Planning Statement.

New Hall Solar Farm

Land at New Hall Farm, New Hall Lane, Overton, Wakefield, WF4 4RP

On behalf of Boom Developments Ltd.

Date: June 2023 | Pegasus Ref: P22-2205

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Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
1	07/06/2023	BL	CC	

Contents.

1. Introduction

1.1. This Planning Statement accompanies a full planning application submitted by Pegasus Group on behalf of Boom Developments Ltd. ("the applicant"). Planning permission is sought for the provision of a renewable energy scheme comprising ground mounted solar photovoltaics (PV) arrays with ancillary equipment on land at New Hall Farm, New Hall Lane, Overton, Wakefield, WF4 4RP

1.2. This application seeks full planning permission for up to 22.4 MW megawatts (MW) ground-mounted solar farm renewable energy scheme. Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site.

1.3. The full description of development is as follows:

> *"Installation of renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with substation, transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements."*

1.4. The proposal would provide a clean, renewable and sustainable form of electricity and will also make a valuable contribution to the generation of electricity at a local level. The scheme would contribute to the region's progress in meeting its renewable energy target and would also assist in meeting national targets for both energy supply and low carbon energy development.

1.5. The majority of the site is located within Wakefield Metropolitan District Council (WMDC) with a small portion of the site which contains the cable run falling within the boundary of Kirklees Council (KC). As such, planning applications have been submitted to both Local Planning Authorities.

1.6. The Applicant has undertaken local community engagement which is summarised in the Statement of Community Involvement, prepared by Alpaca Communications, submitted as part of this Application.

1.7. This Statement sets out the planning rationale that underpins the proposed development, to demonstrate its acceptability in planning terms. The Statement is structured as follows:

- **Section 2: The Need for Development** - The section summarises the key legislative background and support for standalone renewable energy schemes in the UK. The revised National Planning Policy Framework (NPPF) confirms that planning policies and decisions must also reflect relevant international obligations and statutory requirements and the documents are considered relevant to the determination of this application.

- **Section 3: Site and Surrounds** - This section contains a description of the application site and its environs.

- **Section 4: The Proposal** - This section contains a description of the application proposal.

- **Section 5: Planning Policy Context** - The planning policy context for the site includes both national policy guidance and the statutory development plan for each local planning authority, which includes the Wakefield Local Development Framework which was adopted by the Council on 15 April 2009 and the Kirklees Local Plan (adopted February 2019)

- **Section 6: Planning Assessment** - The sixth section outlines the planning matters that are considered to be important to the determination of the application. Considerations are addressed in turn and explained in the context of the relevant planning policy outlined in the previous section and the legislative background set out in Section 2.

- **Section 7: Conclusions** - This provides the concluding comments in relation to the application proposal.

Regulatory Considerations

1.8. An Environmental Impact Assessment Screening Opinion request was submitted on 15th November 2022.

1.9. The Council issued its Screening Opinion on 5th December 2022, which concluded that the proposed development set out within the Screening Opinion *"could reasonably be anticipated to result in significant effects upon the environment, within the meaning of the EIA Regulations in terms of the landscape and visual impact of the development, given the scale of the project and the cumulative effects associated with the permitted solar farm to the north and also the presence of a Scheduled Ancient Monument on site and impact the development could post to this. Therefore, as defined by the EIA regulations and the submission of an Environmental Statement and the undertaking of an Environmental Impact Assessment is required*".

1.10. The extent of the application site and the proposed layout were reduced in scale and a second Screening Opinon was submitted in February 2023. The Council issued its Screening Opinion on 23rd March 2023. The Council concluded that *"the development described in the submitted Screening Request could reasonably be anticipated to result in significant effects upon the environment, within the meaning of the EIA Regulations in terms of the landscape and visual impact of the development, given the scale of the project and the cumulative effects associated with the permitted solar farm to the north"*.

1.11. On this basis, an Environmental Statement has been prepared and submitted with this application

Supporting Documentation

1.12. The application proposal is supported by the following documentation:

- Completed Application Form and Certificates;

- Planning Application Drawings,:

  - Site Location Plan;

  - Proposed Layout Plan;

- Other plans and elevations;

- Design and Access Statement, prepared by Pegasus;
- Environmental Statement (ES), coordinated by Pegasus Group with specific topic chapters prepared by appropriate competent experts:

  (i) ES Main Statement – Comprises the main volumne of the Environmental Statement, including 'general chapters' that describe the Environmental Impact Assessment (EIA) context, provide a description of the application site and development, and set out the scope of the Environmental Statement, followed by the 'technical chapters' for each environmental theme with the associated figures concluding with a summary. The technical topics covered in the Environmental Statement are Landscape and Visual Impact (Chapter 6); and Socio Economics (Chapter 7);

  (ii) ES Technical Appendices – Comprises the technical appendices supporting the main report.

  (iii) ES Non-Technical Statement – Comprises a concise summary of the Environmental Statement identifying the likely significant environmental effects and the measures proposed to mitiate or to avoid adverse effects assocaited with the development proposals.

- Alternative Site Assessment, prepared by Pegasus Group;
- Landscape and Visual Assessment, prepared by Landscape Visual;
- Construcion Traffic Management Plan, prepared by Pegasus Group;
- Flood Risk Assessment & Surface Water Drainage Strategy, prepared by Pegasus Group;
- Archaeology and Built Heritage Statement, prepared by Pegasus Group;
- Arboricultual Impact Assessment, prepared by Arbtech;
- Arboricultural Method Statement & Tree Protection Plan, prepared by Arbtech;
- Ecological Assesment, prepared by Western Ecology;
- Solar Photovoltaic Glint and Glare Study, prepared by Pager Power;
- Noise Assessment, prepared by ION Acoustics;
- Geophysical Survey Report, prepared by Magnitude Surveys;
- Agricultural Land Classification Report by Askew Land and Soil;
- Statement of Community Involvement, prepared by Alpca Communications; and
- Preliminary Phase 1 Geo-environmental Assessment, prepared by WSP.

