archaeological potential, where the recommended condition is supported with regards to the potential for further archaeological work being required. Also Historic England (setting of a

Schedule Monument and setting of II* listed building) should be consulted as well as South Staffs District Council's historic environment advisor.

- vi. Overall, despite the relative reversibility of the scheme and mitigation measures, taking account of the overall size and scale of the proposed solar farm there is objection, where there concurrence that the scheme consists of 'less than substantial harm', where it is considered that the setting of Upper Pepperhill Farm is the most significant where this would be considered to reach the middle part of the scale with the setting of the other heritage assets to be at the lower end of the scale. Therefore the proposal is considered to be contrary to paragraphs 197 and 202 of the NPPF, policies CS6 and CS17 of the Core Strategy and policies MD2 and MD13 of SAMDev. However it is up to the decision maker in terms of balancing out the proposed public benefits of the scheme against harm (setting).
- 4.10i. SC Highways No objection subject to recommended conditions and informatives (included in appendix 1).
- 4.11ai. SC Landscape advisor (initial comments) Subject to inclusion of assessment of cumulative effects, the methodology for the LVIA is appropriate for the nature of the proposed development and scale of likely effects, and has been prepared in compliance with GLVIA3 and relevant supporting Technical Guidance. However, the assessment of effects has not been carried out in accordance with the methodology and at present should not be relied on to make a sound planning judgement.
- ii. The LVA finds that the effects are almost entirely adverse in the long term, with no beneficial effects predicted. Although the mitigation measures proposed are appropriate in the context of the site, the nature of the development is such that some high levels of adverse effects are predicted in the long term.
 - iii. The proposals have the potential to comply with Local Plan policies relating to landscape and visual matters, however more information is required to demonstrate compliance. The proposals impact adversely on the openness of the West Midlands Green Belt.
 - iv. We have made 3 recommendations relating to the LVA and 1 relating to a suggested landscape condition.
 - v. The methodology for the LVA is appropriate for the nature of the proposed development and scale of likely effects, and, with the exception of the approach to the assessment of cumulative effects, has been prepared in compliance with GLVIA3 and relevant supporting Technical Guidance. However, the assessment of effects has not been carried out in accordance with the methodology, and this may be a result of the decision to prepare an LVA rather than an LVIA. Contrary to the methodology, no assessment has been made of landscape and visual value and susceptibility, and as a result it has not been possible to validate the judgements made.
 - vi. Notwithstanding this, all effects are predicted to be adverse, ranging from major adverse to negligible adverse. Although the level of effects is predicted to reduce

over time with mitigation in place, the nature of some visual effects is such that no mitigation is possible, with a number of major/moderate adverse visual effects predicted in the long term.

- vii. No assessment of direct landscape effects has been undertaken. The opportunity exists for the prediction of beneficial landscape effects through, for example, the planting/gapping up of hedgerows and the creation of heathland habitat.
 - viii. No assessment of cumulative effects has been undertaken. Given the recent growth in solar energy developments in the County we consider this to be a significant omission.
 - ix. The mitigation and enhancement proposals are, subject to details on specification and aftercare, appropriate.
 - x. The Green Belt Impact Assessment does not appear to have taken account of recent judgements, which leads us to conclude that the openness of the Green Belt will be compromised by the proposals, albeit for the operational period given that the change to the site arising from the development is reversible.
 - xi. The content of the LVA complies with the Council's pre-application advice, with the exception of the recommendation to prepare an LVIA.
 - xii. We do not consider that the proposals comply with Local Plan Green Belt policies CS5 and MD6. More information is required before we can recommend that the proposals comply with Local Plan policies CS6, CS8, CS17, MD2 and MD12.
 - xiii. We recommend that, prior to the determination of the application, the LVIA be modified so that:
 - Cumulative landscape and visual effects are assessed
 - Landscape receptors likely to experience direct effects are defined and assessed
 - Assessments of landscape susceptibility and value are included to evidence the judgements made of sensitivity and overall level of effect
 - xiv. We also recommend that a landscape condition be applied to a grant of planning permission (included in appendix 1)
- 4.12b SC Landscape advisor (*Note – the applicant amended the LVIA and layout plan in response to the landscape advisor's recommendations. The landscape advisor has been re-consulted. Any subsequent comments will be reported to committee*)
- 4.13 Natural England: No comments received.
- 4.14 Councillor Nigel Lumby objects to the proposals on the following grounds:
- i. As ward councillor I have asked the case officer that this proposal be considered by the Southern Planning Committee. I have made my feelings known regarding Solar farms in Albrighton ward in a parallel pending application for a solar farm

22/01816/FUL and will repeat myself here. I must declare that as a resident, I am directly affected by this application. That said, as it affects me, I am happy with the screening proposal and the positioning of the start of the panels up on the ridge. I have solar panels and embrace renewable energy. My objections relate to;

1. Not sustainable development NPPF
 2. inappropriate development in green belt
 3. development on Prime Agricultural land
 4. Too close to historical assets and Conservation Area
- ii. NPPF specifies that the development should be sustainable. This application does not take into consideration the needs of future generations, as it takes away the ability of at least two generations from meeting food security. Fails on the economical test though productivity, whilst increasing productivity of renewable energy, this is achieved by substantial loss of agricultural productivity removing some of Shropshire's best land. It fails on the social objective as it does the opposite to promoting and supporting the communities' health, social and cultural well-being. Fails the third test in part environment objective to protect and enhance our natural, built and historic environment; including making effective use of land. I accept this could be seen to be mitigated by the second part in relation to moving to a low carbon economy but I'm not sure this is what the NPPF envisaged.
- iii. The presumption of sustainable development is countered by various sections of NPPF that relate to protection of the Green belt. This development is in the Green Belt. 147 confirms development is inappropriate in green belt except in VERY SPECIAL CIRCUMSTANCES. I do not believe this application has met the very special circumstances. Whilst it is recognised that there is a need for renewable solar energy to form part of a national strategy of green energy and S151 does say that such very special circumstances MAY include the wider benefits associated with increased production of energy from renewable sources. This does not give cart blanche for developers to just point to this paragraph to usurp the very special circumstances. In this application the developers have identified the low height electric feed wires as a means of connecting to the grid. These wires can be seen criss-crossing vast parts of Shropshire and don't provide a special reason why it must be here.
- iv. The argument for renewable energy through spiralling energy costs, due to the war in Ukraine, are offset by the corresponding urgency to provide food security as a result of the same war. Therefore, this application would fail to demonstrate the loss of this land to top quality food production (food security), is offset.
- v. Green belt is reliant on openness of countryside to fulfil its function to restrict urban sprawl into the countryside. By the applicant's own consultant report, this application will have substantial impact on openness. (Sam Dev MD6 and CS6) development....does not conflict with purposes of green belt.
- v. MD2 of Sam Dev Infrastructure Provision identifies the need for Shropshire Council to contribute to national renewable energy targets. However, it is not prescriptive and offers no policy as to where this will be achieved. This cannot be that it just accepts solar farm development as they come in. If it is acceptable to consider

Class 3b,4 and 5 land and not just brown field sites then the council should have areas identified like it does for houses. Developers are just demonstrating the lack of brown field sites to justify green belt development.

- vi. The land has been assessed as 22% Grade 1, 43% Grade 2 and 29% grade 3a. 94% of the proposal site, so is therefore top-quality agricultural land. Shropshire Councils Sam Dev policy MD12 The Natural Environment and Core Strategy 6(CS6) is that development should avoid quality agricultural land. I am staggered that a fifth of this proposal is on grade one, 'excellent quality agricultural land'. This should be removed from the application as loss of Grade 1 land cannot be justified. By a rural council.
- vii. CS6 ...and ensuring that all developers.. Make the most effective use of land and safeguard natural resources including high quality agricultural land. Natural England gives guidance in regard to Solar Farms on agricultural land. The 'temporary' loss to agriculture for 40 years does not mean the land will remain quality land unless managed correctly. There is nothing in this proposal in relation to maintain the quality of the land.
- viii. The public footpath to the east of the development is at the top of a slope where walkers and ramblers look down into the dip of the land. The solar panels to be placed here cannot be screened unless the screening was so close to the path that the walker/public lose the openness and amenity, the very thing the green belt is trying to protect. This footpath is well used and maintained.
- ix. Because of the closeness of Albrighton and Boningale to Wolverhampton, a power hungry city and the reluctance of South Staffordshire (in between) to have solar farms, this area is being targeted for solar farms. South Staffordshire Council is 80% Green Belt, their Local Plan Core Strategy EQ6 sets out how it intends to contribute to national targets via biomass and wind. There is no mention of Solar! It identifies areas open for this type of development, unlike Shropshire. Because Green Belt is a small percentage of Shropshire the renewable policy isn't strong enough to protect the green belt. There is one smaller established solar site in County Lane (not objected to at time), another proposal in County lane and this one. Should they be successful I believe there would be a culminative effect on openness in the area. There is another proposal, again in Green Belt, in Kemberton in the next ward along.
- x. The draft Local Plan, whilst having little weight in this argument, does demonstrate Shropshire Councils forward vision in relation to renewable energy. DP18 reinforces that poorer quality agricultural land should be used for any proposal and DP26 relates to a raft of issues including the amenity of resident. It has not identified the growing demand for solar against the Green Belt closely abutting the urban combinations.
- xi. The development will have a negative impact on heritage buildings close by. The village of Boningale, being deemed a conservation area and containing the heritage asset of St Chads Church, will have detrimental views as well as having modern, non-agricultural infrastructure, close to this ancient village. -harmful landscape setting.

