



Committee and date

South Planning Committee

3 November 2015

Development Management Report

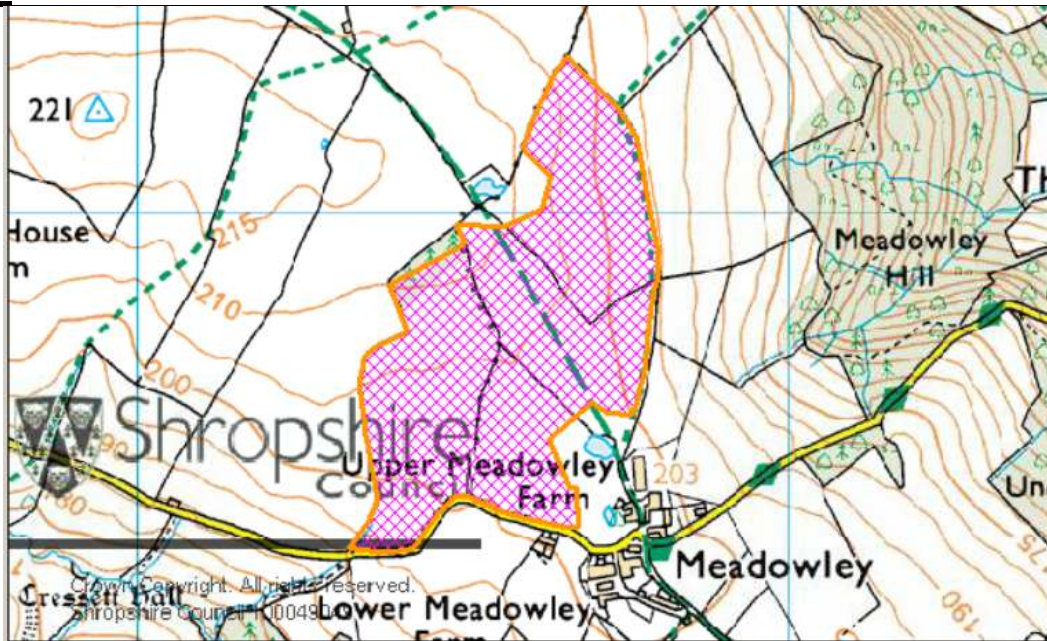
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Summary of Application

Application Number: 14/03933/FUL	Parish: Upton Cressett
Proposal: Installation of a solar park with an output of approximately 10.71MW on land associated with Upper Meadowley Farm (revised description)	
Site Address: Land North West Of Meadowley Upton Cressett Bridgnorth WV16 6UQ	
Applicant: Mr Markus Wierenga	
Case Officer: Kelvin Hall	email: planningdmc@shropshire.gov.uk

Grid Ref: 366792 - 292516



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.**REPORT****1.0 THE PROPOSAL**

1.1 The planning application seeks permission for the construction of a solar farm comprising arrays of solar panels with associated buildings and infrastructure. The proposal would comprise the installation of 40,414 solar panels generating 10.71MW of electricity which would be fed into the local power grid network.

1.2 The panels would be mounted on fixed aluminium frames arranged in west-east orientated rows. These frames would be secured to the ground through piles. The panels would face south, angled at approximately 25 degrees to the horizontal, with the highest edge at a height of 2.3 metres and the lowest at 0.8 metre. There would be a separation of 3 to 4 metres between each row.

1.3 Buildings and other infrastructure proposed comprises the following:

- 12no. inverter buildings: 9.7 metres x 3 metres x 3.6 metres high. These would typically be of fibre glass construction, with materials and colour to be agreed. They would be positioned in pairs, evenly spaced across the site;
- 1no. substation: 5.8 metres x 6.2 metres x 3.2 metres high. This would be of glass-reinforced plastic construction, with colour to be agreed. It would be positioned at the southern side of the site
- 1no. substation – dimensions and specification are to be determined by Western Power but typically this would be a brick-building with pitched tiled roof; dimensions 6.8 metres x 5.8 metres x 4.5 metres high
- Perimeter fencing: 2.4 metres high, wooden post and wire deer fencing
- 22no. CCTV cameras, installed on 3 metres high poles.

1.4 Once the panels have been erected the land is proposed to be grazed by sheep. The application states that the operational life of the panels is 25 years. Existing trees and hedgerows would be retained, and additional landscape planting would be undertaken.

1.5 The application is supported by a number of detailed documents, including: Landscape and Visual Impact Assessment; Heritage Impact Assessment; Ecological Assessment; Transport Statement; Ecology and Landscape Management Plan; Flood Risk Assessment; Agricultural Land Classification Report; Arboricultural Report; Assessment of Alternatives report.

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is located to the north-west of the settlement of Meadowley, approximately 4.5km to the west of Bridgnorth. The site comprises three arable agricultural fields, with a total area of 20 hectares. Surrounding land is generally within agricultural use, with land to the south-east comprising buildings and property associated with Upper Meadowley Farm which is under the same ownership as the application site. The southern boundary of the site is bordered by a public highway. A public bridleway runs in a north-west to south-east orientation

through the centre of the site. A public footpath runs along the eastern boundary of the site. The nearest residential properties to the site are a pair of semi-detached cottages located to the south, approximately 25 metres from the site boundary. The farmhouse at Upper Meadowley Farm is Grade II Listed, and is located approximately 110 metres from the site boundary. Other Listed Buildings and heritage assets of note in the wider area include those at Upton Cressett, approximately 600 metres to the west, and Aldenham Park, approximately 1.4km to the north. Access to the site is proposed to be gained via an existing field entrance at the southern side of the site.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The Local Member has requested that the application is decided by Planning Committee, and this request has been agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

4.0 **COMMUNITY REPRESENTATIONS**

4.1 **Consultee Comments**

4.1.1 **Morville, Acton Round, Aston Eyre, Monkhopton and Upton Cressett Parish Council** No objections.

4.1.2 **Natural England** No objections.

This application is in close proximity to Devil's Hole, Morville Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. Therefore this SSSI does not represent a constraint in determining this application.

Other advice: The Local Planning Authority (LPA) should assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

Protected Species: We have not assessed this application and associated documents for impacts on protected species. Standing advice should be applied to the application. This should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be

interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

Biodiversity enhancements: This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The planning authority should consider securing measures to enhance the biodiversity of the site from the applicant, in accordance with the NPPF.

4.1.3 **Historic England** Has withdrawn its previous objection.

The applicant has submitted amended plans including a revised site layout and photomontages. The amended proposal excludes 14 rows of panels from the south west corner of the site. This area was included within the original proposal and is inter-visible with some parts of the group of designated heritage assets at Upton Cressett. The amended proposal does address the main area of concern set out in our earlier consultation response.