1.13. This Statement should be considered in conjunction with the planning application package, as listed above, in order to gain a complete understanding of the application proposal. The application documentation demonstrates the diligent approach adopted by the applicant, and their experienced consultant team in delivering a well-considered proposal based on sound environmental and sustainable development considerations.

2. The Need for Development

2.1. The explicit need to introduce a step change in how the country deals with climate change has been recognised by the Government who, on 1 May 2019, declared an Environmental and Climate Change Emergency following the finding of the Inter-governmental Panel on Climate Change that to avoid more than 1.5°C rise in global warming, global emissions would need to fall by around 45 per cent from 2010 levels by 2030, reaching net zero by around 2050. Through the declaration, the Government recognises a need to move swiftly to capture economic opportunities and green jobs in the low carbon economy while managing risks for workers and communities currently reliant on carbon intensive sectors.

2.2. As part of its contributions to international efforts, the UK also has domestic legislation and policies in place to reduce greenhouse gas emissions. The Climate Change Act 2008 established long-term statutory targets for the UK to achieve reductions in greenhouse gases by 2050 against a 1990 baseline. The Act originally set a legally binding target of an 80% cut in greenhouse gas emissions by 2050. On 12 June 2019, as a direct response to the climate change emergency declaration, the Government laid the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 to amend the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is otherwise known as a net zero target because some emissions can remain if they are offset by removal from the atmosphere and/or by trading in carbon units. The Order became a Statutory Instrument on 27 June 2019.

2.3. In addition to the climate emergency, the UK is in the midst of a cost of living crisis and an energy crisis. This further amplifies the importance that should be attached to increasing the supply of renewable energy in the UK.

2.4. The applicant has commissioned a separate Statement of Need report to address the need for the development and this will be submitted alongside the planning applicaton. The information below deals with some of the legilsative contect that underpins the need for, and importance of the proposed development.

UK Legislative Context

2.5. The objectives of the UK renewable energy policies are in accordance with the overall European policy objectives. These are focused on a number of key climate change challenges, these include:

- The reduction of CO_2 emissions to tackle climate change;
- The promotion of competitive energy markets in the UK; and
- Security of decentralised energy supplies.

2.6. This subsection goes on to summarise the relevant provisions: -

Energy Act (November 2012)

2.7. By way of background, the Energy Bill was introduced by the Coalition Government in November 2012 and aimed to *"power low-carbon economic growth for the UK"*. The Secretary of State for Energy and Climate Change confirmed the introduction of the Energy

Bill to the House of Commons alongside the Annual Energy Statement. The Bill sought to establish a legislative framework for delivering secure, affordable and low carbon energy throughout Great Britain. At its core is the need to ensure that, as old power plants are taken offline, the UK remains able to generate enough energy to meet its needs even if demand increases. Doing this while also decarbonising requires significant investment in new infrastructure to be brought forward. The Bill was duly progressed through Parliament and received Royal Assent on 18 December 2013.

Climate Change Act 2008 (2050 Target Amendment) Order 2019

2.8. On 27 June 2019 the UK Parliament approved the Net Zero Target in law, thereby changing the original target of 80% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050 to 100%.

2.9. The aim is to meet the target through UK domestic effort, without relying on international carbon units (or 'credits').

2.10. Meeting this Net Zero Target will require major and urgent investment in new technologies and prioritisation of sustainable energy and cleaner power generation, including the use of solar.

Digest of United Kingdom Energy Statistics (July 2022 Edition)

2.11. This Digest, also referred to as 'DUKES', is an essential source of energy information providing figures on the UK's overall energy performance, production and consumption. The digest is published annually and the latest edition was published in July 2022. The salient points of the report are:

- Energy production was low, down 14 per cent compared to last year and the lowest level in over 50 years. Extensive maintenance in the North Sea, including the long-delayed upgrade to the Forties Pipeline System, reduced oil and gas output by 17 per cent. Gas output reached a record low, with imports from Norway larger than net production. Nuclear output was also disrupted by maintenance, dropping to the lowest level since 1976. Coal reached another record low.

- Energy consumption in 2021 remained low, up 4.6 per cent on 2020 but down 8.9 per cent on 2019.

- Net imports increased by 41 per cent to help meet demand. Imports increased by 8.2 per cent (though remain below the 10-year average) but a drop in exports (mainly oil and gas) to the lowest level in over forty years increased the UK's net import dependency to 38.0 per cent.

- The bulk of the UK's energy imports, over 90 per cent, comprise oil and gas and Norway is the UK's primary supplier of energy imports. In 2022, Russian imports of both oil and gas have shown very significant contractions.

- Consumption of coal for electricity generation rose 14 per cent to 2.7 million tonnes in 2021, although this was from a record low baseline in 2020. The increase was partly due to a fall in renewable electricity generation under less windy conditions and maintenance outages in nuclear plants.

- Gas demand increased for electricity generation and across domestic, industrial and service sectors. Gas used for electricity generation increased by 9.3 per cent, largely due to reduced renewable output.

- Electricity demand increased in 2021 to 334.2 TWh, up by 1.2 per cent from 2020. The increase was primarily a result of the response to the Covid-19 pandemic, which severely restricted the activity of business and industry in 2020 but had a smaller effect in 2021.