Public Comments

- 4.15 The application has been advertised in accordance with statutory provisions and the nearest properties have been individually notified. At the time of writing 102 representations have been received - 22 objecting, 78 in support and 2 neutral. The main issues of concerns of objectors can be summarised as follows:
- 4.16 Objection comments:
- i. Impact on arable land: Prevent good-graded quality arable land from being available. Would take high quality land out of food production. We believe, agriculture and food production is of great importance to our community and nationally and that is why we object to the usage of versatile agricultural land to be used as a solar panel farm, which Pepperhill falls under. A large area of high grade agricultural land (more than 50% of it of the highest grades 1 & 2) will be lost for 40 years, and quite probably very much longer with re-applications and probable expansions. This appears to be in complete contradiction to the NPPF guidance which stipulates that poorer quality land should be used in preference to higher quality land unless justified by the most compelling evidence. The likelihood is that another application would be made to renew the generating station or to use the land use for housing development. Why should prime agricultural land be taken away when there are many other alternative sites available for these investment companies to develop, albeit costing them a little more to initiate? Surely solar panels can be sited on brownfield sites, marshy areas and poor grazing land? This will not impact on our ability to grow our own food so we are less dependent on foreign imports, we can create jobs in the countryside and reduce emissions by not having to transport food across half the world. This proposal would obliterate 128 acres of high quality agricultural land, 94% of which is Grade 3a plus, 65% of the land is Grade 1 and 2 (BMV) This large area of top grade Agricultural land should not be lost for at least the next forty years, especially considering the crisis we are facing in the production of food.
 - ii. Green Belt: it would be an encroachment on the green belt. Having moved from an urban area to an open countryside, green belt & conservation area we are dismayed that the area is now being targeted for a large-scale industrial development. It should not be an unreasonable expectation to be able to continue the enjoyment of the openness of this rural area. This solar farm development will dominate the area, adding a very industrial feel, significantly changing the character and destroying the openness of this countryside setting. If this proposal goes ahead, it will ruin the outlook over Boningale and open the door for more "Green Belt Land" to be used for solar farms, in future. It contravenes Local Plan Green Belt policies CS5 and MD6. The openness of the Green Belt will be compromised by the proposals.
 - iii. Visual amenity: this would be a loss of near and distant views from high vantage points along footpath off Westbeech Road. This footpath is regularly being used and provides beautiful views for the walkers. We disagree with the Landscape and Visual Appraisal report and the visibility assessment evidence appendix E. This

presentation gives the impression that the proposed solar farm would only be visible of glimpse views. Just because something is not wholly visible does not mean it would go unnoticed or that the impact on the area would be negligible. According to Low Carbon, the panels will be two metres high, on top of a one metre frame and five metres from the border. To put into perspective, this will be like having a wall the height of our guttering, just a car length away from our fence, spread across the adjoining field and as far as the eye can see. This will be our view for many years, since it will take around five to ten years for the hedge screening to grow. The proposed farm extends too close to our and the neighbouring property and it will have a detrimental effect on our properties.

- iv. Heritage: It would cause degradation of the rural setting of Boningale Conservation Area, nearby historic buildings and potentially important archaeological remains. In addition, it seems contradictory that Boningale, as a conservation area with the various limitations and caveats that accompany this status, should be the targeted location of an industrial project of this magnitude and visibility. We assume, if this proposal is supported, that Boningale will have its' conservation status removed? Much would be destroyed if holes were dug to accommodate legs for solar panel frames, foundations for substations and battery buildings and foundations for security fencing. At present, protection is guaranteed by the depth of the plough. Part of Boningale is in a conservation area and has a number of important buildings including St Chad's Church (Grade 2*) dating back to the 12th century, Church Farm House (Grade 2), Old Cottage (Grade 2), Old Farmhouse (Grade2). Others just outside the conservation area are: Lea Hall (Grade 2), Bishton Manor (Grade2*), which is also in the Domesday Book and of course Upper Pepperhill itself which is Grade 2 listed and has connections to the Gunpowder Plot and the Civil War. In 2017, the church held a Heritage Weekend with a display about the History & Heritage of Boningale, this information has now been collated into a book with help from Albrighton Historical Society, which will shortly be published and contains much more about the origins of Boningale and its Ancient past. It is thought that the settlement was located under the lee of Pepper Hill as its name probably comes from Old English, meaning "a hook of land at the round hill place." Pepper Hill stands proud above the village and there are good views across the valley from village gardens, the new Church yard area and Church Lane. Pepper Hill and its valley are an integral part of Boningale and are very much a part of the wider heritage of the area and it should be protected for future generations by rejecting this inappropriate proposal. The initial house (at Pepper Hill) was built by Sir John Talbot (Fourth Earl of Shrewsbury) in 1519. This house was remodelled in the 17th century and again in the Victorian era. However important aspects remain. It is an important example of a park created for hunting. We should also consider the wider context in that the Cellars at what is now called Boningale Manor (across the main road) have been identified as kitchens for a Tudor Banqueting Hall. The site of a chapel was noted on Lower Pepper Hill. The proposed Solar Farm will impact on this holistic context.
- v. Biodiversity: We believe in protecting and enhancing valued landscapes and sites of biodiversity for the next generation. Since living here for just over four years, we love nothing better than sitting outside watching the wildlife in our garden and the bordering land, including bats, rabbits, frogs, newts, numerous species of garden

birds and birds of prey - such as buzzards, barn owls and herons. We fear that a solar farm would have a devastating impact on the species and numbers.

- vi. Leisure: Church Lane and the Boningale area are used daily not just by residents, but members of the wider community including walkers, walking groups, dog walkers, cyclists, cycling groups & horse riders. The effect on these users would be considerable, with rows of regimented 3m high solar panels coupled with security fencing and camera poles, all being highly visible from many points around the proposed development. Attractive distant views from the highest point in the parish to the highest hills in Shropshire (Wrekin, Brown Clee and Titterstone Clee) from the public footpath near High Park Lodge, will be eliminated or severely hindered by a 2m deer fence and 3m top height of solar panels. As a frequent walker and runner along this one of only five public footpaths in the parish, I will regularly experience this degradation of some most valued views across the county. This piece of land has wonderful views from the public footpath which crosses it, all the way to the Wrekin and Shropshire Hills and is in regular use by walkers and ramblers
- vii. Drainage: At the moment, the farmer ploughs adjacent to our border, therefore, creating deep 'ruts' that help to block the rain running onto our land. With a good proportion of the field covered in these concrete supports there will be less land to absorb the rain and with the panels acting like an umbrella, the rain will be more concentrated in the areas between the panels, therefore, creating 'streams' of water. Glass panels and concrete will prevent rain from penetrating into rock hard dry soil so water will 'flow' along the surface until it reaches an incline. Our property/garden just happens to be at a boundary low point along the Holyhead Road which could be subject to this water flowing down the hill and causing a flash flood. This has occurred several times in recent years from water run-off from Boningale Nurseries.
- viii. Traffic: The proposed access route, along Hook Lane is not wide enough, nor strong enough to withstand heavy construction traffic ... the end of the lane is already collapsing into the gully, which floods in heavy rain. The underground soakaway pipework from our septic tank drains into the field at the bottom of our garden and we are very concerned since this is where the proposed access to the farm has been positioned. Holyhead Road is a 'race track' for many and as vehicles slow to turn into, or pull out of The Hook Lane, we fear RTA's could become more frequent.
- ix. Location: Western Power Distribution (WPD) have no record of an application from Low Carbon for a connection point onto the national grid. They have implied in public meetings that this location for the solar farm was chosen because of the high voltage pylons on the site. A WPD engineer tells me that any pylon is not necessarily a suitable connection point and it could be at some distance from the site. So the proposed siting of the farm is not as critical as suggested.
- x. Other: Finally, we also have significant concerns related to noise pollution. Whether that noise is from industrial activity, wind deflection, or electrical in origin. What guarantees are in place to protect the residents of Boningale from any ongoing noise pollution? A faulty battery can explode and create a huge explosion. If that

should happen, then the ground would become contaminated. Batteries do have a limited life so would need regular replacement throughout the 40 years lifetime of the generating station. What happens to the waste batteries? Do we ship them abroad so it's someone else's problem? I have been led to believe that the Fire Brigade are not yet equipped with the specialist equipment needed to contain fires which can arise from the large lithium batteries used on solar farms, thereby, increasing the risk of a potential fire to spread rapidly and reach farmers crops and properties within minutes. If and when this huge area is set up as a generating station then it will attract undesirable people to the area looking for anything that can be taken such as copper cables, solar panels, batteries and anything that is moveable. This also means that private houses and gardens will also become secondary targets if the criminals are in the area. This will be inevitable as part of the application involves 'security cameras and fencing'. I am also concerned about possible health side-effects due to the electromagnetic fields being so close to our properties and fear it could exacerbate my existing migraines. Site does not comply with CS6, CS17, MD2, MD6, MD12, MD13 and emerging policy DP26(k) (soils).

4.17 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.

Those objecting seem to focus heavily on the land being needed for "local" produce being lost but in my view we need local energy production more. (Growing food plants is a closed carbon cycle anyway and there is no real carbon benefit - no carbon is stored in the ground or in woody growth.)

The project will help reduce reliance on foreign imports of energy, be it imported electricity from France, Norway, etc. or fossil based imported gas and oil - which are outside of our (UK) control.

Also, the more energy we make locally and elsewhere in the UK to be put on the energy market the greater the supply. It is then basic economics to show that the greater the supply then the lower the price. So we don't need lower electricity prices then?

Reading the comments made thus far, the impression given is that there is unanimous opposition to the application - this does not agree with the results of my own conversations with fellow parishioners; nor with the results of the questionnaire from the event held by Low Carbon at Kingswood Centre.

- ii. Green Belt: It is stated that under paragraph 151 of the NPPF (and here I quote the SC Principal Planning Officer in writing to Low Carbon in September of last year) - "When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to succeed. Such very

special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources." Here I would argue that the import of the last sentence is both critical and applicable in this instance. Given the need to recognise "very special circumstances" I would ask that if the current impacts of climate change are not "exceptional circumstances" then I cannot imagine anything else which would be a stronger case to meet the conditions set out in the NPPF. If we don't act now to increase carbon-free energy supply then it will be a Brown Belt we see from our windows and not a Green Belt.