The significance of designated assets affected by the proposal for this solar farm has been outlined in our previous consultation responses to Shropshire Council, most recently on 16th April 2015. In that letter we set out our view that the proposal would cause less than substantial harm to the designated heritage assets, including those at Upton Cressett and Aldenham Hall, and that we therefore could not support the proposals in that form.

The development proposal should allow the preservation of those elements of the setting that make a positive contribution to the significance of the group of designated heritage assets at Upton Cressett, and also Aldenham (NPPF 137). In this case the setting of those assets is an important part of their significance, and so the proposal should avoid any inter-visibility with them. This is also important as great weight should be given to the conservation of the designated heritage assets (NPPF 132).

We therefore advise that the local authority requires that no part of the development, including any fencing, lighting and ancillary structures and works, should be inter-visible with Upton Cressett or Aldenham. Screen planting may be an appropriate part of this approach, so long as the screening itself fits well into the landscape and is not visually intrusive.

It is recommended that the application be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

4.1.4 **SC Highways** No objection in principle. It is recommended that the Construction and Decommissioning Management Plan referenced within the submitted Transport Statement is submitted and approved by the Local planning authority and a condition requiring the submission of a Construction Method Statement is submitted for approval (see Appendix 1).

4.1.5 **SC Drainage** The Flood Risk Assessment is acceptable. 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.

- 4.1.6 **SC Ecologist** No objections. Under Regulation 61 of the Conservation of Habitats and Species Regulations (2010), the proposed works will not have a likely significant effect on any internationally designated site. An Appropriate Assessment is not required.

Great crested newts: With the Proposed PV Layout Revision E showing retention of existing trees and the position of inverters and a substation a Risk Avoidance Measures approach could be sufficient to reduce the risk of harming great crested newts. This is only the case if all works take place during the hibernation period i.e. November to February, when minimum night temperatures do not exceed 5 degrees centigrade. It is unlikely that installation of the solar farm would be complete by February 2015 therefore it would need to wait until winter 2015/16. A condition is recommended to require that work is carried out strictly in accordance with the Precautionary Working Method Statement (see Appendix 1).

Badger: The confidential Badger Set Location plan confirms that the sett is over 30m from the closest section of the development. If construction is delayed it is recommended that a repeat badger survey is carried out within 3 months of work starting. The Environmental Management Plan recommends provision of badger gates in the deer fencing. An informative is recommended (see Appendix 1).

Nesting birds: Habitats on site offers breeding habitat for birds therefore working in the breeding season could disturb nesting birds. An informative is recommended (see Appendix 1).

Management Plan: Wardell Armstrong (2014) have prepared an Environmental Management Plan, which includes how the site will be managed to increase floristic diversity and value to wildlife. This includes provision of bat and bird boxes as well as badger gates in the deer fencing. A condition is recommended to ensure that this is followed (see Appendix 1).

- 4.1.7 **SC Rights of Way** Bridleway 11 and footpath 1 Morville runs through the site identified and have been acknowledged within the application. The intention is to provide a hedged corridor for the bridleway and hedge row to screen the footpath from the park on the eastern boundary of the site. There is no objection to these proposals providing sufficient width is allowed for the public to pass and repass - at least a usable width of 4 metres should be maintained between hedges. The hedges will also require maintenance to keep them cut back so as not to encroach onto the rights of way.

Updated comments: The applicants intend to make an application to legally divert public Bridleway 11, Morville, as detailed in the Bridleway Diversion Statement and informal consultations have been carried out in this respect.

[The proposal is that the route of the bridleway is diverted so that it runs along the north-eastern edge of the field].

4.1.8 **SC Archaeology** Recommends a condition.

The proposed development site is located c.900m north-east of the Scheduled Monument of the Medieval Settlement, south-east of Upton Cressett Hall; c.1 km to the north-east of the Scheduled Monument of the Moated site and associated ponds [at Upton Cressett]; c.1 km to the north-east of the Grade I Listed Building of Upton Cressett Hall; c.1 km to the north-east of the Grade I Listed Building of the Gatehouse at Upton Cressett Hall; and c.1 km to the north-east of the Grade I Listed Building of the Former Church of St Michael. It is also situated c.2.5km south of the Grade II* Listed Building Aldenham House and its associated Grade II Registered Park and Garden. The proposed development has the potential to affect the setting of these designated heritage assets.

The applicant has, submitted a Geophysical Survey Report which identified a series of anomalies across the four fields that comprise the proposed development site. These are all interpreted as former field boundaries, land drains or former plough furrows, some of the latter of which may relate to medieval ridge and furrow cultivation. It is advised that such features are likely to be of low archaeological significance. Consequently, the archaeological potential of the proposed development site itself is deemed to be low.

It is advised that the Geophysical Survey Report report by Headland Archaeology provides a sufficient level of information about the archaeological interest of the proposed development site itself in relation to the requirements set out Paragraph 128 of the NPPF. On the basis of the results of the geophysical survey, and subject to the other matters identified in our previous consultation response being addressed and satisfactorily resolved, it is advised that a programme of archaeological work should be made a condition of any planning permission under Paragraph 141 of the NPPF. This should comprise a watching brief during the soil stripping for the site compound for the construction phase, the inverter and the substation and meter room buildings and any site access tracks necessary during construction phase (although from the Planning Statement it is understood that there will be no requirement for permanent access tracks through the life of the development). The watching brief will provide an opportunity to test the ground conditions on the site and thereby potentially validate the findings of the geophysical survey. (See condition in Appendix 1).

4.1.9 **SC Conservation** No objections.

In considering the proposal due regard to the following local and national policies, guidance and legislation has been taken; CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, the National Planning Policy Framework (NPPF) published March 2012, Planning Practice Guidance and Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Amended plans have been submitted in response to previous comments made on the intervisibility of the proposed solar panels with designated heritage assets. The

amended plans have further reduced the amount of panels, particularly removing sections from the south west and northern boundaries of the site. It is considered that the further reduction in panels to the south west of the site will reduce the intervisibility with designated heritage assets at Upton Cressett and the reduction in panels to the northern boundary will help to minimise any distant views from Aldenham Park. It is considered that these amendments combined with a robust and appropriate landscaping and mitigation plan will reduce the impacts of the proposed scheme on the identified designated heritage assets. As such it is considered that the proposal will preserve the setting of heritage assets in line with policies, guidance and legislation as outlined above.

4.1.10 **SC Trees** No objections.

Based upon a comparison of the submitted layout drawing to the most recently available aerial photograph of the site, the submitted plan accurately shows the location of existing trees and hedges within and around the site. The conclusion of the submitted arboricultural statement that if any development related activity is kept outwith the maximum root protection radius of 15m from any retained tree, there should be no damage or harm caused to those trees is supported. The specification shown in that document, for a temporary tree protection barrier, is sufficient to provide adequate protection for retained trees within the site during implementation of any approved development.