- Electricity supply increased in 2021, due to higher demand for electricity, but UK generation fell with higher supply from net imports.

- Generation from renewable sources decreased 9.3 per cent to 122.2 TWh in 2021. This was driven by less favourable weather conditions for wind, hydro and solar generation.

- Fossil fuel generation increased 11.0 per cent in 2021 to 131.4 TWh. Increased demand for electricity and lower renewable generation increased the need for fossil fuel generation.

- Total electricity net imports were a record 24.6 TWh in 2021. Total imports were 28.7 TWh in 2021, up 28.4 per cent compared to 2020, while total exports were down 7.0 per cent on 2020 to 4.2 TWh.

2.12. In terms of the synopsis of the above, DUKES identify how UK energy requirements is increasingly reliant on imports. This is a material consideration when balancing the security of energy supplies.

Energy White Paper: Powering Our Net Zero Future (December 2020)

2.13. The Government is not planning for any specific technology solution but does discern some key characteristics of the future generation mix (page 43):

"A low cost, net zero consistent system is likely to be composed predominantly of wind and solar. But ensuring the system is reliable means intermittent renewables need to be complemented by technologies which provide power, or reduce demand, when the wind is not blowing, or the sun does not shine. Today this includes nuclear, gas with carbon capture and storage and flexibility provided by batteries".

2.14. The Energy White Paper presents the outcomes of 7,000 different modelled electricity mixes in 2050 for two different levels of demand and flexibility and 27 different technology cost combinations. The results serve to emphasise just how much additional generation capacity is required to be built with a significant reliance on new renewables capacity and battery storage (including solar) to deliver over half of the forecast energy requirements.

2.15. The Paper confirms that solar will be a key building block of the future energy generation mix, alongside offshore and onshore wind. Sustained growth in the capacity of each of these sectors is needed in the next decade i.e. the near term to ensure we are on a pathway that allows us to meet net zero emissions in all demand scenarios. In addition the Energy White Paper confirms that instead of gas-fired power stations provided, the flexibility needed to match supply to demand in peak hours, or when renewables output is

low, increasingly this flexibility will come from new cleaner sources such as energy storage in batteries.

British Energy Security Strategy (April 2022)

2.16. As a response to war in Ukraine, the UK government recognised that accelerating the transition away from oil and gas depends critically on how quickly we can roll out new renewable energy. The strategy calls for the need to build a British energy system that is much more self-sufficient.

2.17. The Strategy says there is currently 14GW of solar capacity in the UK split between large scale projects to smaller scale rooftop solar and calls for a five-fold increase in deployment by 2035 (our emphasis).

Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (March 2023)

2.18. EN-3 reaffirms that there is an 'urgent need' for new electricity generating capacity to meet energy objectives. It also recognises that the British Energy Security Strategy (April 2022) has accelerated the drive to deliver a more secure energy system and to support customers to manage energy bills.

2.19. Paragraph 3.10.1 confirms that the government has committed to sustained growth in solar capacity to ensure that the country remains on the pathway to meet Net Zero targets. The document goes on to explain how large scale solar can help toward this target, recognising its importance, in that it is a well established technology and the cheapest form of electricity generation.

2.20. EN-3 explains factors influencing site selction and design, and confirms that this includes proximity to a grid connection and other technical factors.

3. The Site and Surrounding Area

3.1. This section provides a description of the development site and the surrounding area.

3.2. The site comprises a number of agricultural fields located at New Hall Farm to the south of Overton, south west of the urban edge of Wakefield, and south of the A642. The entire layout of the PV arrays will be located within the administrative area of Wakefield District Council and is located within the Green Belt.

3.3. Old Road borders the site to the north west. New Hall Approach extends eastwards from Old Road forming the south western boundary of the site before joining New Hall Lane towards the south of the site. New Hall Lane extends north to south disecting the centre of the site, joining Smithy Lane on the northern boundary and extending southwards towards HMP New Hall and the A637. The sites southern boundary borders the existing agricultural buildings and farmyard associated with New Hall Farm.

3.4. The site and its immediate surroundings are generally characterised by agricultural fields and associated agricultural buildings.There are a number of residential properties which are located approximately 25m from the north western boundary of the site, with the settlement of Overton lying beyond these. The properties are located along the northern side of Old Road and southern side of Smithy Lane. Further isolated clusters of residential properties are also situated on the western side of New Hall Lane, approximately 350m south of the site, and also on Hardcastle Lane and Grange Lane, approximately 120m south west of the site.

3.5. In addition to the nearby residential uses, the Reindeer Inn Public House (PH) is circa 300m away from the proposed panels. Other uses within the nearby surrounding area include Denby Grange Cricket and Athletic Club, c.200m north of the site on Smithy Lane, the National Coal Mining Museum for England, c.300m to the north west of the site on the A642 and HMP New Hall, located c.200m to the south of the site.

3.6. The site's topography comprises sloping land, generally falling away from north west to south east. The north western boundary of the site on Old Road forms part of a local ridge line, falling towards areas to the south east. Field boundaries within the site are variable in quality, with some being well established, particularly to the south and east, where the boundaries of the site are demarcated by mature woodland, and some being less so to the north, west and south west boundaries of the site and along New Hall Lane where hedgerows and tree planting is more sparse and inconsistent in places.

3.7. Access to the site is to be taken directly from Old Road on the sites western boundary via a new acces track and access junction.

Surrounding Sites

3.8. The Low Farm site and associated connection is located 2km west from the proposed site with its connection running along the A642 towards the east of Middleton. The proposed development at New Hall will be functionally separate from Low Farm with no physical connection between the two sites, with separate landownerships.