- iii. Agricultural land: the area involved is a tiny proportion of available agricultural land in Shropshire. Admittedly it is said to be of good quality but on balance it does not contribute in any significant manner to carbon reduction which is the overriding consideration. Low Carbon appear to have conducted a reasonable search for alternative locations without finding an obvious alternative. The land is not "lost" in any real sense. It will be available for its return to current farming use in 40 year's time; unlike the situation would be in the case of a housing development, construction of an industrial estate, etc . Also, the soil itself will likely be in better condition with improved structure, chemistry and microbiology after the 40 year period, partly through not being continually sprayed with pesticides and nitrogenous fertiliser which have their own issues - both environmental and ecological
 - iv. Amenity: This point is mentioned by some objectors, but I believe it to be overstated and it would be more accurate to say "some loss of visual amenity to some residents (in some parts of the Parish)" which is, I feel, more accurate. In terms of other forms of amenity, it could be argued that the development will be of benefit - eg. a reduction in noise, odour and dust from farming operations along with a reduction of slow-moving agricultural vehicles along the local lanes and main roads.
 - v. Heritage: Two principal local buildings are often mentioned by those objecting: a) St. Chad's Church. I do not understand the logic behind this objection. If one is regarding the south facing facade of the building then the nearest solar panels are actually behind the observer; when looking at the northern side then any view of the panels would be blocked by the building itself, and b) Upper Pepperhill Farm (not Pepper Mill as sometimes stated) - this is located far back on private land and this, coupled with the topography of the ground, render it only a distant image from publicly available viewing points.
- ii. Support Petition text: I am writing to support the above planning application, for the following reasons:
- The solar farm will contribute to energy security and help Shropshire Council and the UK meet carbon saving targets
 - It will significantly improve biodiversity on the site
 - The site will produce enough clean, green electricity to power around 7,600 homes per year
 - The plans also include 8MW of on-site battery storage
 - The site can be used for grazing as part of traditional meadow management, which will benefit both food production and biodiversity

- 4.18 Open Spaces Society: The Society recognises the need to provide alternative means of power generation, though it also regrets the destruction of open countryside, though in this case not land which is available for public use. However, FP13/1 passes along the north-south boundary of the site and has wide views west. It is proposed to shield the solar panels by additional planting, and I would suggest that a condition should be put on the Application (if granted) that this section of screening hedge is maintained at a height that does not restrict views from footpath 13 towards the Wrekin and the Shirlett Hills.
- 4.19 Country Land and Business Association: The CLA (Country Land and Business Association) supports planning applications which positively contribute to sustainable development as defined by the National Planning Policy Framework, especially those which make a positive contribution to meeting the nation's Net Zero targets. Whilst the decision, based on the facts of the case, is the reserve of the Council the CLA would like to see development be seen in a positive light. Even before the COVID pandemic, the rural economy was 18% less productive than the national average. Closing this gap here in Shropshire would add to the local economy and create jobs. The proposal will not only power over 7,000 homes on a relatively small area of land but will have additional positive outcomes too. Allowing for there to be a notable Biodiversity Net Gain, especially in the area of woodland creation. Whilst still facilitating for food production on the land, not resulting in any permanent agricultural land loss.
- 4.20i Fossil Free Shropshire: I write on behalf of Fossil Free Shropshire, a campaign group that is calling on the Shropshire County Pension Fund to divest from fossil fuel companies. As a group, we are committed to seeing Shropshire reduce its reliance on climate-wrecking fossil fuels. With that aim in mind, we are writing to support the Pepperhill Solar Farm. The proposal will allow the generation of approximately 23 megawatts (MW) of local clean electricity, enough to provide power to approximately 7,600 homes each year and save over 4,700 tonnes of CO₂. This is a significant reduction in carbon at a time when Shropshire Council's pension fund is actively investing in companies that have high emissions profiles (eg Shell, BP, Glenore) and the council administration is pursuing major infrastructure projects with vast embedded carbon footprints (eg the Shrewsbury North West Relief Road which will create 48,000t/CO₂e for a 359t/CO₂e operational saving per annum).
- ii. Solar farms on grassland have been shown to boost biodiversity and allow the land beneath them to regenerate, trapping carbon in the soil. After the solar farm is dismantled at the end of its lifetime the land will in all probability be of a higher agricultural quality than before. Shropshire has declared a climate emergency and we must act in ways that reflect the urgency of the situation. Recent reports from the UN IPCC have revealed that we are on the cusp of losing the chance of staying below 1.5C with 'no credible pathway' for this goal currently existing. Every fraction of a degree the world warms and every gram of CO₂ we emit matters, not least of all to those in nations in the global south whose citizens have the lowest carbon footprints and the lowest responsibility for the current climate crisis. The actions we take here in Shropshire have global implications - both in terms of carbon emissions and moral leadership. That is why we have no hesitation in supporting the move towards greener, cleaner energy that will not only benefit the people of

Shropshire but also reduce the harm that UK emissions are doing to others around the world.

4.21 Boningale Group (horticultural supplier): Boningale Group supports the Pepperhill Solar Farm, although we recognise the various concerns raised. It seems clear from reading the documentation that valuable natural features and habitats will be retained, cared for, and enhanced, and that sustainable food production is carefully considered by the owner. Our headquarters is located on the A464 opposite the farm, and we welcome the provision of local clean energy. As suppliers of plants to commercial landscapers and specialists in environmental planting techniques, we have offered to support the site design with practical advice on planting for sustainable drainage, natural aesthetic and biodiversity enhancement.

4.22 Mark Pritchard MP (letter to Andy Begley): I write with reference to the above planning application, and I would like to register my objection to the proposal. I do not oppose the development of solar energy farms in general, but I object to this planning proposal for the following reasons:

- i. The application is for the development of a solar farm within the Green Belt. National and local policy states that solar farms would normally constitute inappropriate development which is harmful to the Green Belt and should not be approved unless there are exceptional circumstances which justify its approval.
- ii. As the area is popular with cyclists and walkers, the construction of the solar farm would result in the loss of amenity for some residents and visitors.
- iii. As Boningale Parish Council pointed out in its objection to this application, the site of the proposed solar farm includes the highest point of the parish, which currently offers views of Shropshire's highest hills. If approved, the construction of the solar farm would interfere with those unique views.
- iv. The site of the proposed solar farm includes high quality agricultural land. According to the Agricultural Land Quality Survey conducted on the site in November 2021, ninety-four per cent of the land is good quality agricultural land, being a mixture of Grade 1, Grade 2 and Grade 3a. Sixty-five per cent of the land is Grade 1 and 2 - the highest quality land. At the time of the survey, the land was being used to grow a variety of crops.

Solar farms should not be located on good quality, productive agricultural land which should instead be protected for food production purposes. There is plenty of alternative land available in Shropshire for new solar farms. The applicant needs to look for a new location for the project and the council should reject this inappropriate development.

4.23 Shropshire Ramblers Association: As several local residents have mentioned there is a Public Footpath 0111/13/1 which runs alongside the proposed boundary of the Solar Farm, and which has extensive views west and north, which could be seriously affected by the development. We appreciate that no-one has a statutory right to a view but, nevertheless, this development would compromise the very existence of this footpath.

5.0 THE MAIN ISSUES

- Policy context
- Justification for the development (incl. agricultural land and energy need)
- Benefits of the proposed development
- Green Belt
- Environmental considerations (incl. visual, ecology, highways, heritage, drainage)
- Other matters (incl. Timescale / decommissioning).

6.0 OFFICER APPRAISAL

6.1 Policy context - National Policy

6.1.1 Renewable energy: 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 Green Belt: The site is also located in the Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (NPPF137). Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 6.1.4 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF147). When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (148).
- 6.1.5 When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources (NPPF151).
- 6.1.6 Best and Most Versatile Land: 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’.
- 6.1.7 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 Framework⁵⁸; 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.
- 6.1.8 Footnote 58 of Paragraph 175 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, 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) relates to plan making rather than determination of planning applications.
- 6.1.9 The requirement to ‘recognise’ the ‘economic and other benefits of the best and most versatile agricultural land’ (Para 174) does not amount to an instruction to refuse all applications affecting B&MV land. 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.
- 6.1.10 Other national policy: Overarching Energy NPS EN-1 states that on agricultural land (at paragraph 5.10.8): “Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures

proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.” It also states.. “The IPC [now the Secretary of State] should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.”

- 6.1.11 Draft revised NPS EN-3 paras 2.48.13/15 state 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). However, land type should not be a predominating factor in determining the suitability of the site location.... Whilst the development of ground mounted solar arrays is not prohibited on sites of agricultural land classified 1, 2 and 3a, or designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered and are discussed under paragraphs 2.50 and 2.53. It is recognised that at this scale, it is likely that applicants’ developments may use some agricultural land, however applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”
- 6.1.10 Policy context - Development Plan Policy: 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’.
- 6.1.11 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.
- 6.1.12 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.

6.1.13 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.

6.1.14 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).

- 6.1.15 The wording of the policy indicates that it is intended to apply to plan-making and decision taking in contrast to Paragraph 175 and footnote 58. Some weight may be attributed to 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.
- 6.1.16 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.
- 6.1.17 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, soils, landscape and amenities
 - The implications of the proposals for Green Belt policy
 - Whether any identified impacts are capable of being satisfactorily mitigated.
- 6.1.18 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.