The site perimeter security fencing detailed within the Design & Access Statement would be sufficient to protect boundary trees and hedges around the edge of the site. However, it is noted that section 7 (Construction) of the D&A Statement suggests that erection of the perimeter fence would be a stage 4 of the construction process, following site enabling and access works, installation of inverter and transformer and installation of the solar panels. Clearly this would not be adequate in terms of tree protection, the measures for which should be installed prior to commencement of development. Therefore, it is recommended that a tree protection condition should be attached to any approval for this application (see Appendix 1).

4.1.11 **SC Public Protection** No objections. Any noise sources have been proposed at appropriate distances away from sensitive receptors. As a result it is not considered that there is any likelihood of significant detrimental affect from the development in terms of noise at nearest residential properties.

4.1.12 **Ramblers, Shropshire Area** Object. The applicants have not provided the best solution for the route of Morville Bridleway 0132/11/2 through the planned array of panels. They have proposed leaving the line of the bridleway where it is and providing new hedging and 'deer' fencing on both sides of it, to screen the solar panels. It would be preferable if this section of the bridleway were diverted at the northern end slightly to the east to run alongside the existing length of hedge for some 250 metres and then across the field for another 200 metres to rejoin the current line on the approach to Meadowley Farm. As long as the existing hedge is solid and allowed to grow to an adequate height, this will allow the developer to provide 250 metres less of new hedge and deer fence. It will also mean that this section of the bridleway will be less 'unattractive' to horses and their riders and also

to walkers using the route. The additional 20 metres length is insignificant, and the cost of the diversion a mere 'drop in the ocean' when compared to the overall cost of the scheme, and of course the Ramblers would not object to the diversion as it would be providing a 'better' route. We do appreciate that the arrangement of solar panels would need to be changed but that might even be to the advantage of the developers.

- 4.1.13 **Historic Houses Association** Objects. HHA fully supports the objections of Historic England. The development would greatly threaten the historic setting of Grade I listed Upton Cressett.

Particular attention is drawn to the comments of Historic England that 'any harm should have a clear and convincing justification and in our view public benefit will not outweigh the harm that would be caused'.

The principal way of ensuring the conservation of important historic properties in the UK is often to find an economically viable use. Upton Cressett has such a use and plays a valuable role in tourism in Shropshire. The photovoltaic panel development would have a damaging effect on its historic setting, which would seriously undermine this business.

- 4.1.14 **Churches Conservation Trust** No response received.

- 4.1.15 **Bridgnorth & District Tourist Association** Objects.

- The solar farm would cause significant harm to the visitor and tourism appeal of the Bridgnorth and Much Wenlock area
- Site is on good quality agricultural land and the Environment Secretary has ruled that solar parks should not be on such land
- Would be likely to cause very significant harm to the heritage and tourism assets at Upton Cressett
- Significant and detrimental impact on unspoilt landscape and local heritage
- Commercial and aesthetic disaster as walkers, bikers and equestrian tourism all pass directly past the proposed site on route to Upton Cressett

4.2 **Public Comments**

- 4.2.1 The application has been advertised by site notice and in the local press. In addition 8 properties in the local area have been individually notified. Objections have been received from two residents. These include a series of detailed objections from Environment Information Services on behalf of the resident of Upton Cressett Hall. There have been 12 letters of support.

The objection reasons are summarised as follows:

- Seriously harmful and negative impact on the heritage assets at both the three Grade 1 assets at Upton Cressett, the three SAMs at Upton Cressett and Grade 2* Aldenham Park
- Adverse impact on Upton Cressett as a tourist attraction, including balloon rides over Wenlock Edge
- Detrimental impact on landscape and amenity
- Proximity of Jack Mytton Way and Grade I Upton Cressett Hall
- Environment Secretary has advised that solar farms are best placed on south-

- facing commercial rooftops where they will not compromise the success of our agriculture industry
- A deed of covenant affecting the site specifically restricts any use of the land in a way which may cause nuisance or annoyance
 - Inaccurate description of site within the Design and Access Statement, misrepresenting the elevated position of the site and skyline location
 - Site is unacceptable for solar farm development in view of the latest Ministerial Statement
 - Incorrect assumptions made that land in other directions is of equal or higher agricultural quality
 - Site is ranked as moderate to high fertility; site as a whole should be regarded as best and most versatile land
 - The site as a whole should be regarded as BMV land
 - Illustrations provided in the LVIA are insufficiently precise
 - Additional information should be provided regarding glint and glare impacts on Upton Cressett
 - No site-specific photographic predictions of the appearance of the development at different viewpoints
 - The LVIA under represents the significance of the proposal's visual effects
 - The submitted Management Plan is unclearly scoped
 - No enforceable commitment regarding landscape management
 - Application states that landscape planting would take around 5-8 years to establish/thicken sufficiently to screen views, thus mitigation would only be achieved after at least a third of the proposal's operational life
 - No reasoning as to why or how the LVIA reached its assessment of medium sensitivity
 - Site and surrounding landscape should be classed as of at least high sensitivity; the LVIA has therefore under-rated the landscape effects of the proposal
 - Potential for adverse impacts on horses
 - Revisions to site layout have reduced, but not eliminated, landscape and visual impacts
 - Proposal is incompatible with government policy to retain the BMV Grade 3a farmland
 - The application claims that the proposal would generate electricity equivalent to that used by 3245 households is disputed; this is inaccurate and exaggerated; the correct figure is 2418

The reasons for support are summarised as follows:

- Minimal impact on the landscape
- Would not be visible from any listed buildings due to topography
- Minimal impact from Aldenham Park
- Drivers passing on way to Upton Cressett would have briefest glimpse through the access gate due to height of roadside hedges, even those on tour buses
- Land to be used is difficult to work and not economically viable to cultivate; more viable as sheep grazing pasture which will continue once panels installed
- Valuable contribution to the country's green energy production
- Located away from all centres of population
- Proposal is supported by all the adjoining and close neighbours

- Additional income stream would help keep the family farming and caring for the same land they have occupied over the last four generations
- Entirely reversible development
- Low percentage of ground taken up by fixtures and the control buildings
- Access to footpaths will be maintained
- Solar panels can provide shelter for animals during poor weather
- Additional and managed hedgerows would provide increased nesting, roosting and feeding opportunities for birds and other wildlife
- Much more effective renewable energy resource than onshore wind turbines
- Property is included in Zone of Theoretical Visibility but site is not visible
- Site is barely visible to the surrounding countryside
- Solar farm would not produce noise, waste, smell or traffic along the narrow lanes, the latter being the main concern for those living in the Upton Cressett/Meadowley area
- Reduction in use of chemicals as a result of the land being taken out of agricultural use will benefit the environment
- Will greatly help the rural economy
- The covenant is not relevant to the proposed development
- The countryside is not a museum; it needs financially viable agricultural industry to continue to evolve
- vital that the landowner's future is financially sustainable, so they can continue to manage it for future generations to appreciate
- the hedges will grow up and the development won't cause a problem to anyone

5.0 THE MAIN ISSUES

- Principle of development
- Site selection and agricultural land classification considerations
- Siting, scale and design and impact on landscape character
- Historic environment considerations
- Local amenity and other considerations
- Ecological considerations
- Highways and access consideration
- Flood risk considerations
- Public rights of way considerations

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan policies relevant to the current proposal are discussed below. In addition to these, the National Planning Policy Framework (NPPF) sets out the Government's planning policies and this is a material consideration which should be taken into account in the determination of this application. Further national policy guidance is provided by National Planning Policy Guidance (NPPG).