Landscape and Environmental Designations

3.9. The Landscape and Visual Appraisal provides detail of the relevant landscape matters.

3.10. The site is located entirely within Green Belt land. At a local level, part of the southern portion of the site, and lane beyond the southern boundary, is allocated as part of the Wildlife Habitat Network, as shown by the extract of the adopted Local Plan Proposals Map for WMDC within the Figure below.

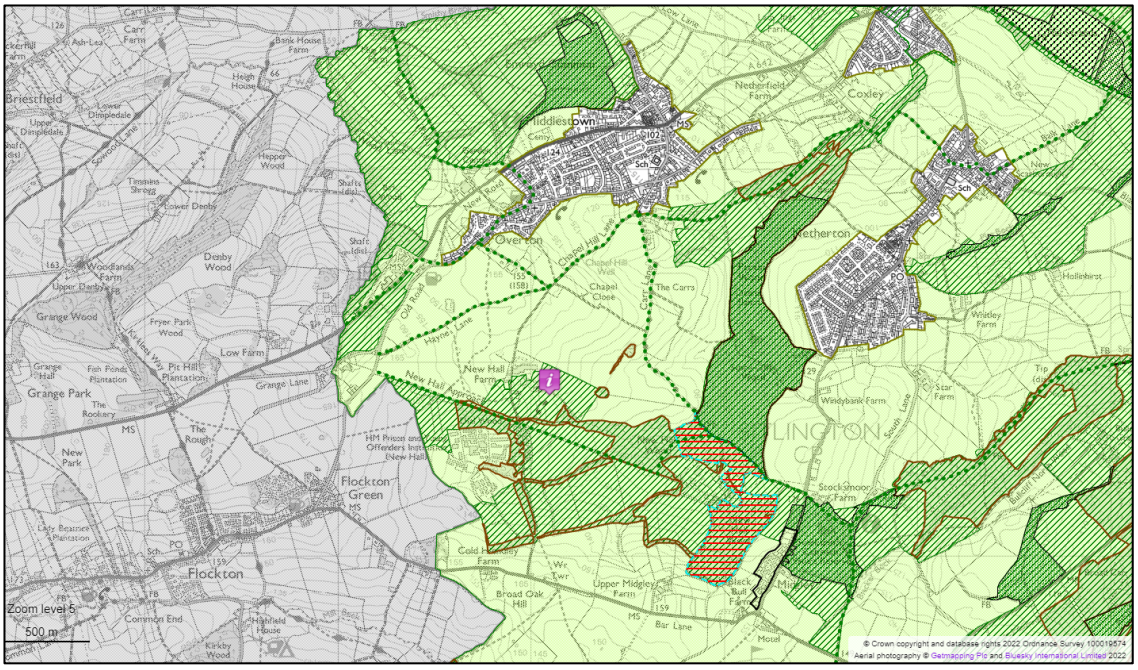

Figure 1 - Extract of adopted Local Plan Policy Map: Landscape and Environmental Designations

Green Belt

Special Area of Conservation (SAC)

Local Wildlife Site (LWS)

Wildlife Habitat Network

Green Belt Settlement

Site of Special Scientific Interest (SSSI)

Ancient Woodland

3.11. With regards to local designations in the surrounding area, the site is bordered by the Stoney Cliff Wood Local Wildlife Site (LWS) which forms the eastern boundary of the site. Beyond Stoney Cliff Wood, Lower Spring Wood LWS and Stocksmoor Common LWS are situated approximately 675m and 775m to the south west of the site respectively. A further LWS is situated to the north of Overton at Emroyd Common, approximately 750m north of the site.

3.12. In addition to the above designations, there a number of Ancient Woodland designations both within and surrounding the site. In addition to its various other enviromental designations, the existing mature woodland which forms the southern and eastern boundaries of the site is defined as Ancient Woodland. Within the boundaries of the site, there are two small pockets of woodland to the east of New Hall Farm which are also defined as Ancient Woodland.

3.13. With regards to national and international environmental designations within the surrounds of the site, the Site directly neighbours the Denby Grange Coillery Ponds Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) at the site's south eastern corner. An extract of MAGIC maps is included in the Figure below.