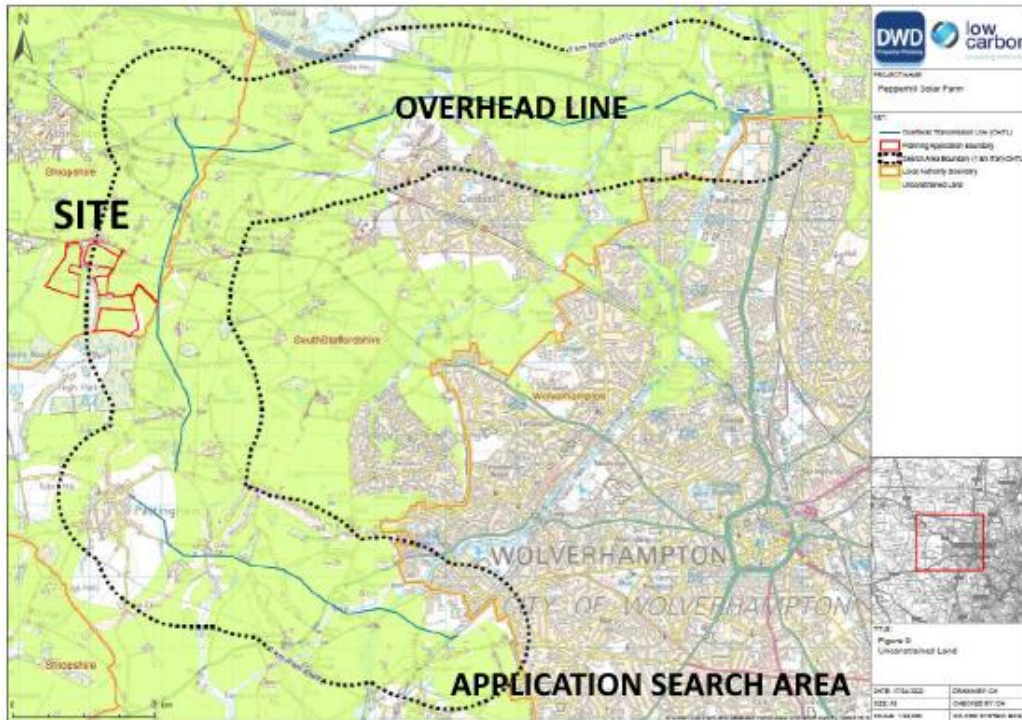


Fig 3 – Search area



Fig 4 – Shropshire Climate Action Partnership Energy Opportunity Areas

6.2 Justification for the development:

6.2.1 Justification for renewable energy: 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 main factor determining the 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.
- 6.2.3 The applicant has identified a grid line within this area with connection capacity (see Fig 3). The light green colour is identified by the applicant as ‘unconstrained’ (in terms of occupation by other development). However, much of this area is located within the Green Belt. If the grid capacity of the overhead line it to be utilised for solar development, then this would necessitate such development in the Green Belt. This Site is also located within a Renewable Energy Opportunity Area, identified by Shropshire Climate Action Partnership as being specifically suitable for ground mounted solar or wind energy (see Fig 4).
- 6.2.4 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. The applicant has identified the proposed site as the preferred site within very few suitable locations once these factors are taken into account.
- 6.2.5 The applicant has provided a need statement by a UK energy market consultant Humbeat. The main conclusions are:
- i. *‘The UK’s energy trilemma is currently at a critical point with urgent actions required to maintain progress against targets and ambitions set out in current policies across all three pillars: decarbonisation, security of supply and affordability.*
 - ii. *In this Statement of Need, I have shown that on both a local and national level the scale of new low-carbon electricity generation in GB required to keep the UK on track with its Net-Zero commitments is unprecedented.*
 - iii. *The pipeline of consented projects of all low-carbon technologies is, however, currently significantly below the level needed to meet even the most achievable of the Net-Zero compliant forecast projections.*
 - iv. *Because of the scale of deployment projections for renewable electricity generation capacity, all communities in the UK will be required to play their part. Local ambitions or policies to generate enough renewable electricity to meet local demand are therefore very important in order to underpin delivery of the national strategy.*
 - v. *New solar schemes are ideally suited to help beat the energy trilemma because of the low-carbon, reliable and low-cost electricity they produce. It is my opinion that the urgent deployment of new solar capacity is critical to achieving not only the UK’s Net-Zero targets but also to deliver secure and affordable electricity supplies for the current and future generations.*
 - vi. *All solar generation projects that come forwards will deliver very significant benefits to the UK’s current energy policy aims. It is my opinion that these benefits would contribute significantly to the weight in favour of allowing their development.*

- vii. *Further, because of the sheer scale of capacity required, it is clear that other technically feasible solar generation projects should be consented “as well as”, rather than “instead of”, the proposals at the proposed Site.*
- viii. *It is my view that the development timescales and scale of the proposed scheme in Shropshire: provides a critical near-term decarbonisation opportunity for the UK; is a hugely important step for Shropshire to take towards to meet its own climate change targets; presents an essential opportunity to continue to diversify UK low-carbon electricity supply; and makes an essential contribution to reducing GB’s exposure to volatile energy markets.*
- ix. *In order for Shropshire Council to deliver on its own zero-carbon aims, it will need to consent a significant capacity of local renewable generation capacity to meet its own annual consumption, see Chapter 6 for more information.*
- x. *It is my belief that the proposed solar plus energy storage development is:*
 - *A highly suitable generation technology for development at the scale proposed (23MW grid installed capacity) that is significant in terms of the benefits it would bring to both national and local decarbonisation objectives;*
 - *An important opportunity to deliver the benefits of decarbonisation, energy security and affordability within a critically short timeframe (especially compared to other decarbonisation actions); and*
 - *Significant capacities of low-carbon solar generation are urgently needed in the UK. The proposed development will be an essential near-term step in meeting government objectives of delivering sustainable development to enable decarbonisation and by doing so, will address the climate change emergency that affects everyone’s lives and the environment, by ensuring our energy supply is secure, low-carbon and low-cost.*
- xi. *I believe that the need for this project and its important and relevant benefits should be fully reflected in the overall planning balance in the planning process’.*

6.2.6 Justification – 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."

6.2.7 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."

6.2.8 Core Strategy Policy CS6 describes that new development should make effective use of land and safeguard natural resources, including high quality agricultural land.

- 6.2.9 Objectors refer to the loss of best and most versatile agricultural land within the site. An agricultural report confirms that 94% of the land within the site is of best and most versatile quality with 22% being Grade 1, 43% being grade 2 and 29% being subgrade 3a. The survey indicates that there are some limitations with droughtiness and wetness. Following comments received from technical consultees and the local community, the proposals have been amended to significantly reduce Development Zone 1 by 14.5ha thereby reinstating a large amount of Grade 2 land back into arable production. 6ha of the Site has already been removed from arable production and replaced with a flower rich grassland mix as a form of mitigation in connection with the recent planning permission for a pig farm (LPA ref. 20/02958/FUL, dated 18 June 2021)
- 6.2.10 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).
- 6.2.11 There is approximately 145,279 ha of Best and Most Versatile ('BMV') agricultural land located in Shropshire according to the nationally available Provisional Agricultural Land Classification Data2, comprising around 45% of all land within the county. The Proposed Development would result in the temporary use of just 0.024% of this for grazing and energy production. It is noteworthy that there are no controls which prevent a farmer from switching the use of an agricultural field between arable and grazing uses, both being agricultural, and planning permission would not be required for this. A farmer may choose to do this at any time for a number of reasons, including to rest the land. 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
- 6.2.12 Agriculture – choice of site: The landowner Robert Mercer (Mercer Farming) clarifies the thinking behind development of the proposed solar farm in a letter dated 17th October 2022 which is available on the Council's Planning Portal. It is confirmed that the farming enterprise purchased a large part of the Pathsull Park Estate (including the application site) in March 2020 with the objective of farming in a sustainable way and giving the derelict properties a new lease of life. Pigs have been brought back to reduce the need for artificial fertiliser. 30,000 trees and 2km of new hedgerow have been planted in 2022. Numerous environmental strips on field boundaries and corners of fields have been provided to help biodiversity and to create wildlife corridors between the parcels of woodland. A woodland management plan has been implemented and 3 properties have been renovated. Permissive footpaths have been renewed/ granted allowing members of the public access to enjoy walking across the farm at the Pattingham end of the estate. A lease has

been granted to the Wolverhampton activity centre to host scouts on the estate and Mercer Farming has donated money to help develop and upgrade the centre.

- 6.2.13 However, Mr Mercer advises that Patshull estate is not optimal for growing cereal crops. This year the company's wheat crops averaged 7.04 tonne to the hectare which is 17% below the national average. The solar site represents the lightest and least productive land on the farm, notwithstanding its agricultural grade. It is stated that 'by turning some acreage over to solar we will be able to contribute to the national energy crisis, still utilise the land under the solar for sheep grazing and have a diversified income stream which can help to keep improving the estate and also to keep contributing to the local community, both of which are only possible through profitability. One immediate need for investment is the renovation of the now derelict listed Pepperhill Farmhouse. There are many other parts of the estate which still need improving and investing in'.
- 6.2.14 The farming enterprise is requesting that the current solar proposals are allowed to proceed in order to secure stable profitability for the former Patshull Estate land on less productive cereal land. This will thereby allow the business to invest in other aspects of estate management including continued food production on other estate land, refurbishment of the Grade 2 listed Pepperhill Farmhouse, continued ecological enhancements and sustainable farming initiatives. The benefits of the proposals and the applicant's statement of need are considered in succeeding sections. A discussion on wider food and energy resilience issues linked to solar farm development is included as Appendix 2 below.
- 6.2.15 In conclusion, most of the site is best and most versatile quality. However, the land will remain in agricultural use as sheep pasture between the arrays and 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 it will allow a natural soil ecosystem to develop.
- i. *Note: The applicant has obtained Counsel's advice on the issue of solar farm development and best and most versatile agricultural land, and this is available to view on the Council's online planning register. The advice can be summarised as acknowledging that best and most versatile agricultural land is a material consideration to be weighed against other material considerations in assessing a solar planning application. Whilst however relevant policies and guidance advocate the use of poorer quality land in preference to better quality there is no absolute policy prohibition against the use of best and most versatile land in solar development. Applicants must justify their choice of site and planning authorities must consider any impacts to B&MV land as part of the planning balancing exercise. The ability to graze sheep and other animals between the arrays is likely to be a material issue in assessing any loss of B&MV land.*
- ii. *Counsel refers to 2 appeal cases involving loss of B&MV land. In Wates Developments Ltd v Tonbridge and Malling BC [2021] PAD 25 the Inspector acknowledged that the NPPF does not require Planning Authorities to apply a sequential test for agricultural land quality in decision taking and gave moderate weight to the loss of such land in allowing the appeal. In Barratt Homes (Bristol) Ltd v South Gloucestershire Council [2018] PAD 46 an Inspector held that loss of the*

site and its 4.9ha of BMV land would be insignificant and would result in only a limited loss of local food production. Whilst Policies CS9 and CS34 seek to protect or retain BMV and maximise such local food production this is not what the new NPPF says in para.170b). "I conclude for the above reasons that limited weight should be given to the loss of BMV and other agricultural land." These decisions are intended as illustrative by the applicant's Counsel and do not set any precedent.

6.2.16 Choice of site – conclusion: The Humbeat report referred to above demonstrates that there is an urgent need for more renewable energy projects to come forward if legally binding climate targets are to be met. This is acknowledged as a material national context for the current application. The site-specific context explained with reference to Figure 3 above is also acknowledged. Furthermore, the applicant has provided a statement from the farmer which seeks to justify the choice of solar at the site. When these factors are taken together it is considered that they are 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.

6.3. Benefits of the proposed development

6.3.1 The applicant has provided a need statement which makes similar points to the Humbeat report referred to above regarding national need for renewable energy. IN terms of specific benefits from the current proposals the statement advises that the proposed 23MW capacity of the site is sufficient to power 7642 households per annum. This saves 5,167 tonnes of carbon per annum and is equivalent to removing 2,385 cars from the road per annum.

6.3.2 Ecological enhancements to be secured through the Proposed Development include:

- Creation of c.36.7 ha of species-rich grassland sown throughout the Site with shade tolerant species sown under the solar panels;
- Enhancement and strengthening of over 2km of the existing hedgerows through gap and tree planting of native species, which will increase diversity;
- Creation of c.1.47ha of heathland scrub or mixed scrub (dependant on establishment success) planting along boundaries to provide transitional habitats between habitats and help enhance Green Infrastructure connectivity across the Site;
- Provision of bird and bat boxes on suitable mature trees along the boundaries of the Site;
- Provision of invertebrate features and hibernacula; and
- Provision of mammal gates in the security fencing.

The Biodiversity Impact Assessment ('BIA') calculation shows that the development is capable of achieving significant net biodiversity gains of +93.57 (70.06%) habitat units and +26.29 (473.60%) linear habitat units. Low Carbon is continuing to work with community and other groups to identify further ecological benefits. This includes discussions with Plan Bee, who will engage with selected local

beekeepers to assess the site's suitability to host bees (to be secured through an environmental management plan condition).