6.1.2 Renewable energy: The NPPF sets out core land-use planning principles, and one of these is to support the transition to a low carbon future. This includes encouraging the use of renewable resources. The current proposal is in line with

this. The NPPF advises local planning authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources (para. 97). It states that:

- applicants do not need to demonstrate the overall need for renewable energy;
- it should be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gases;
- applications for renewable energy should be approved if its impacts are (or can be made) acceptable.

6.1.3 The Shropshire Core Strategy provides similar support by stating that the generation of energy from renewable sources should be promoted (Strategic Objective 1), and that renewable energy generation is improved where possible (Policy CS6). Core Strategy Policy CS8 positively encourages infrastructure, where this has no significant adverse impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation, and working with network providers to ensure provision of necessary energy distribution networks.

6.1.4 Planning Practice Guidance on Renewable and low carbon energy sets out the particular planning considerations that apply to solar farm proposals (see Section 10.2 below) and states that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses.

6.1.5 The planning application (as revised) would be capable of generating 10.71MW of renewable energy. This would be enough electricity to power 3245 typical households, and result in the reduction of more than 5000 tonnes of carbon per year. The proposal would provide significant environmental benefits in terms of the production of renewable energy. As such the principle of the proposal is in line with planning policies and national guidance.

6.1.6 Rural diversification: Core Strategy policy CS13 provides support for rural enterprise and diversification of the economy. This is in line with the NPPF which seeks to support a prosperous rural economy by stating that local plans should promote the development and diversification of agricultural and other land-based rural businesses. The application states that the proposed solar farm would promote diversification by continuing to allow additional agricultural activities to take place alongside the generation of renewable electricity, increasing the productivity of the land. In principle it is accepted that there would be direct benefits to the existing agricultural business at Meadowley as a diversification scheme which allows for the continuation of farming on the land through sheep grazing.

6.2 **Site selection and agricultural land quality considerations**

6.2.1 The NPPF states that the economic and other benefits of the best and most versatile (BMV) agricultural land should be taken into account in determining planning applications. It states that where significant development of agricultural land is demonstrated to be necessary, poorer quality land should be sought in preference to that of a higher quality (para. 112). In relation to solar farms, Planning Practice Guidance advises that local planning authorities should

encourage the effective use of land by focussing these developments on previously developed and non agricultural land, provided that it is not of high environmental value (para. 013).

- 6.2.2 The guidance advises that, in considering solar farm proposals located on greenfield sites, local planning authorities should consider whether:
- 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
 - the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 6.2.3 The Guidance also makes reference to a Ministerial Speech made in April 2013 and a Written Ministerial Statement (WMS) made in March 2015. In relation to the former, this stated that where solar farms are not on brownfield land, the industry should be looking at sites on low grade agricultural land where grazing can take place in parallel with generation. In relation to the WMS this states that meeting our energy goals should not be used to justify the unnecessary use of high quality agricultural land. It states that any proposal for a solar farm involving BMV agricultural land needs to be justified by the most compelling evidence.
- 6.2.4 Agricultural land quality: The submitted Agricultural Land Classification (ALC) report is based upon a series of auger borings (19no.) and soil pits (3no.) dug across the application site. Following the modification of the application to reduce the size of the site, the applicant has confirmed that that 5.2 hectares of the site (31%) would be Grade 3a (good quality) and 11.6 hectares (69%) would be Grade 3b (moderate quality). Best and most versatile (BMV) agricultural land is that classed as Grade 1, Grade 2 or Grade 3a. As such 5.2 hectares of the site is BMV.
- 6.2.5 Site selection constraints: The applicant has submitted an Assessment of Alternatives (AoA) report to provide justification for the use of BMV, in line with planning guidance. In terms of general siting considerations the AoA report confirms that the site proposed as part of the current application has followed on from a site selection exercise which has taken into consideration a number of factors. These include the importance of avoiding sites within close proximity of known heritage assets; avoidance of landscape designations, Green Belt land and high value ecological designations. The report also states that gradient and aspect is an important consideration, and as such land with an average slope of greater than 5 degrees, and land with north facing slopes, has been disregarded from the site selection process.
- 6.2.6 Potential for poorer quality agricultural land to be used: The report states that the siting of solar farms is highly constrained by the requirement to be close to a suitable grid connection point. It states that potential sites greater than 3km from the grid connection would be prohibitively expensive due to the cost of connection. The AoA report has assessed potential sites within a 3km radius of the proposed connection point. Within this study area, sites on north-facing slopes have been disregarded. Standard mapping that identifies agricultural land quality is not sufficiently detailed to differentiate between Grade 3a and Grade 3b land. A full picture as to the grading of land within the 3km buffer zone is therefore not

available. However some detailed soil assessments have been undertaken within this zone, including land between Morville and Bridgwalton, and land to the north-west of Bridgnorth. The applicant has provided details of agricultural land gradings that have been ascertained in these areas through soil assessments. These show that the majority of this land has been identified as BMV land, i.e. Grade 2 or 3a. Whilst not definitive, it is considered that this is indicative as to the general quality of agricultural land within the area. The AoA report states that there is no land within the 3km buffer zone that is located on less than Grade 3 agricultural land. As such it suggests that there is no land more suitable than that proposed in terms of ALC grade.