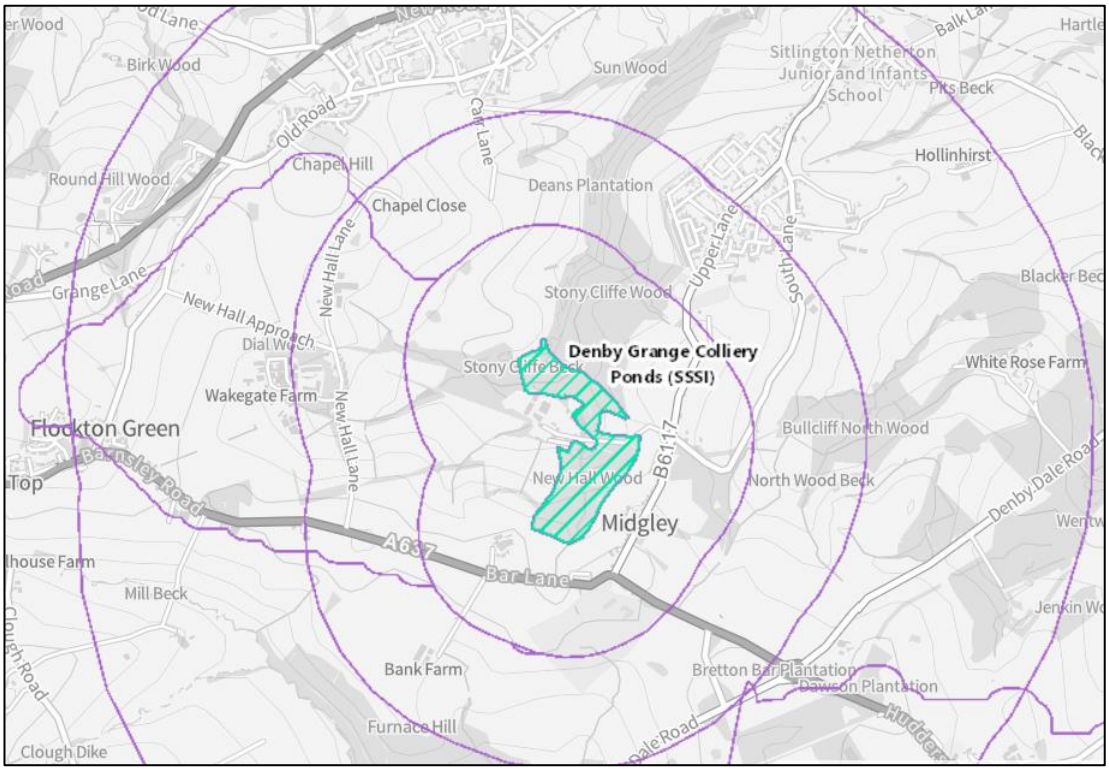

Figure 2 - Extract of MAGIC Map

Site of Special Scientific Interest (SSSI)

Site of Special Scientific Interest (SSSI) Impact Risk Zones

Heritage Assets & Archaeology

3.14. The site does not comprise any designated assets, however the proposed cable route will pass through the Hope Pit Conservation Area.

3.15. The closest listed building to the site is the Grade II listed 'Flockton Wagonway Tunnel and Entrance Portal approximately mid-way between junctions of Hardcastle Lane and the New Hall Farm on the southern side of New Hall Approach, c. 25m south of the site. Further listed buildings are also located at Caphouse Colliery, the site of the National Coal Mining Museum, on the A642, c. 300m to the north west of the site, including the Grade II* Winding House, Heapstead and Headstock, and the Grade II Chimney and attached Boiler House. Beyond those listed above, there are no further statutory listed buildings located within 500m of the site.

3.16. As identified on the map extracts below, there is a designated scheduled monument associated with a moated feature and fishpond at New Hall Farm, c. 100m south of the site. The scheduled monument at New Hall Farm is also designated as a Class I Archaeological Site (AS107) within the adopted Local Plan. In addition to the designation at New Hall Farm,

the adopted Local Plan Policy Map identifies a Class II Archaeological Site (AS111) within the fields in the eastern extent of the site, titled 'Land off Carr Lane, Middlestown.