- 6.3.3 Heritage benefits: The Grade II Listed Upper Pepperhill farmhouse which is located close to the site is currently vacant due to its poor condition and generally in a state of disrepair. The landowner has agreed to ring fence £200,000 from the revenue that they would receive from the solar farm, to be secured via a unilateral undertaking, to fund restoration of the Listed Building and its return to use, thereby restoring its cultural significance and securing its long-term future.
- 6.3.4 Social benefits: The applicant has agreed with the British Horse Society to provide a permissive horse hack around part of the Site (zone 1 – north west field), adding to the existing network for walkers and horse riders. This will sit outside of the planning process.
- 6.3.5 Community fund: It is Low Carbon's policy that the communities hosting their solar farms receive a formal Community Benefit. Such offers are made outside of the planning process. Low Carbon has held direct talks with Boringale Parish Council on this.
- 6.3.6 Educational benefits: Should the solar project achieve consent, Low Carbon will look to provide educational benefits in connection with the Proposed Development to local schools. Low Carbon is in the process of communicating with the local schools and the local Scouts Group with the aim to create partnerships to offer an annual visit to the solar farm and renewables workshop for local children. The sessions would be designed to help children familiarise themselves with the technology and understand the impacts of climate change. It is proposed that an Educational Strategy / Plan could subsequently be prepared and submitted for approval as part of a planning condition.
- 6.3.7 Economic benefits: The applicant has referred to the following economic benefits of the proposals|:
- Jobs being created directly or via the supply chain plus indirect benefits in additional worker spend on hospitality in the local economy.
 - An additional £1.5m – 1.7m Gross Value Added (GVA) during construction and around £2.1m in operation over the lifetime of the project.
 - In terms of employment opportunities, research recently produced by the BRE National Solar Centre shows that there are approximately 7 FTE jobs created per MW installed for ground mounted projects. In the case of the Proposed Development, this would result in approximately 161 FTE jobs created directly or indirectly.
 - The Proposed Development would result in business rates contributions to the Council of approximately £46,000 per year (based on an assumed £2k/MW, per annum), which could be invested in local services.

6.4 Green Belt

- 6.4.1 Solar farms are not one of the specific types of development which may be acceptable within the Green Belt. As such, they comprise 'inappropriate development' and therefore require a very special circumstance justification under

NPPF paragraph 147. Core Strategy Policy CS5 advises that ‘new development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt’. National Green Belt policy is set out in Section 13 of the NPPF’.

- 6.4.2 NPPF Paragraph 151 advises that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. Importantly, paragraph 151 states that only elements of many renewable projects will comprise inappropriate development and not that renewable energy projects per se constitute inappropriate development. As such, it can be considered that the compatibility of individual renewable energy projects in the Green Belt are to be judged based on their individual merits and circumstances.
- 6.4.3 Whilst certain elements of the application are capable of being inappropriate development, it is important to recognise that solar farms are not an uncommon feature within the Green Belt across the UK. In many cases, such development has been allowed within the Green Belt on the basis that it is required within the national and local interest and that it has been needed in that particular location. Overall, national Green Belt policy recognises that the renewable energy benefits of solar development can qualify as a very special circumstance to justify inappropriate development within the Green Belt.
- 6.4.4 Effect on openness and permanence Green Belt (NPPF para 137): Openness is an essential characteristic of the Green Belt and is generally defined as the absence of built form. The Proposed Development would, to some extent, reduce the openness of the Green Belt as it would introduce built form to the existing site which comprises open and undeveloped fields. The layout has however been carefully designed with the solar arrays being pulled back from the most publicly visible areas along Lilyhurst Road and using existing screening of trees and hedgerows which would be strengthened further by the landscaping proposals. The applicant has also amended the proposals to exclude the northern half of zone 1 (north-western field unit) from the arrays. The well enclosed nature of the site and the proposed mitigation planting to the boundaries, would seek to ensure that the degree of harm to the Green Belt would be very limited.
- 6.4.5 The main impact on openness on the Green Belt would be the introduction of the ancillary structures such as deer fencing, substations, inverters and other associated plant. The components of the scheme are relatively low in dimensions and the higher components, such as the plant within the substation compound, have all been carefully sited where there are existing visual detractors; including pylons and overhead lines. These detractors form part of the existing visual baseline which is a material consideration to the determination of this application.
- 6.4.5 The Site is located away from any significant defined settlement areas or main urban areas being located approximately 1.3km south of Albrighton and 3.3km from the suburbs of Wolverhampton, separated by agricultural fields and roads. It would not therefore expand on a settlement boundary or result in these areas projecting

further into the Green Belt and the surrounding countryside. Although there is no development on the Site, its undeveloped nature is affected by the A464, electricity pylons, a plant nursery and agricultural buildings which are a distinct feature of the site and its immediate surroundings. As such it is considered that the Proposed Development would not appear as an isolated feature within the Green Belt.

- 6.4.6 The visual experience changes through the parcels due to the undulating topography. Views vary in direction and length. The landscape is rural but with consistent intrusions of human influence from pylons running through Development Zone 1 and adjacent to Development Zones 2 and 3 and large farm buildings adjacent to a Development Zone 4. It is considered that redevelopment of the site to incorporate low-level solar arrays would not undermine the ability of the Green Belt in this location to prevent urban sprawl.
- 6.4.7 Solar farms are becoming a part of the countryside across the UK and can be regarded as a semi-rural use as opposed to an 'urban' or 'industrial' form of development. The Proposed Development would provide a continued agricultural use in the form of grazing and would prevent any permanent urban sprawl from taking place at this site for the duration of its operational life. The Proposed Development is minimally also intrusive and once decommissioned the land would be returned to its previous use.
- 6.4.8 Visual impact is discussed in a subsequent section. However, given the stand-offs to the arrays, the presence of mature woodland and hedgerows around the arrays and the applicant's landscaping proposals it is not considered at this stage that any effects on openness and permanence of the Green Belt would be significant, including as experienced from publicly accessible areas including Lilyhurst Road and the public footpath to the east of the site.
- 6.4.9 Effect on the five principal purposes of the Green Belt:
Officer comments in italic below:
- a) to check the unrestricted sprawl of large built-up areas;
The proposals would not lead to unrestricted sprawl of Telford. The solar farms will not have an urban appearance or nature. Any buildings will be modest in size and sited in separate areas between the arrays.
 - b) to prevent neighbouring towns merging into one another;
There are no other towns to the east of the nearest part of Telford which the proposals would risk merger with. As noted above, the solar farm would not have an urban appearance and would be surrounded by retained mature hedgerow and woodland vegetation.
 - c) to assist in safeguarding the countryside from encroachment;
The proposals are longer-term but temporary in nature and fully reversible. There would be no permanent encroachment. Biodiversity would be protected and enhanced through a habitat management plan.
 - d) to preserve the setting and special character of historic towns;

The Site does not make any contribution to preserving the setting and special character of historic towns and the Proposed Development will not harm the preservation of the setting and special character of historic towns. The solar scheme will provide funding to restore the Grade II listed building at Pepperhill Farmhouse.

- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Site does not comprise brownfield land and furthermore the land would not become brownfield land via the installation of the temporary solar farm, remaining as greenfield land which would be returned to its current state following the decommissioning of the Proposed Development. This purpose is therefore not relevant in this instance.

6.4.10 Green Belt – Very special circumstances: In the context of paragraph 148 of the NPPF ‘very special circumstances’ needed to justify the limited built elements of the proposed solar farm development are summarised as follows:

- The need for renewable energy generation and its role in meeting the challenge of climate change;
- The requirement for the solar farm in this location and the lack of alternative sites;
- Support for the rural economy;
- Wider environmental benefits including planned biodiversity net gain;
- The temporary and reversible nature of the proposal; and
- Community benefits.

6.4.11 The need for renewable energy is referred to elsewhere in this report. This is consistent with draft national energy policy EN1 (overarching) and EN3 (renewable energy) and is supported by the comments of the Council’s climate change task force and the Council’s declaration of a climate emergency. The benefits of the development are referred to in a preceding section.

6.4.12 In terms of justifying the location within the Green Belt this matter has been discussed in a succeeding section. The applicant has sought to identify whether there are any alternative site locations not within the Green Belt, having regard to relevant locational criteria including proximity to a grid connection (Fig 3, Fig 4). All other potential sites were located within the Green Belt, demonstrating the need to locate solar development within the Green Belt if national targets for renewable energy are to be met. The applicant’s survey of potential alternative sites concluded that there are no alternative sites which are suitable and available, which would make a comparable contribution to renewable energy generation, and which demonstrably comprise a more feasible alternative than the application site. The absence of demonstrably better sites within the search area is considered to add weight to the very special circumstance justification for development within the Green Belt.

6.4.13 It is considered at this stage that there will be some impact on openness and permanence of the Green Belt but this is capable of mitigation due to the site layout and the applicants landscaping proposals, having regard also to the baseline visual condition of the site. None of the five purposes of the Green Belt are harmed by the proposed development. The benefits of the proposals are capable of being considered as a very special circumstance justification for development within the Green Belt.

6.5 Environmental considerations:

6.5.1 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.

6.5.2 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.

6.5.3 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 LVA sets out the following long-term effects that are likely as a result of the Proposed Development:

- Minor adverse effects on the character of the site within Development Zone 1, and moderate/minor adverse on the character of the site within Development Zones 2, 3 and 4;
- Minor/negligible adverse effects within the immediate surroundings of the site on the Sandstone Estatelands Landscape Type (LT). This effect would be diminished beyond the immediate 750m of the site due to intervening vegetation;
- Moderate/minor adverse effects within the immediate surrounding of the site on Timberland Plateau Farmlands LT. Effects on this LT would diminish beyond 500m of the site;
- Effects to PRoW users are limited to those within approximately 800m to the east and north of the site. Users likely to experience the highest long-term effects are those on footpath 0111/13/1 as it crosses a field to the east of the site with moderate adverse effects. There would be moderate neutral long-term

effects to users of this route where it passes along Development Zone 5's eastern boundary. Beyond this route, long term effects are moderate/minor adverse to users of Bridleway Perton 19, and minor adverse to users of PRow some 500m north of the site on higher ground;

- Long-term effects to road users are limited to those within 1km of the site and are no higher than minor adverse;
- The greatest long-term effects would be experienced by residential receptors within c. 600m of the site. This is due to their high sensitivity and proximity to the proposed development. Major/moderate adverse long-term effects would be experienced by those within Residential Groups 2 and 3, and Property C. Moderate adverse effects would possibly be experienced by those at Group 4, and moderate/minor adverse effects at Property A; and
- Users of The Horns of Boningale Pub would likely experience moderate/minor adverse long-term effects.