- 6.2.7 Potential alternative sites: The report identifies other specific sites that were considered, and the reasons why these were discounted. Other land within the applicant's ownership was assessed for its suitability, but was subsequently dismissed due to its prominence in the local landscape, its aspect and its gradient.
- 6.2.8 Whilst not referred to in the AoA report, it is relevant to note that a planning application for a 3.8MW solar farm at Tasley, which is located close to the Meadowley point of connection, was refused earlier this year under Officer delegated powers. The subsequent appeal was dismissed in October. In his decision the Inspector stated that the adverse visual effects of the development and its impacts on the significance of heritage assets, when considered individually and in combination, would significantly and demonstrably outweigh the benefits of the scheme. This site is within the 3km buffer zone of the Meadowley point of connection, but has nevertheless been confirmed on appeal as not being an acceptable site for solar farm development.
- 6.2.9 Potential for removal of BMV land from application site: Officers acknowledge that one option for avoiding the use of BMV land would be to exclude those parts of the application site that are Grade 3a. Based upon the soil assessment undertaken this would result in the exclusion of the central parts of the site. In response the applicant has advised that, given the costs of the grid connection of around £1 million, the scope to omit land is already very limited. It is accepted that the capacity of the scheme has already been reduced through revisions to the layout to exclude areas at the south-western and north-eastern parts of the site. This has reduced 11.61MW to 10.71MW. The applicant has advised that it is not realistic to remove additional parts of the site and maintain the financial feasibility of the project.
- 6.2.10 Alternatives to ground-based solar farms: The AoA report has also considered the scope of potential large scale rooftop installations within the county. It concludes that ground-based and rooftop solar installations are complimentary, but commercial scale rooftop solar PV is likely to make a relatively limited contribution to the UK's statutory targets of generating 15% of its energy from renewable sources by 2020.
- 6.2.11 Continued agricultural use: It should be noted that the proposed development would not result in the loss of agricultural land, as it is proposed that the land would be grazed by sheep once the panels have been installed. The issue in this respect therefore is that associated with the change from the arable farming to sheep

farming. The applicant states that the landowner has been offered a grazing licence for the site for up to 50 sheep per hectare. The applicant has clarified that typical stocking densities would be approximately 12-15 per hectare, and that the licence allows for flexibility for example during lambing or livestock exchange. The applicant considers that the existence of solar panels do not really affect stocking densities as the sheep can pass freely beneath them.

6.2.12 In terms of the change from arable land, the applicant has confirmed that the land at Meadowley is used for both arable and grazing, and that the fields are rotated. Arable land is used for producing feed for cattle and sheep rather than for energy crops or food for human consumption. The applicant has confirmed that, due to the past and present usage of the site for grazing land, no issues are anticipated in relation to the proposed grazing use of the application site. Officers accept that sheep grazing would not be a new venture for the landowner, and that as such no issues with this are anticipated.

6.2.13 Officers consider that the AoA report provides a reasonable assessment of the relevant constraints that apply to the siting of large-scale ground-mounted solar farms. In addition, based upon the site assessment provided, it is accepted that there are unlikely to be alternative sites available within a reasonable distance from the grid connection point with a lesser impact. The application has justified the use of agricultural land for the installation of solar panels. It is accepted that part of the application site is classed as BMV agricultural land, however most of the site (69%) is not BMV. The development would not result in the loss of agricultural land, merely a restriction on using the land for arable purposes as it would be used for grazing. In addition, land would be returned to its current agricultural use by no later than 25 years following installation. Furthermore the application would result in significant biodiversity enhancements to the area in terms of the planting of wildflower margins around the site and landscaping works, and managed beneficially through an agreed habitat management plan.

6.2.14 Overall, Officers consider that a satisfactory level of justification has been put forward for the use of the 5.2 hectares of BMV land as part of the solar farm proposal. As such the proposal is in line with the March 2015 WMS, and meets the criteria for consideration as set out Planning Practice Guidance as outlined in sections 6.2.2 and 6.2.3 above.

6.3 **Siting, scale and design and impact on landscape character**

6.3.1 Core Strategy policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character, having regard to landscape character assessments and ecological strategies where appropriate. Policy CS17 also 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. Saved Bridgnorth Local Plan Policy D11 requires that buildings and structures associated with renewable energy schemes are designed to minimise their impact on the landscape. It is noted that the site and surrounding land do not fall within an area designated for landscape importance. In addition it is acknowledged that the development would be temporary, and a condition can be imposed requiring that the panels would be removed at the end of their operational life or after 25 years, whichever sooner.

- 6.3.2 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which has been undertaken based on recognised methodology. The LVIA assesses the proposed development on both landscape character and in relation to visual impacts. It should be noted that the LVIA was undertaken based upon the site design as originally submitted. A number of revisions to the site layout have been submitted, which have reduced the size of the site and the visibility of the site from some surrounding receptors, including the public highway to the south.
- 6.3.3 Impact on landscape character: The LVIA notes that the site is located within the landscape type Timbered Plateau Farmlands (as defined in the Shropshire Landscape Typology). This landscape type is characterised as a rolling landform dissected by a number of valleys. The LVIA assesses the landscape value of the site and immediate surrounding area as medium. It acknowledges that a range of views are available due to the site's location on a hill top amongst rolling topography, increasing the susceptibility of the landscape to change. However it notes that these views are constrained by boundary hedgerows and areas of woodland which reduce the level of inter-visibility. As such it assesses the sensitivity of the landscape of the site and immediate surrounding area as medium. This has been disputed by the objection made on behalf of a resident of Upton Cressett, who considers that the sensitivity is at least high.
- 6.3.4 The LVIA concludes that the impacts of the proposed development on the Timbered Plateau Farmlands landscape would be negligible-slight to slight adverse, and impacts on the other landscape types would not exceed negligible-slight adverse.
- 6.3.5 The site is gently sloping, rising from approximately 194 metres on the southern and eastern boundaries up to a high point of 213 metres on the north-western boundary. Existing man-made development in the area includes the residential and agricultural buildings within the settlement of Meadowley, and the public highway, to the south of the site. There are hedgerows and hedgerow trees within and around the perimeter of the site which provide some screening from surrounding areas. Longer distance views of the site are possible at various parts of the site, particularly from land to the west and east. Given the scale and nature of the development, Officers consider that the proposal would have some impact on the character of the local landscape. However at 2.3 metres high the panels would be relatively low lying, and existing vegetation in the area would provide some screening and limit open views of the development.
- 6.3.6 The site lies approximately 5.2km from the Shropshire Hills Area of Outstanding Natural Beauty (AONB) to the west. Part of the AONB lies within the Zone of Theoretical Visibility of the proposed development. However given the distance involved and the topography and intervening vegetation it is not considered that any such views would be significant. As such it is not considered that the proposed development would adversely affect the landscape qualities of the AONB.
- 6.3.7 Visual impacts: The LVIA considers that the visual impacts from the public highway to the south of the site, from the public rights of way within and adjoining the site

and from Meadowley Farm would be moderate to very substantial. For other receptors the LVIA states that impacts would not exceed slight adverse for public rights of way or negligible adverse for highways and properties. It states that this is due to screening provided by strong hedgerow boundaries, woodland blocks, built development and changes in topography.