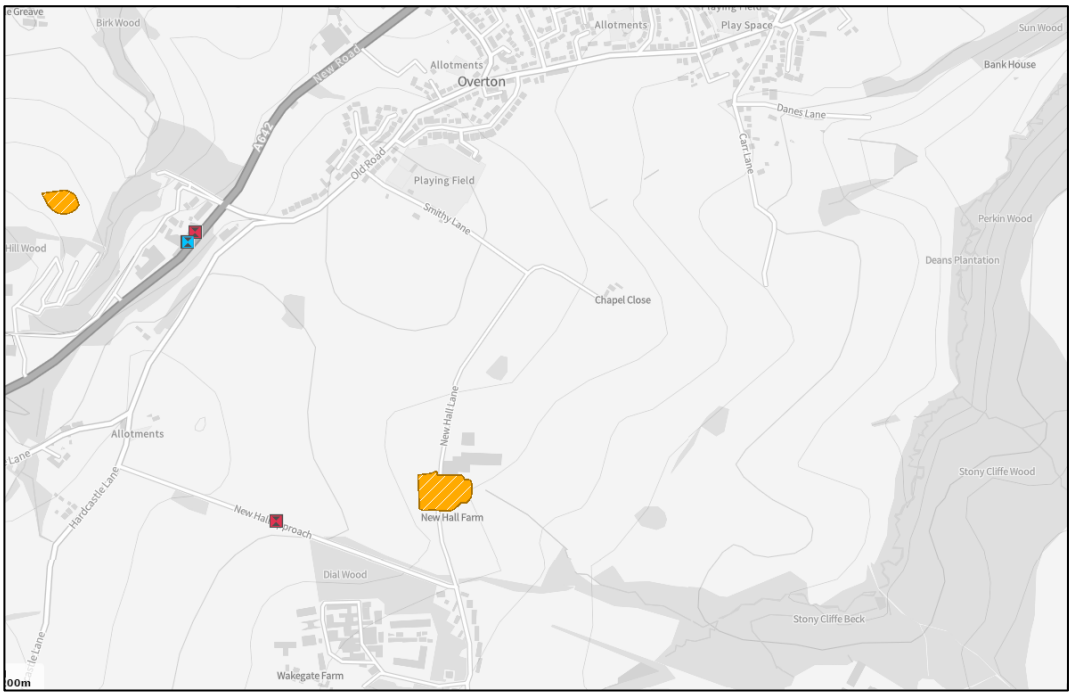

Figure 3: DEFRA Magic Maps Extract: Heritage Assets and Designations

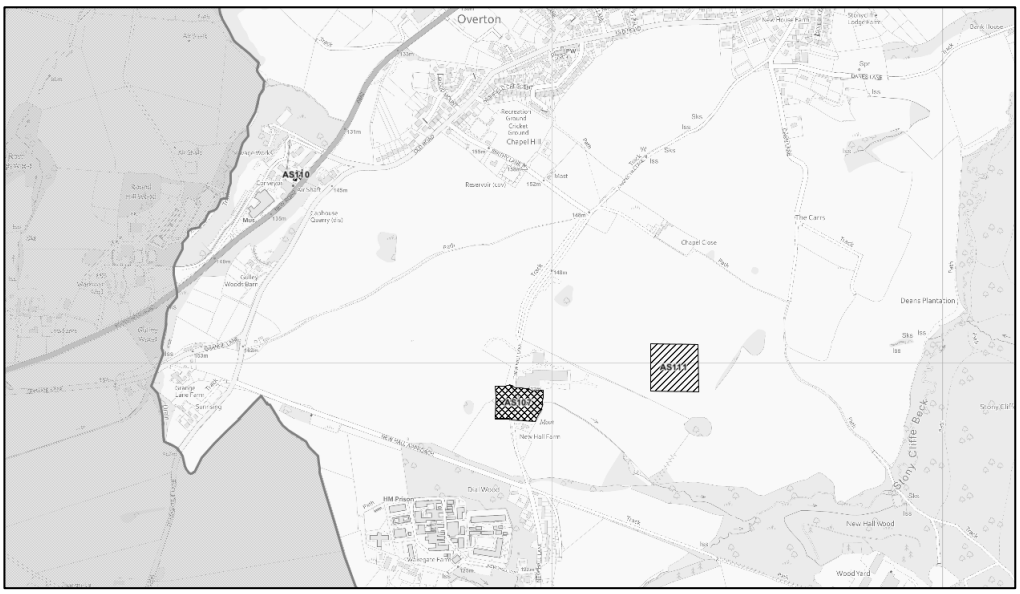

Figure 4: *Extract of Local Plan Policy Map: Historic Environment Designations*

Agricultural Land Classification

3.17. With regard Agricultural Land Classification (ALC), the Natural England Provisional Agricultural Land Classification Maps shows that the Site is characterised by undifferentiated grade 3 land.

3.18. A detailed soils survey has been undertaken and this shows that 51.8% of the site is Best and Most Versatile land. The layout has been designed so as to avoid areas of higher quality land as far as possible.

Public Rights of Way

3.19. The site is intersected by a number of public rights of way. Established bridleway routes extend along New Hall Lane (PRoW No. 13) through the centre of the site and also along Smithy Lane (PRoW No. 24), parallel to the site's northern boundary. A further bridleway (PRoW No. 26) route also dissects the western part of the site running north west from Old Road at the south western corner of the site, before connecting with Smithy Lane and New Hall Lane on the sites northern boundary. In addition to the above bridleways there are also a number of public footpaths which extend across the site and surrounding area, including an existing footpath (PRoW No. 27) extending north westwards from New Hall Lane, south of the New Hall Farm, across the western part of the site before joining the bridleway which crosses the site (PRow No.26). Another public footpath runs almost perpendicular to footpath No. 27, extending northwards across the western part of the site from New Hall Approach before crossing both footpath No.27 and bridleway No. 26. before joining smithy lane to the north. In addtion to the above, a further public footpath (PRoW No. 20) also extends south westwards from Smithy Lane along the northern boundary of the site before adjoining Carr Lane. The footpaths and bridleways within the site also provide access to other routes into the wider public rights of way network extending to the south, south east and north east of the site.

3.20. All of these footpaths will be retained. It is also proposed that the PRoWs within the site will remain open during the construction phase. This is discussed in detail in the submitted Construction Traffic Management Plan.

Sensitive Human Receptors

3.21. The closest sensitive human receptors include the PRoWs as set out in the section above and the closest residential dwellings which are located approximately 25m from the north western boundary of the site.

Planning History

3.22. The site has no relevant planning history and there is no planning history of relevance in relation to the surrounding land.

4. Development Proposal

4.1. The proposal is for:

> *"Installation of renewable energy generating solar farm comprising ground-mounted photovoltaic solar arrays together with substation, tower connection, transformer stations, switchroom, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements".*

4.2. An operational lifespan of 40 years is proposed. After this time, the solar farm would be decomissioned and the land returned to its present condition.

4.3. There are 4no. transformers proposed to be located across the site, with a temporary compound area proposed in the main site, which will be removed and with solar panels installed in its place toward the end of the construction process . Site access is proposed from Old Road to the west, with deer fencing installed bounding the site. The proposed array of the panels and layout of the site is demonstrated in the Overall Layout drawing.

4.4. The cable connecting the proposed solar farm to the grid is proposed to be located partly within land falling within Kirklees Council area. The cable route is the only part of the proposed development that falls within the Kirklees Council area.

Solar Farm and Supporting Equipment

4.5. The design principles of the solar farm are:

- The solar panels would be laid out in straight arrays across the field enclosures.
- The maximum top height of the solar panels would be 2.9m.
- The solar panel modules are made from photovoltaics which are blue/grey or black in colour.
- The solar panel module frame would be constructed of anodized aluminium alloy.
- A galvanised steel post mounting system will support the solar array.
- The minimum standard height of the lowest part of the solar modules fixed onto the framework will be 1m.
- String inverters are to be used, and inverter boxes would be mounted on the framework.
- Internal access track of permeable construction.
- Typical minimum distance between edge of panels and perimeter fencing would be approximately 5m.
- Biodiversity would be promoted within and around the arrays.

4.6. The solar photovoltaic modules would convert solar irradiance into direct current (DC) electricity. A solar PV module consists of a layer of silicon cells, an anodised aluminium

frame, a glass casing, and various wiring to allow current to flow from the silicon cells. Silicon is a non-metal with conductive properties that allow it to absorb and convert sunlight into electricity. When light interacts with a silicon cell, it causes electrons to be set into motion, which initiates a flow of electric current. The photovoltaic modules would be mounted on aluminium metal racks. The racks will be laid out in multiple parallel rows running east-west across the various field enclosures.