6.5.4 Overall, those likely to experience the most elevated effects are residential receptors in close proximity to the site. Long term effects to these receptors are likely to be major in the worst case, however, views from private residential properties are not protected by national planning guidance or local planning policy. Accordingly, changes to the character, 'quality' and nature of private views are not a material planning consideration in the determination of a planning application. Despite this, following public consultation efforts have been made to mitigate impacts on residential receptors. In particular, the northern half of the north-west field 'zone 1' has now been removed from the solar arrays. Generally, the landscape and visual effects of the proposed development are likely to be limited to within 1km of the site. Such effects are no higher than major/moderate adverse, however this is limited to residential receptors. All other visual receptor and all landscape receptors would experience effects of no higher than moderate adverse.

6.5.5 The LVIA concludes that when juxtaposed with substantial benefits of the Proposed Development it is considered that the Proposed Development complies with relevant planning policy relating to landscape and visual impact.

6.5.6 The Council's landscape adviser advised in an initial consultation response that 'the proposals have the potential to comply with Local Plan policies relating to landscape and visual matters, however more information is required to demonstrate compliance'.

1. Cumulative landscape and visual effects are assessed
2. Landscape receptors likely to experience direct effects are defined and assessed
3. Assessments of landscape susceptibility and value are included to evidence the judgements made of sensitivity and overall level of effect

A landscaping condition is also recommended in the event of permission (included in Appendix 1).

6.5.7 The LVIA has been updated to address the above matters including landscape susceptibility and sensitivity. An assessment considers the potential for the development to give rise to cumulative impacts in association with another pending

solar application which is located at 1.5km north-east of the proposed development and east of Albrighton (22/01816/FUL). This concludes that there will be the potential for moderate/minor cumulative landscape effects upon the Timberlands Plateau Farmlands Landscape Character Type due to the in-combination effects of the two solar sites together, however, these would be localised. Beyond this there would be negligible to no cumulative landscape effects.

- 6.5.8 Cumulative visual effects would be minor/negligible to PRow users, negligible to road users and residential receptors and none to receptors at the Horns of Boningale. This is due to the lack of intervisibility between the sites and the screening of views by vegetation and the topography of this undulating landscape. It should be recognised that the other site has not yet been determined and so any minor cumulative effects would only arise if both sites were approved and proceeded.
- 6.5.9 An addendum to the LVIA also describes the effect of amendments to the proposed layout in response to the findings of planning consultations. In particular, arrays have been removed from the northern half of the north-west field which will now remain in agricultural use. This mitigates views from Lilleshall Road and residential properties fronting this road.
- 6.5.10 An amendment to the landscape strategy removes proposed woodland parcels from the landscape buffer along the northern edge of the site, with the buffer retained as open arable land with heathland along the eastern margin. The landscape buffer proposed along the north of the parcel will be increased in size, providing a greater separation between the arrays and the road, and reducing their visibility within the local area. Hedgerows proposed within the LVA strategy along the northern boundary will be moved to the northern edge of the solar arrays.
- 6.5.11 Hedgerow trees are proposed along the hedgerow and the hedgerow is to be maintained at 3m in height. The combined hedgerow and hedgerow trees would provide screening of the arrays. Furthermore, the removal of proposed hedgerows from along the northern boundary will open up views into the arable parcel, which would be similar to the existing views. Land to the south of the parcel is retained as arable land providing an area for skylark mitigation.
- 6.5.12 The proposed hedgerow along the southern boundary of the parcel has been moved to follow the fence line of the development area. The hedgerow provides enhancements to the landscape character by reversing the amalgamation of field parcels and provides habitat enhancement by connecting existing hedgerows.

Visual assessment of amendments:

- 6.5.13 Public Rights of Way: Effects to users of public rights of way (PRow) predicted to change are limited to PRow users north of the site using PRow that connect to the A464. Beyond this, changes to the predicted effects to PRow users would be imperceptible. Users of PRow 0111/3/1 and 0111/4/1 north of Boningale would experience a slightly reduced magnitude of change. This is due to the reduction of panels within the westernmost parcel along the northern edge where the proposals are most visible from this route. The magnitude of change would reduce from low to

very low at Year 1 resulting in a minor adverse effect. In the long term, the proposed hedgerow along the northern edge of the development area would have matured and the magnitude of change would reduce somewhat becoming very low to imperceptible. The resulting level of effect to this receptor would be minor to negligible adverse in the long term.

- 6.5.14 Users of PRow some 150m north of the site connecting the A464 and Woodhouse Lane to Albrighton would gain views towards the site as represented in Photoviewpoint EDP 6 of the LVA. The extent of the proposed development within these views would reduce with the proposed reduction in panels. Although extent of panels visible within the view would be reduced, the proposed development would remain a minor constituent of the view, therefore the magnitude of change would remain as low at Year 1 as predicted within the LVA. With the maturation of proposed hedgerows along the boundary of the development areas, screening would be provided, and the magnitude of change would reduce to very low as predicted within the LVA. The level of effect to this receptor would remain as predicted within the LVA; moderate/minor adverse at Year 1 and minor adverse in the long term.
- 6.5.15 Road users: Users of the A464 are likely to experience some level of effect when passing the site as stated within the LVA. The LVA described that, in the worst case, road users would experience glimpsed direct open views into the westernmost parcel where the Road passes the Horns of Boningale Pub and to the northern edge of the eastern parts of the where the road runs parallel to this boundary. Due to the proposed set back of solar panels within the westernmost parcel, the proposed development would appear less noticeable here than predicted within the LVA. Although the development would be much less noticeable within the westernmost parcel, the magnitude of change would remain the same as the extent of the proposed development visible from the road would not change in the eastern parcels. In the long term the magnitude of change would reduce to very low with the screening effect of matured hedgerow planting, and the resulting level of effect would reduce to negligible to no effect. The level of effect to the user where passing the eastern parcel of the site would, however, remain as predicted within the LVA at minor adverse at Year 1 and minor/negligible adverse in the long term.
- 6.5.16 Although the extent of panels visible within the view from Church Lane would reduce, the proposed development would still form a minor constituent of the view and the change would not render it barely visible. The magnitude of change would remain as low and the resulting level of effect minor adverse at Year 1 and in the long term. The reduction of panels in the westernmost parcel of the site would further reduce the already limited visibility of the proposed development from Patshull Road.
- 6.5.17 Residential dwellings: The LVIA addendum advises that the proposed set back of panels in the north-western field would fundamentally alter the view of the nearest property to this margin (property A). There would be a major/moderate adverse level of effect at Year 1. With the maturation of proposed hedgerow and hedgerow trees, the magnitude of change would reduce to low. Property C would experience filtered views to parts of the westernmost parcel of the site. In the worst case

(where windows may be directed towards the remaining panelled area of the parcel), the magnitude of change and level of effect would remain as assessed within the LVA.

- 6.5.18 Properties within Boningale that are likely to experience visual effects are limited to those along its eastern edge and the property just south of Church Road. With the removal of panels within the northern and southern parts of the westernmost parcel, the extent to which the site would be visible to these receptors would be reduced. The proposed development would remain a minor constituent of the view and the magnitude of change would be low, and the resulting level of effect moderate/minor adverse at Year 1. After the maturation of vegetation proposed along the boundaries, the magnitude of change would reduce to very low and the resulting level of effect would be minor adverse in the long term.
- 6.5.19 Overall the addendum concludes that due to the reduced extent of solar arrays within the westernmost parcel, there would be a lesser effect on receptors from the surrounding countryside where the said parcel is visible. Further comments from the Council's landscape adviser
- 6.5.20 In conclusion, 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 supports the conclusion that the proposals can be accepted with respect to visual and landscape effects. This is 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)
- 6.5.21 Visual impact – glint and glare: A Glint and Glare assessment has undertaken geometric analysis at 59 individual residential receptors and 32 road receptors, as well as two runway approach paths and an air traffic control tower (ATCT) at RAF Cosford. The assessment concludes that:
- Solar reflections are possible at 43 of the 59 residential receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at 19 receptors, Medium at four receptors, Low at 20 receptors and None at the remaining 16 receptors. Upon reviewing the actual visibility of the receptor, glint and glare impacts remain Medium at one receptor and reduce to Low at 10 receptors and None at all remaining receptors. Once mitigation measures were considered, impacts reduce Low at nine receptors and to None at all remaining receptors.
 - Solar reflections are possible at 22 of the 32 road receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at 21 receptors, Low at one receptor and None at the remaining nine receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to None at all receptors.
 - No impact on train drivers or railway infrastructure is predicted.

- Only green glare was predicted for the approach path to Runway 06 at RAF Cosford, which is an acceptable impact. No glare impacts were predicted for the approach path to Runway 24 or the air traffic control tower (ATCT) at RAF Cosford. Therefore, the impacts on aviation assets are not significant.

6.5.22 Mitigation is required to ensure the Medium impact views from Residential Receptor 44 are screened. This includes native hedgerows to be planted/infilled along the northern boundary of the North Array in the Proposed Development, as proposed in the Landscape Strategy, and maintained to a height of at least 3 - 4m.

6.5.23 The effects of glint and glare and their impact on local receptors has been analysed in detail and once mitigation measures have been introduced there is predicted to be only Low and None impacts, and therefore No Significant Effects.

6.6 Heritage appraisal

6.6.1 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).

6.6.2 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).

6.6.3 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. The assessment has indicated that there is considered to be a Medium potential for previously unrecorded prehistoric remains to be present on the Site. There is a Medium potential for remains of the Roman Period to be present as well. There is judged to be a Low potential for early medieval remains to survive within the Site but Medium potential for medieval activity to survive within the Site due to the recording of Medieval Settlements in the study area. There is also Medium to High potential for post-medieval remains associated with the parkland at Pepperhill to survive within the Site boundary. There is judged to be high potential for agricultural remains to survive within the Site.