- 6.3.8 Existing trees and hedgerows within the site would be retained, and these would limit open views of the site from surrounding viewpoints. Officers consider that the principal visual impacts of the proposal would be on the public rights of way in the area, on the public highway and residential properties to the south. From the road, views of the development would be generally limited due to the presence of a roadside hedgerow, however there are some gaps in this hedgerow through which the panels would be visible.
- 6.3.9 There would be clear views of the site from the footpath and the bridleway that run through the site. In relation to the footpath (which runs along the eastern side of the site), these would be open views to one side of the path, for a distance of approximately 470 metres. However it is proposed to plant a hedgerow between the footpath and the solar farm and, as this establishes, the visibility of the development from the path would diminish. In relation to the bridleway, at present this runs through one of the fields at the site. It is the intention that the route of this is diverted slightly so that it runs along the edge of the field. Again, it is the intention that a hedgerow would be planted between the panels and the bridleway, to restrict open views of the site. Nevertheless it is accepted that the panels would be visible above the hedge, even once established, given the height of a horserider, along a 360 metres length of this bridleway as it runs through the site.
- 6.3.10 At its closest point the Jack Mytton Way, a long distance bridleway, would pass within 100 metres of the site. Views of the site from this right of way would be generally limited by existing built development at Meadowley, intervening vegetation and topography. There would be some points of this path where the development would be visible but these would generally be at distances of 1km or more, and Officers consider that such views would not be significant.
- 6.3.11 In relation to surrounding properties there would be some views of the development from Meadowley Farm, however it should be noted that these residents own the application site and therefore have a direct interest in the proposal. In relation to other properties, some views of the southern parts of the site would be possible from the dwellings immediately to the south, Oak Cottage and Ash Cottage. Views from ground floor windows would be restricted by the roadside hedgerow at the southern side of the site, however more open views would be possible from upper floor windows above the boundary vegetation. Nevertheless it is not considered that the panels would have an overbearing impact on residential amenity given their relatively low lying nature. It is noted that the residents of these two properties have written in support of the proposal, and no objections have been received from any other residents in Meadowley. It is considered that the visual impacts on properties further afield, such as Tasley to the north-east and Upton Cressett to the south-west, would not be significant given the distance involved. Impacts upon the setting of properties such as Upton Cressett are considered in a separate section below.

- 6.3.12 In terms of potential cumulative impacts there are no other large-scale ground-mounted solar farms within the general area of the application site. As such there would be no cumulative impact with other solar farms in the area. Parts of the Tasley site (referred to in 6.2.8 above), approximately 2.7km from the application site, are visible from the eastern side of the application site. Notwithstanding this, the appeal against the refusal of planning permission for the Tasley solar farm, under Officer delegated powers, was dismissed in October 2015. There are therefore no intervisibility issues with the two sites.
- 6.3.13 Officers consider that the proposed solar farm would have some impact on views experienced from the nearby public highway, from public rights of way in the area and from some residential properties. It is recognised that views of the site from the public rights of way and the public highway would be transient. In addition views from the Jack Mytton Way would generally be limited. Overall it is considered that a satisfactory level of mitigation has been put forward in terms of new hedgerow planting and that, given the level of environmental benefit of the proposal, these residual impacts would not be unacceptable. As such the application can be acceptable in relation to Core Strategy Policy CS6.
- 6.4 **Historic environment considerations**
- 6.4.1 Core Strategy Policy CS17 requires that developments protect and enhance the diversity, high quality and local character of Shropshire's historic environment.
- 6.4.2 Archaeological matters (on-site): A report has been provided by the applicant that sets out the findings of a geophysical survey of the site. This identifies that anomalies identified by the survey can be interpreted as former field boundaries, land drains or former plough furrows. The Council's Archaeology team have advised that these features are likely to be of low archaeological significance. It would be appropriate to impose a condition on any planning permission requiring a programme of archaeological work to be undertaken, as recommended by the Archaeology team (see Appendix 1).
- 6.4.3 Potential impact on heritage assets in the wider area: Paragraph 132 of the NPPF confirms that the significance of a heritage asset can be harmed by development within its setting. Paragraph 134 requires that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In addition, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission which affects the setting of a Listed Building, the local planning authority shall have special regard to the desirability of preserving the setting.
- 6.4.4 The impact of the proposed development on the setting of the Grade II Listed Upper Meadowley Farmhouse to the south-east of the site is limited by the existence of other built development and vegetation in the vicinity. It is considered that this would provide a sufficient level of screening of the development to ensure that the setting of the listed building is not adversely affected.

- 6.4.5 The proposed development has the potential to affect the setting of a number of heritage assets in the wider area, in particular the group at Upton Cressett to the south-west and Aldenham Park to the north-east. Upton Cressett includes Upton Cressett Hall (Grade I listed); Upton Cressett Gatehouse (Grade I listed); the former St Michael's Church, Upton Cressett (Grade I listed); and the Moated Site and Fishponds, Upton Cressett (Scheduled) and a deserted medieval village (scheduled). The proposed location of the solar farm is approximately 800 metres from Upton Cressett, and the deserted medieval village is, at its nearest, approximately 610 metres away.
- 6.4.6 Historic England has advised that each of the assets at Upton Cressett has particular significance, but because they are also closely interrelated this adds to the overall significance of the manorial complex as a whole. Historic England has highlighted the fact that the complex is designed to take advantage of views to the south and east, which remain essentially rural without significant 19th or 20th century influence. It also advises that the setting of Upton Cressett is important to its significance as it contributes to a strong sense of remoteness and tranquillity.
- 6.4.7 Aldenham Park includes Grade II listed entrance gates, and the Grade II* listed Aldenham Hall, within a Grade II registered park and garden.
- 6.4.8 A revised Heritage Assessment was undertaken by the applicant, which includes a visual analysis of impacts based upon site visits to both Upton Cressett and Aldenham. Historic England originally objected to the proposed development on the grounds that the significance of the Upton Cressett and Aldenham designated assets would be harmed by impacts on their setting. They considered that such harm would be less than substantial.
- 6.4.9 Revised plans have now been submitted which have removed panels from the south-western and northern side of the site. Historic England has advised that this revised layout addresses its main area of concern in terms of inter-visibility. The Council's Conservation Officer has confirmed that these amendments would ensure that the setting of heritage assets is preserved. The Officer has advised however that this is subject to the need for a robust and appropriate landscaping and mitigation plan.
- 6.4.10 Detailed objections have been made to the proposed development by one of the owners of Upton Cressett Hall on the grounds that the proposal would adversely affect the setting of the designated assets, and also the attractiveness of the area to visitors. Officers were granted access to the Upton Cressett complex to assess the extent to which the proposed development would be visible from the area. Based upon this visit, the photographs provided as part of the revised Heritage Assessment, and the further revisions to the site layout that followed this Assessment, Officers are satisfied that the proposed development would not adversely affect the setting of the Upton Cressett group of heritage assets. In terms of the wider impact of the proposal on visitors travelling to Upton Cressett it is accepted that parts of the site would be visible from the approach road. However it is not considered that this limited visibility would be of such magnitude as to affect

the enjoyment of visitors travelling to Upton Cressett.