4.7. Land between and beneath the panels would be used for biodiversity enhancements and seasonal sheep grazing.

4.8. The posts will be driven into the ground by impaction, to depths between 1m to 2m, and this will be guided by localised ground conditions. In areas of archaeological interest (shown on the submitted layout), concete feet will be used in order to avoid impact on these features.

4.9. The insulated DC cables from the solar modules will be routed in channels fixed on the underside of the framework. The DC string cables will run along the entire underside of each row typically direct to an inverter mounted underneath the modules which converts the energy from DC to Low Voltage AC. The electrical LV AC cabling from each Inverter will be concealed through trenches linking from the Inverters to the Transformer Stations, which transform the Low Voltage AC to High Voltage AC. All of the Transformer Stations are combined into one High Voltage trenched cable which is connected to a District Network Operator Substation to the west, at the end of the cable run.

4.10. The cable trenches that are made on the site will typically be between 0.6m (LV) to 1.2m (HV) in depth and of various widths. The cable trenches may also carry earthing and communications cables, cables can be ducted or directly buried, covered with warning tapes or boards as legislation requires and will be backfilled with fine sands and excavated materials to the original ground level.

4.11. The arrays would be set within stockproof deer fencing up to 2m in height with wooden supporting posts placed at intervals of c. 3.5m. The deer fencing would typically follow the outer field boundaries containing the solar panels. The minimum distance between the edge of the arrays and the fence would be 5m.

Figure 5 - Example Deer Fencing

4.12. In addition to fencing, it is proposed that 2.5m high pole mounted CCTV security cameras would be positioned at intervals along the inside face edge of the fencing (between the fence and the arrays).

Figure 6 - Example CCTV

4.13. The distance between the proposed fencing and existing hedges would vary across the site and at its minimum distance this would be circa 5m. The buffer area would be used for ecological enhancement measures.

Renewable Energy and Carbon Displacement

4.14. The solar farm would generate clean renewable energy for the equivalent of more than 12,300 homes a year. The anticipated CO2 displacement is approxiamtely 13,104 tonnes per annum.

Operational Lifespan

4.15. An operational lifespan of 40 years is sought.

4.16. During the operational phase, the activities on site would amount to servicing of plant and equipment, and vegetation management. The Landscape Plan sets out how the land would be managed throughout the operational phase of the development.

Access

4.17. Vehicular access to the site during the construction and operation phases is proposed via a new access from Old Road located approximately 160 metres north east of the junction between Old Road and Grange Lane Junction.

4.18. All construction vehicles will enter and egress the site in a forward gear and the Construction Traffic Management Plan (CTMP) confirms that this can be achieved and that there are suitable visibility splays at the access.

Temporary Construction Compound

4.19. A temporary construction compound will be located within the site. The compound will be a suitable size for an articulated vehicle to enter and turn in a forward gear.

4.20. A temporary car parking area will be provided on the site within the compound. Parking will therefore be contained within the site and no unnecessary parking will occur on the local highway network. The compound will also include areas for the storage of plant and equipment.

4.21. From experience of solar farm developments elsewhere in the UK, it is anticipated that the solar farm will take approximately six months to complete. This includes the preparation of the site, the access roads, erection of security fencing, assembly and erection of the PV modules, installation of the inverters and grid connection.

4.22. The temporary compound will include:

- Temporary portable buildings to be used for offices, welfare and toilet facilities.
- Delivery storage area.
- Parking for construction vehicles and workers vehicles.
- HGV turning circle.

- Temporary hardstanding.

4.23. Wheel wash facilities will be provided near the highway access if required. This will ensure no mud or loose material is transferred onto the local highway network and a road sweeper will be deployed by the applicant, should this become necessary.

4.24. Further details are set out within the Construction Traffic Management Plan (CTMP), including proposed mitigation measures during the construction phase, management of PRoWs, and vehicle trip attraction.

Decommissioning

4.25. The solar farm would be operational for up to 40 years. After the 40-year operation period, the solar farm would be decommissioned. It is expected that the decommissioning period will take up to six months. After the infrastructure is removed the site will be reinstated back to the original state before construction.

5. Planning Policy Context

5.1. This section of the Planning Statement identifies the national and local planning policy and guidance pertinent to the site and development proposal. The plan-led approach to development as enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires development proposals to accord with the adopted development plan unless material consideration indicate otherwise.

5.2. Importantly, the development plan must be understood as a whole. This approach to construing policy is endorsed in case law judgments; notably that of Sullivan J in Rochdale [R v Rochdale MBC ex parte Milne [2001] reported at 81 P&CR 365]. In this case, Sullivan J concluded that in assessing compliance with the development plan it is not necessary to comply with all policies; there will be some core or site-specific policies that take precedence over others1. In other words, there will be dominant policies which guide the development proposal.

5.3. Government's Planning Practice Guidance on Determining Planning applications (last updated 1 September 2015) sets out what may be a material consideration. Paragraph 8 of the guidance states *"A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations"*.

WMDC Development Plan

5.4. The components to the WMDC Development Plan pertinent to the development proposal comprises:

- Core Strategy (adopted April 2009)
- Development Policies (adopted April 2009)
- Site Specific Policies Local Plan (adopted September 2012)

5.5. Policies which are considered relevant to this assessment include:

- Policy CS10: Design, Safety and Environmental Quality

[1] The proper approach in this regard is that articulated by Sullivan J. in R v Rochdale MBC, ex p Milne [2000] Env. L.R. 1 . He said that "[i]t is not at all unusual for development plan policies to pull in different directions … there may be no clear cut answer to the question: "is this proposal in accordance with the plan?". The local planning authority has to make a judgment bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach … For the purposes of section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein." Accordingly, there will be some policies that take precedence over others.