- 6.6.4 The finalised design of the development is informed by a geophysical survey covering the entirety of the footprint of the proposed solar array in order to identify areas where significant buried archaeological remains may be located and mitigation may be required. The clear preference will be to avoid direct impacts wherever possible.
- 6.6.5 Whilst it is anticipated that the Proposed Development is likely to cause less than substantial harm to the settings of nearby heritage assets, the layout of the proposed solar arrays and Landscape Strategy Plan has been carefully designed to mitigate the visual impact of the Proposed Development on both designated and non-designated heritage assets within the vicinity of the Site. Where possible, vegetational screening has been designed to enhance or reinstate historic field boundaries within the Site.
- 6.6.6 Particular consideration has been given to the potential visual impact of the Proposed Development upon the setting of the Grade II Listed Upper Pepperhill and the non-designated Horns of Boningale public house, which site visits have indicated are likely to have the most potential intervisibility with the Proposed Development. Other nearby assets have been shown by site visit to have very limited potential for intervisibility. The flexibility within the design offers the ability to appropriately mitigate the associated potential impacts on cultural heritage.
- 6.6.7 The Council's historic environment team advises that given the scale of the proposals there is the potential for less than substantial harm to be caused to the setting of the Grade II listed building at Upper Pepperhill Farm at the middle part of the scale, with the setting of other heritage assets at the lower end of the scale. 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.
- 6.6.8 Following the historic environment comments the applicant has agreed with the landowner / farmer to secure a unilateral undertaking which commits to paying a total of £200,000 from the revenues of the solar development in order to refurbish the currently derelict Grade II listed building at Upper Pepperhill Farm. It is considered that this measure will secure an optimum viable use for the building in accordance with NPPF 134, thereby fully mitigating any harm to the setting of the listed building.
- 6.6.9 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.

6.7 Other environmental considerations

- 6.7.1 Noise and amenity: The nature of the Proposed Development is such that it is not likely to cause any form of pollution during its operational stage. This is because there are no significant noise sources, traffic would be very low and the Proposed Development would not be lit at night. Furthermore, the Proposed Development does not include any plans to divert or close any PRoWs during either construction or operation. The Proposed Development would be passive in operation and therefore would not generate any significant operational noise, other than that associated with occasional visits by maintenance/service vehicles. The noise associated with such activities would be negligible and less than that associated with farming activities in the area.
- 6.7.2 There would be some temporary noise during the construction phase, which is anticipated to last approximately 12 – 18 weeks. The construction activities may increase noise levels within the vicinity of the Site; however, it is considered that noise impacts during construction would be intermittent, localised and temporary in nature and would be covered by a construction management plan condition. The Proposed Development would not result in any emissions to air during its operation other than those from vehicles associated with periodic maintenance/inspection visits to the Site. Emissions associated with the construction phase would relate to construction vehicles and it is considered would not be of a level to cause harm to the environment or residential amenity.
- 6.7.3 Large buffers located between infrastructure and residential receptors surrounding the Site, with those elements of infrastructure which will generate low levels of noise (i.e., inverters and substations) sited furthest away from sensitive receptors. These separations ensure there will be no adverse impact on amenity or the local community during the construction or operation of the Proposed Development.
- 6.7.4 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. Shropshire Council Regulatory Services have not objected subject to a condition requiring the mitigation measures in the noise report to be implemented in full. It is concluded that subject to this the proposals can be accepted in relation to noise and amenity issues.
- 6.7.5 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.

- 6.7.6 The application is supported by a Transport Statement which sets out the strategy and options for site access, routing for construction traffic, construction vehicle size and frequency and mitigation. During the 12- 18 week construction phase, there is expected to be an increase in vehicle trips to the Application Site in the order of 24 vehicle trips over the course of a typical weekday. Of these movements, approximately four are expected to be generated by HGVs. This equates to less than one HGV vehicle movement every two hours over the course of a working day. Following liaison with the local parish, a HGV delivery window of 09:30 – 15:30 will be implemented to avoid HGV traffic at peak times.
- 6.7.7 The Developer would liaise with the construction crew to ensure that these trips would be conducted outside of peak traffic times (considered to be 08:00-09:00 and 17:00-18:00). Additionally, instructions would be given to ensure sufficient care and attention is given when travelling at this junction in order to avoid additional incidents. These measures can be set out in a Construction Traffic Management Plan (CTMP), secured by a planning condition.
- 6.7.8 During the operational phase, it is expected that only a limited number of trips associated with servicing and maintaining the equipment will be generated and under normal circumstances no more than 2-3 cars/vans would visit the Site each week (generally less than 1 per day). In the event that a new or replacement item of equipment was to be brought to the Site, it is estimated that an average of 1 HGV trip may occur per annum. This monthly increase in vehicle movements is less than the day-to-day daily fluctuations of traffic.
- 6.7.9 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).
- 6.7.10 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. The majority of habitats within the Site are of only limited (Site-level) intrinsic nature conservation value or less, comprising intensively managed agricultural land. Locally valuable habitats are primarily restricted to the field boundaries, including the hedgerow, tree and woodland network and a pond. These habitats support, or potentially support, only small populations/typical assemblages of protected/Priority Species, of Site to Local-level importance including birds, badgers and bats, and to a lesser extent reptiles, amphibians and hares.

6.7.11 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. The habitats and protected and notable species interest within the likely construction zone do not pose a notable constraint to development and the scope of the proposed mitigation measures are sufficient to entirely mitigate for the biodiversity impacts resulting from the development and deliver significant gains in biodiversity in line with planning policy and wildlife legislation. This is demonstrated by the BIA calculations, which show that the development is capable of achieving significant net biodiversity gains of +117.61 (102.62%) habitat units and +25.39 (457.54%) linear habitat units.

6.7.12 Detailed design measures to enhance biodiversity include:

- Creation of c.49ha of species-rich grassland sown throughout the Site with shade tolerant species sown under the solar panels;
- Enhancement and strengthening of over 2km of the existing hedgerows through gap and tree planting of native species, which will increase diversity;
- Creation of c.1.9ha of heathland scrub or mixed scrub (dependant on establishment success) planting along boundaries to provide transitional habitats between habitats and help enhance Green Infrastructure connectivity across the Site;
- Provision of bird and bat boxes on suitable mature trees along the boundaries of the Site;
- Provision of invertebrate features and hibernacula; and
- Provision of mammal gates in the security fencing.

6.7.13 The Arboricultural Impact Assessment submitted alongside this application confirms that the Proposed Development will not require the complete removal of any significant trees, tree groups, woodlands or hedgerows. However, a semi-mature tree close to the DNO access track may need to be transplanted or removed. Furthermore, a small amount of hedgerow will need to be removed, also equating to a low arboricultural impact. In arboricultural terms, this loss could be readily mitigated by new hedgerow planting.

6.7.14 Overall there would be no adverse impacts on biodiversity and the landscaping proposals would result in a significant biodiversity net gain. SC Ecology has not objected subject to a number of ecological conditions (included in Appendix 1). Subject to this it is concluded that the Proposed Development complies with relevant planning policy regarding biodiversity (CS6, CS17, MD12).

6.7.15 Drainage / hydrology: A flood risk assessment advises that the site falls entirely within Flood Zone 1 (lowest flood risk). The potential flood risk to the site from all sources of flooding is considered to be 'Very Low' for the majority of the site with areas of elevated risk associated with surface water runoff and the potential for groundwater emergence which could affect isolated low points. The site layout has been devised to locate all sensitive control equipment in areas of 'Very Low' risk. Solar panels are raised at least 0.8m above ground level and will be locally raised in areas of deeper/higher risk. Only solar arrays, security fencing and access tracks extend into areas of elevated surface water flood risk and due to the design of the equipment are compatible with shallow flooding.

- 6.7.16 Rainfall falling onto the photovoltaic panels will runoff directly to the ground beneath the panels and infiltrate into the ground at the same rate as it does in the site's existing greenfield state. Existing drainage features will be retained and the site will remain vegetated through construction and operation of the Solar Farm to prevent soil erosion. The extent of impermeable cover as a result of the Solar Farm amounts to only 0.24% of the total site area. Supporting calculations demonstrate that this effect of the Solar Farm on the Mean Annual Flood (QBAR) is minimal and only equates to an 0.6% increase compared with the greenfield runoff rate.
- 6.7.17 A sustainable drainage strategy, involving the implementation of SuDS in the form of interception swales, is proposed for managing surface water runoff on the site. Interception swales are proposed at the low points of the application site to intercept extreme flows which may already run offsite. The interception swales are provided as a form of 'betterment'. The volume of storage provided within the proposed interception swales at 2/3 full (231m³) is greater than the additional runoff generated as a result of the extreme 1 in 100 year storm event, including an allowance for climate change (98.66m³). The provision of swales would lead to an overall reduction in surface water flow rates from the site and mitigate any increase in run-off due to the minor reduction in the overall permeable area of the site.
- 6.7.18 The FRA concludes that site drainage and surface water arising from the developed site would mimic the surface water flows arising from the site prior to the proposed development. The natural drainage regime would be retained except in the extreme storm event when a benefit is achieved by reducing the extreme storm run-off flows. 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).

Timescale and decommissioning:

- 6.7.19 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.

Leisure and Tourism

- 6.7.20 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.

- 6.7.21 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.
- 6.7.22 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.
- 6.7.23 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.
- 6.7.24 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>.
- 6.7.25 It is not considered that there is sufficient evidence to support the conclusion that that the current site would result in unacceptable impacts on leisure / tourism interests (CS16)
- 6.8 Other matters:
- 6.8.1 Community engagement: The Applicant has carried out a comprehensive pre-application exercise, primarily focused on the local community but also including consultation with other key consultees. Feedback from the local community was considered by the applicant to be positive with almost all respondents in agreement with the need to fight climate change and supportive of renewable energy, and the majority of respondents supportive of the Proposed Development.
- 6.8.2 The Applicant has responded to concerns from the local community, including during the subsequent planning application consultation process with amendments to the design of the proposals. In particular:
- Removing of panels near boundaries close to residential receptors.
 - Removal of panels from the northern half of the north-west field.

- Amendments to the planting scheme to retain field views.
- Additional screening and enhancement of existing screening.
- Mammal Gates at 250m intervals along security fencing.
- Five bat boxes of variable design to suit different species, are proposed to increase roosting opportunities.
- Five bird boxes of variable design to suit local species, including a barn owl Tyto alba box, are also proposed to be erected on boundary trees to enhance nesting opportunities for a variety of species.

6.8.3 It is considered that the applicant has carried out a significant and meaningful consultation exercise prior to submitting the planning application, in accordance with relevant local and national policy and guidance and the Shropshire Council Statement of Community Involvement (2021) and has made appropriate amendments in response to local community feedback.

6.8.4 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.

6.8.5 Recent Government communications: Some recent ministerial correspondence has been interpreting as 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.

7.0 CONCLUSION

7.1 The proposed solar development would operate for a temporary period of 40 years and would be fully restored after decommissioning. 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.

7.2 The 23MW development is sufficient to power 7642 households per annum. This would offset approximately 5,167 tonnes of carbon per annum, equivalent to removing 2,385 cars from the road. It would deliver significant net biodiversity gains of +93.57 (70.06%) habitat units and +26.29 (473.60%) linear habitat units and the applicant is working with community and other groups such as bee keepers to identify further ecological benefits.