6.4.11 Overall it is considered that any impacts on the setting of Upton Cressett and Aldenham would be less than substantial. In relation to the requirements of para. 134 of the NPPF, it is considered that the public benefits of the proposal, particularly in relation to the generation of 10MW of renewable energy, outweigh any limited harm there may be to the setting of the designated heritage assets.

6.5 Local amenity considerations

6.5.1 Core Strategy policy CS6 seeks to safeguard residential and local amenity. Saved Bridgnorth Local Plan Policy D11 requires that renewable energy schemes do not detract from the residential amenities of the area.

6.5.2 Noise: The application states that significant levels of noise would not be generated. It is anticipated that some noise may be generated from the operation of the substation and inverters, however the enclosed nature of these units would provide significant attenuation of emissions. The nearest residential properties to the substation and inverters would be approximately 100m metres away, and the Public Protection Officer considers that noise sources are at appropriate distances from sensitive receptors. As such it is not anticipated that the proposal would have any significant impact on the local area due to noise emissions.

6.5.3 Glint and glare: The planning application provides details of the specific effects of glint from the proposed development. It is noted that the panels are very dark in colour as they are designed to absorb light rather than reflect it. The application states that any glint from the solar panels would be significantly dimmer than other common sources of glint. There is no information to suggest that the proposal would result in adverse levels of impact upon local amenity due to glint or glare.

6.5.4 Decommissioning and land reinstatement: Saved Bridgnorth District Local Plan Policy D11 requires that renewable energy schemes include realistic means to ensure the removal of any plant, buildings or structures when they become redundant, and that they provide for the restoration of the site. The applicant has confirmed that the operational lifespan of the solar panels is 25 years. A planning condition can be imposed to require the removal of all of the equipment at the end of its useful life, or within 25 years whichever sooner, and the land reinstated.

6.6 Ecological considerations

6.6.1 Core Strategy 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. It is noted that the application site does not form part of any statutory or non-statutory designated site for nature conservation.

6.6.2 Protected species: The application is accompanied by appropriate ecological reports based upon ecological surveys. These identifies that there are eight ponds within 500 metres of the site. Of the six surveyed, all six were considered suitable to support Great Crested Newt (GCN). The Council's Ecologist has advised that the submitted Precautionary Working Method Statement could be sufficient to reduce the risk of harming GCN. A condition can be imposed requiring that work

takes place in accordance with this Method Statement.

6.6.3 **Site management:** An Environmental Management Plan has been prepared which sets out how the site would be managed to increase floristic diversity and value to wildlife. This includes provision of bat and bird boxes as well as badger gates in the deer fencing. Existing trees and hedgerows would be retained, In addition wildflower areas would be provide around the site margins and other parts of the site. It is considered that the proposed solar farm offers an opportunity to provide significant biodiversity enhancements to the area. Given the modification to the site layout it is considered that a condition should be imposed requiring an updated Environmental Management Plan to be submitted for approval (see Appendix 1). In view of the above it is considered that the proposal is in line with Core Strategy policy CS17.

6.7 Highways considerations

6.7.1 Once the solar farm has been constructed ongoing traffic to the site would comprise occasional maintenance visits. Such traffic would access the site via an existing field entrance at the southern boundary of the site. The application states that the construction of access tracks between the panels would not be necessary. It is therefore not considered that operational traffic raises any significant highway issues, and the Council's Highways Officer has raised no objections to the proposal.

6.7.2 In terms of the construction phase, it is anticipated that this would last for 12 weeks and would result in 102 HGVs and 46 vans during this period. Access to the site for construction traffic from the A458 would be via a private track which serves a number of farms. This would avoid the use of the main section of public highway between the site and the A458 during construction operations. Proposed traffic management measures including signage and construction hours are outlined in the submitted Transport Statement. A more detailed Traffic Management Plan can be agreed as part of a planning condition, as recommended by the Highways Officer.

6.8 Flood risk considerations

6.8.1 Core Strategy policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. The submitted Flood Risk Assessment (FRA) confirms that the site lies entirely within Flood Zone 1, signifying areas with the lowest probability of fluvial flooding. The proposed development would not result in any significant increase in the area of impermeable surfacing of the site. The Council's Drainage Officer has confirmed that the run-off from the solar panels is unlikely to alter the greenfield run-off characteristics of the site. On this basis it is considered that the proposal does not raise significant issues in relation to flood risk and surface water management.

6.9 Public rights of way considerations

6.9.1 The current layout of the proposed solar farm provides for the diversion of the public bridleway that runs through one of the fields slightly to the north, such that it runs alongside an existing hedgerow. This revised layout is in line with the recommendation of the Shropshire branch of the Ramblers Association who had raised concerns over the original proposals. This diversion would need to be

subject to a formal diversion order. It is understood that no adverse comments have been received from path user groups in response to informal consultations undertaken by the applicant.

- 6.9.2 The diverted path would be slightly longer than at present, however it is considered that it would be a more attractive route than the original proposal to provide a corridor through the solar farm. As such, it is not considered that there are any significant planning issues in relation any application to legally divert the bridleway.

7.0 **CONCLUSION**

- 7.1 The proposed installation of a solar farm at land at Meadowley would allow the generation of 10.71MW of renewable energy for export to the National Grid, and contribute to a reduction in carbon emissions. As such it is supported in principle by both national and local planning policy. Whilst a proportion of the site comprises best and most versatile land, the site would nevertheless remain in agricultural use and a satisfactory level of information has been provided to demonstrate that the use of such land is justified. The revisions to the site layout, together with the landscaping proposals put forward, would ensure that the development would not adversely affecting the setting of heritage assets in the wider area, including those at Upton Cressett and at Aldenham Park. The panels would be removed after the end of their useful life or within 25 years, whichever sooner. The proposal would not result in adverse levels of noise, or significantly affect flood risk. It is accepted that the proposal would have some impact upon the local landscape character of the area, and on visual amenity to some receptors. However it is considered that the design of the site is acceptable and incorporates a satisfactory level of mitigation in relation to these impacts, including in relation to the rights of way network. On balance it is considered that, given the level of environmental benefit that the proposal would provide, including those associated with renewable energy production and also significant biodiversity enhancements, these impacts on the visual character of the area would not be unacceptable. On this basis it is recommended that the proposal can be accepted in relation to Development Plan policies and other material considerations, and that planning permission can be granted subject to the conditions as set out in Appendix 1.