7.3 Through a legal agreement between the farmer and the applicant the proposals would secure funding to renovate the Grade II Listed Upper Pepperhill farmhouse

which is currently vacant and in disrepair, thereby securing an optimum viable use for this heritage asset. Other benefits include a proposed permissive horse hack around the north-west field which the applicant has agreed with the British Horse Society and would also be secured by a unilateral undertaking. Additionally, the site offers significant educational benefits through the applicant's commitment to work with local schools and the local Scouts Group. This would be delivered through an Educational Strategy / Plan condition.

- 7.4 In terms of economic benefits the site is calculated by the applicant to add an additional £1.5m – 1.7m Gross Value Added (GVA) during construction and around £2.1m in operation over the lifetime of the project and an estimated 161 FTE jobs created directly or indirectly. There would also be business rates contributions to the Council of approximately £46,000 per year (based on an assumed £2k/MW, per annum), which could be invested in local services. The applicant is also committed to deliver a local community fund and has held direct talks with Boningale Parish Council on this, although weight cannot be attributed to this in the decision-making process.
- 7.5 The application is located predominantly on best and most versatile agricultural land and is within the Green Belt. However, the applicant has put forward a specific justification for the choice of site which is supported by a statement from the farmer / landowner and a need assessment by an energy consultant. This also indicates that a detailed assessment has been undertaken of alternative sites which confirms that there are no alternative sites which are available / viable with a suitable grid connection, and which do not also involve the use of Green Belt land.
- 7.6 The applicant has provided Counsel's advice on the use of best and most versatile agricultural land. This confirms that national policy does not preclude the use of such land for solar farm developments provided an applicant can give evidence that lower quality land is not available. It is considered that the applicant has provided sufficient evidence to justify this choice of site. The NPPF does not impose a sequential test requirement in assessing agricultural land quality when determining planning applications for solar farm development.
- 7.7 In terms of Green Belt policy the NPPF recognises that 'elements' of solar farm development may comprise inappropriate development within the Green Belt. This does not mean that the totality of a solar farm development is regarded by national policy as inappropriate development but rather some constituent parts within it. A detailed assessment of the proposals with respect to Green Belt policy has been undertaken. Whilst there would be some effect on openness the mitigation / landscaping proposals serve to minimise this.
- 7.8 None of the 5 key purposes of the Green Belt are considered to be harmed. The NPPF specifically acknowledges that the benefits of a solar farm development, including with respect to renewable energy, can qualify as very special circumstances to justify development in the Green Belt (NPPF151). When the wider benefits of the proposals are taken into account as noted above it is considered that the proposals significantly and demonstrably meet the requirements for a very special circumstance.

- 7.9 In terms of heritage the development would result in less than substantial harm to the setting of Upper Pepperhill Farmhouse. However, a proposed unilateral undertaking between the applicant and the farmer to provide funding to refurbish this Grade II listed building would address this and provide an overall betterment. Other effects to heritage interests are at the lower end of the 'less than substantial harm' scale and would be significantly and demonstrably outweighed by the public benefits of the proposals.
- 7.10 The potential effects of the proposals have been assessed in detail and there have been no objections from other technical consultees with respect to issues such as highways, trees, ecology and drainage. Detailed planning conditions have been recommended to ensure the highest level of control of the development. 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:

View application:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RECSSZTDH6D00>

List of Background Papers: Planning application reference 22/03068/FUL and plans.
Cabinet Member (Portfolio Holder): Cllr Richard Marshall
Local Member: Cllr Nigel Lumby, Albrighton
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 30th June 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 LCS_078_SP01 rev7), hereinafter referred to as 'the Site'.

Reason: To define the permission.

Highways

4. No development shall take place before details of on-site facilities for the loading, unloading and turning of vehicles have been submitted to and approved in writing by

the Local Planning Authority. These facilities shall be provided as approved before construction begins.

Reason: So that vehicles may enter and leave the site in forward gear

5. Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number 410558-MMD-XX-BA14-DR-C-0001 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

6. Prior to any development the first 15m of the proposed access shall be surfaced with a bound material.

Reason: In order to prevent mud and detritus being deposited on the public highway

7. Details within the submitted Construction Traffic Management Plan shall be strictly adhered to at all times during the sites' construction and decommissioning.

Reason: To ensure that a safe and suitable standard of vehicular access is provided throughout the construction and decommissioning period of the development.

8. Prior to construction beginning a detailed layout of temporary traffic management signs shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that a safe and suitable standard of vehicular access is provided throughout the construction and decommissioning period of the development.

Arboriculture

- 9a. During implementation of the development no retained tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority (LPA). Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.
- b. Prior to commencement of development a final Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), prepared in accordance with and meeting the minimum tree protection requirements recommended in BS5837: 2012, or its current equivalent, shall be submitted to and approved in writing by the LPA. All tree works and protection measures detailed in the approved TPP and AMS must be fully implemented to the written satisfaction of the LPA before any equipment, machinery or materials are brought onto the site for the purposes of the development.
- c. The development shall be implemented in accordance with the approved AMS and TPP. Approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed

from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the LPA.

- d. All services will be routed outside the Root Protection Areas indicated on the approved TPP or, where this is not possible, a detailed method statement and task specific TPP will be submitted and approved in writing by the LPA prior to any work commencing.
- e. No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The LPA will be informed of the identity of said person.

Reason: To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

- 10. No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a tree and hedge planting scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape – Recommendations, or its current version, has been submitted to and approved in writing by the LPA. The approved scheme shall include:
 - i. details as relevant of ground preparation, planting pit specification and the trees and shrubs to be planted in association with the development (including species, locations or density and planting pattern, type of planting stock and size at planting), means of protection and support, planting period or phasing of planting and date of completion, and measures for post-planting maintenance;
 - ii. details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in a) above.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

- 11. The approved tree and hedge planting scheme shall be implemented as specified and completed no later than the end of the first planting season (November to February inclusive) following completion of the development. If within a period of three years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or, in the opinion of the LPA becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

Landscape and Ecological Mitigation Plan

12. No development shall take place until a detailed soft landscape scheme for the whole site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:
- i. Schedules of plants/seed mixes, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate,
 - ii. Method of cultivation and planting,
 - iii. Means of protection
 - iv. Creation of wildlife habitats, features and ecological enhancements
 - v. Written specifications for establishment of planting and habitat creation;
 - vii. Programme for implementation

This is for all grassed areas, tree, shrub, and hedgerow planting

- 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.

13. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule. The maintenance schedule shall include for the replacement of any plant (including trees and hedgerow plants) that is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective. The replacement shall be another plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

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

Ecology

14. 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. 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.
 - Pollution prevention measures.

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 180 of the NPPF.

15. No development shall take place (including ground works and vegetation clearance) until a habitat management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- i. Description and evaluation of the features to be managed
 - ii. Ecological trends and constraints on site that may influence management
 - iii. Aims and objectives of management
 - iv. Appropriate management options for achieving aims and objectives
 - v. Prescriptions for management actions
 - vi. Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually)
 - vii. Personnel responsible for implementation of the plan
 - viii. Detailed monitoring scheme with defined indicators to be used to demonstrate achievement of the appropriate habitat quality
 - ix. Possible remedial/contingency measures triggered by monitoring
 - x. The financial and legal means through which the plan will be implemented.

The plan shall be carried out as approved.

Reason: To protect and enhance features of recognised nature conservation importance.

16. No development shall take place (including ground works and vegetation clearance) until a badger mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall include details of the actions to

be taken during the works, including the temporary closure of sett 3. These measures will be implemented as approved.

Reason: To ensure the protection of badgers under the Protection of Badgers Act 1992.

17. 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].

Archaeology

18. 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.

Noise

19. The noise mitigation measures as recommended in section 6 of tetra tech noise report ref 784-B040528 shall be implemented in full.

Reason: In the interests of residential and local amenities.

Educational Strategy

20. Within 6 months of the commencement of the development an Educational Strategy shall be submitted for the written approval of the Local Planning Authority. The Strategy shall detail the measures which the developer will take to ensure that appropriate access is given to the site for educational purposes in accordance with the approved benefits statement.

Reason: In accordance with the approved details and to realise the educational opportunities presented by the site.

Equestrian permissive route

- 21 Within 6 months of the commencement of the development a scheme detailing measures to establish a permissive equestrian route within the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall detail the measures which the developer will take to provide a safe and appropriately surfaced equestrian circular route within the periphery of the site in accordance with the approved benefits statement.

Reason: In accordance with the approved details and to realise the equestrian leisure potential of this Green Belt site.

Final decommissioning

22. 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. *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

- vii. *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.*
- viii. *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.

- ix. *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/>.*
- x. *Widespread reptiles (adder, slow worm, 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

DISCUSSION ON SOLAR FARMS AND FOOD AND ENERGY RESILIENCE

- i. A key policy rationale for protecting of B&MV land is to ensure greater food self-sufficiency, particularly in the event of a national food crisis. International issues have raised the profile of food security in the UK and it is appropriate to place weight on this matter in decision making. However, the UK is a relatively wealthy nation with an efficient agricultural sector. Whilst climate change clearly has significant implications for UK farming there are no significant and recurring histories of famine in the last century and renewable energy can directly address climate change.
- ii. Significant amounts of currently uncultivated land are capable of being brought back into intensive production relatively quickly should the national need for this arise. The area occupied by UK agri-environment schemes in 2021 was 3.6m hectares as opposed to 2.3m hectares for solar farms. 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 of B&MV land. This is given the reversibility of solar proposals and the availability of other currently non-productive land to contribute to food production if necessary.
- iii. The UK currently has less resilience in terms of energy production. Coal and gas fired power stations are closing, liquid gas storage capacity has reduced significantly, and the main natural gas storage facility in the North-Sea is not yet ready. Any new nuclear facilities will require major private investment and will take at least 7 years to become operational. Energy prices are high internationally at the moment but are much higher in the UK than on mainland Europe. A recent [BBC News article](#) attributes this to an over-reliance on gas over decades in the UK and a failure to adequately support alternative energy options.
- iv. 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.
- v. According to a recent announcement by the National Grid there is some potential for power cuts this winter unless incentives to industry and the public not to use energy at peak times are observed. It can therefore be argued that at this particular time energy security is a greater threat to the UK's national interests than food security. Solar is one of the few technologies in this respect with the ability to address energy security issues in a realistic timescale. The British Energy Security Strategy 2022 identifies a target of 95% of British electricity coming from low carbon sources by 2030 and 70GW of solar production by 2030. 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
- vi. 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...

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'.