8. **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 - written representations, a hearing or inquiry.
- The decision is 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 a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose 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 give 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. Financial Implications

There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

10.1 Relevant Planning Policies

10.1.1 Shropshire Core Strategy

This promotes a low carbon Shropshire by promoting the generation of energy from renewable sources (Strategic Objective 1)

- Policy CS5 (Countryside and Green Belt)
- Policy CS6 (Sustainable Design and Development Principles)

- Policy CS8 (Facilities, Services and Infrastructure Provision)
- Policy CS13 (Economic Development, Enterprise and Employment)
- Policy CS17 (Environmental Networks) – to identify, protect, enhance, expand and connect Shropshire’s environmental assets
- Policy CS18 (Sustainable Water Management)

10.1.2 Bridgnorth District Local Plan ‘saved’ policies

- Policy D11 (Renewable Energy) – proposals should minimise impact on the landscape; avoid impacts on heritage/nature conservation assets; not detract from the residential or recreational amenities of the area; provide for removal of structures and site restoration when they become redundant

10.2 Central Government Guidance:

10.2.1 National Planning Policy Framework (NPPF): Amongst other matters, the NPPF: encourages the use of renewable resources (para. 17 - Core Planning Principles); promotes good design as a key aspect of sustainable development (Chapter 7); supports the move to a low carbon future as part of the meeting of the challenges of climate change and flooding (Chapter 10); advises that lpa’s recognize that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, and approve applications if its impacts are (or can be made) acceptable (para. 98); states that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to unacceptable levels of soil, air, water or noise pollution (Chapter 11).

10.2.2 Planning practice guidance for renewable and low carbon energy (updated March 2015) states (para. 001) that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

The PPG states that all communities have a responsibility to help increase the use and supply of green energy, but that this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities (para. 003).

In relation to proposals for large scale ground-mounted solar photovoltaic farms, the PPG states that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in 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 the local planning authority will need to consider in relation to solar farms include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value

- where a proposal involves 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.
- 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 proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety
- 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.

The PPG refers to a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013. This commented that the Government will focus deployment of solar panels on buildings and brownfield land, not greenfield, and that “where solar farms are not on brownfield land, you must be looking at low grade agricultural land which works with farmers to allow grazing in parallel with generation, incorporating well thought out visual screening, involving communities in developing projects and bringing them with you”.

It also refers to a Written Ministerial Statement made on 25th March 2015, which states that “meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land”. It also states that “any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence”.

The PPG gives guidance in relation to assessing cumulative landscape and visual impact, and states that in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

10.3 Emerging policy:

- 10.3.1 Site Allocations and Development Management (SAMDev) document: The SAMDev Plan Inspector has now confirmed the proposed main modifications to the plan following the examination sessions in November and December and these have been published for a 6 week consultation. This means that any plan content not included in the schedule of proposed main modifications may be considered to be sound in principle in accordance with NPPF paragraph 216. Therefore significant weight can now be given to SAMDev policies in planning decisions where these are not subject to

modifications. The site and surrounding area are not subject to any specific allocations in the SAMDev Plan.

10.3.2 Draft Development Management policies: Relevant draft Development Management policies include:

- MD2 (Sustainable Design)
- MD8 (Infrastructure Provision)
- MD12 (Natural Environment)
- MD13 (Historic Environment)

10.4 Relevant Planning History: None.

11. Additional Information

<https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage&searchType=Application>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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The application ref. 14/03933/FUL and supporting information and consultation responses.
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Cabinet Member (Portfolio Holder) Cllr M. Price
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Local Members Cllr Robert Tindall (Brown Clee)

Appendices APPENDIX 1 - Conditions

APPENDIX 1 - Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans and drawings Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and duration of the development, unless otherwise approved in writing. The Statement shall provide for:
o the parking of vehicles of site operatives and visitors
o loading and unloading of plant and materials
o storage of plant and materials used in constructing the development
o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
o wheel washing facilities
o measures to control the emission of dust and dirt during construction
o a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area; required to ensure that traffic management measures are agreed prior to commencement of works.

4. 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 Planning Authority prior to the commencement of works.

Reason: The development site is known to have archaeological interest, and this information is required prior to commencement to provide protection of such interest.

5. Prior to commencement of development, the tree protection barrier shown at Figure 1 of the Arboricultural Statement (Green Switch Developments, December 2014) shall be installed to the written satisfaction of the LPA around the trees internal to the development site, so as to define a construction exclusion zone encompassing the Root Protection Area of each tree. Also prior to commencement of development, the site perimeter security fence shall be installed as detailed on the same drawing, to protect retained trees and hedges around the boundary of the site. The areas within the fences shall be construction exclusion zones throughout the duration of development,

maintained for the purposes and as described in section 3 of the Arboricultural Statement.

Reason: to protect trees and hedgerows that contribute to the character of the area within and bordering the site from damage during implementation of the development.

6. No above ground works shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

7. Notwithstanding the submitted details, the buildings hereby permitted shall not be constructed until details of their external materials, including colour, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

8. The development hereby permitted shall not be brought into operation until a habitat management plan has been submitted to and approved by the local planning authority. The plan shall include: a) Description and evaluation of the features to be managed; b) Ecological trends and constraints on site that may influence management; c) Aims and objectives of management; d) Appropriate management options for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually); g) Personnel responsible for implementation of the plan; h) Monitoring and remedial/contingencies measures triggered by monitoring. The plan shall be carried out as approved for the lifetime of the development.

Reason: To protect features of recognised nature conservation importance.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

9. Work shall be carried out strictly in accordance with the Precautionary Working Method Statement - Great Crested Newt by Wardell Armstrong dated July 2014. As stated in the Method Statement no construction work should take place outside of the hibernation period of February to November inclusive.

Reason: To ensure the protection of great crested newts, a European Protected Species

10. (a) Within one week of the completion of the construction of the solar panels, written notice of the date of completion shall be given to the local planning authority.
- (b) Within 6 months of the cessation of energy generation from the site, or a period of 25 years and 6 months following completion of construction, whichever is the sooner, all infrastructure associated with the solar farm will be removed from the site.

Reason: To ensure that the solar farm development is removed from the site following the end of its operational life or within a reasonable period of time to protect the landscape character of the area.

Informatives

1. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 187.
2. In determining this application the Local Planning Authority gave consideration to the following policies:
Central Government Guidance:
National Planning Policy Framework
National Planning Practice Guidance
Shropshire Core Strategy and saved Local Plan policies:
Policy CS5 (Countryside and Green Belt)
Policy CS6 (Sustainable Design and Development Principles)
Policy CS13 (Economic Development, Enterprise and Employment)
Policy CS17 (Environmental Networks)
Policy CS18 (Sustainable Water Management)

Bridgnorth Local Plan 'saved' Policy D11
3. For the transformer installation, the applicant should consider employing measures such as the following: surface water soakaways in accordance with BRE Digest 365; water butts; rainwater harvesting system; permeable surfacing on any new access road, parking area/ paved area; greywater recycling system. Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner.
4. Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

5. Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992.

No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992).

All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.

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

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

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