- Policy CS11: Leisure, Recreation and Open Space
- Policy CS12: Green Belt
- Policy CS13: Mitigating and Adapting to Climate Change and Efficient Use of Resources
- Policy D7: Protection of Trees and Woodland
- Policy D8: Landscape Character
- Policy D9: Design of New Development
- Policy D12: Landscape Design
- Policy LROS2: Green and Blue Infrastructure
- Policy LROS3: Strategic Leisure Corridors.

KC Development Plan

5.6. The components to the KC Development Plan pertinent to the development proposal comprises:

- The Kirklees Local Plan (adopted February 2019)

Material Considerations

5.7. Material considerations which are relevant to the application are set out below.

WMDC Emerging Local Plan

5.8. WMDC are in the process of progressing the Wakefield District Local Plan 2036. The Draft Local Plan was submitted to the Secretary of State for independent examination in May 2021. Subsequent Hearings took place in November and December 2022. The Schedule of Actions and Main Modifications was posted in January 2023, and a consultation ran for two weeks from 30th January 2023 on the Five Year Supply Statement 2023/24 – 2027/28 and the Post-Examination Hearings Update – Housing Trajectory document.

5.9. Consultation on the Main Modifications to run for a six week period was agreed at Cabinet on 31st March 2023. The consultation was expected to run from May 2023. The Local Plan is due to be adopted later this year.

5.10. The site is not proposed to be removed from the Green Belt as part of the emerging Draft Local Plan or as part of the Main Modifications consultation.

National Planning Policy Framework (NPPF) (2021)

5.11. The NPPF sets out the Government's planning policies for England and how these should be applied.

5.12. Paragraph 10 sets out that at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that plans and decisions should apply to a presumption in favour of sustainable development and that for decision-taking, proposals that accord with an up-to-date development plan should be approved without delay.

5.13. In addition to the above, the following paragraphs are most pertinent to the proposed development:

- Paragraph 81: Supporting Economic Growth
- Paragraph 84: Supporting a Prosperous Rural Economy
- Paragraphs 137-151: Green Belt
- Paragraph 155: Increasing the Supply of Renewable Energy
- Paragraph 158: Determining Applications for Renewable Energy
- Paragraph 174: Conserving and Enhancing the Natural Environment
- Paragraph 202: Less Than Substantial Harm to Designated Heritage Assets

National Planning Practice Guidance (NPPG)

5.14. The NPPF is supported by the NPPG which provides more detailed guidance on a range of topics including Climate Change, Green belt, and Renewable and Low Carbon energy.

National Policy Statements (NPS)

5.15. The NPPF, at paragraph 5, recognises that the National Policy Statements (NPS) for the delivery of major energy infrastructure may be a material consideration in the determination of planning proposals for renewable energy.

5.16. The NPSs recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. In March 2023, draft updates to the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) were published.

5.17. The draft NPS EN-3 states (CD7.4, paragraph 3.10.2) that:

> *"Solar also has an important role in delivering the government's goals for greater energy independence and the British Energy Security Strategy states that government expects a five-fold increase in solar deployment by 2035 (up to 70GW). It sets out that government is supportive of solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use".*

5.18. Paragraph 3.10.5 confirms:

> *"Solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large scale solar is now viable in some cases to deploy subsidy free."*

5.19. Both the existing and draft NPSs state that the NPSs can be a material consideration in decision making on applications that both exceed or sit under the thresholds for nationally significant projects.

Chris Skidmore's report "Mission Zero"

5.20. In a review published on 13 January 2023 the former government energy minister published his conclusions on the Net Zero position. His review makes 129 recommendations, all to seize opportunities from creating a green economy.

5.21. Paragraph 317 of the Report states:

> *"The growth in clean energy sources has opened up new economic opportunities in the UK. According to industry figures, 1 in every 48 jobs is in the energy sector or 138,000 direct and 605,000 indirect jobs, with the sector contributing £40bn of the UK's gross value added (GVA).1 The five-fold increase in renewable energy generation since 2010 created new jobs across the country. ONS data suggests that in 2020, more than 200,000 people were employed in the UK low carbon and renewable energy economy, which had a turnover of £41.2bn. Bloomberg New Energy Finance (BNEF) estimate that in 2021 alone, around $31 billion of new investment was committed in the UK across low carbon sectors. Research suggests that investments in renewables over the last decade have led to a return of over 400%, compared to 59% for investments in fossil fuels."*

The Climate Emergency

5.22. The UK Government has declared a climate emergency and set a statutory target of achieving net zero emissions by 2050, and this is also a material consideration. Since the declaration, the Sixth Assessment Report of the Intergovernmental Panel on Climate Change has indicated that there is a greater than 50% chance that global temperature increases will exceed 1.5 degrees Celsius above pre-industrial levels. The report indicates that delay in global action to address climate change will miss a rapidly narrowing window of opportunity to secure a liveable and sustainable future for all; SEE IPCC Sixth Assessment Report - Summary for Policymakers, paragraph D.5.3

5.23. The UK Energy White Paper, Powering our Net Zero Future (2020), describes the costs of inaction as follows:

> *"We can expect to see severe impacts under 3°C of warming. Globally, the chances of there being a major heatwave in any given year would increase to about 79%, compared to a 5% chance now. Many regions of the world would see what is now considered a 1-in-100-year drought happening every two to five years.*
>
> *At 3°C of global warming, the UK is expected to be significantly affected, seeing sea level rise of up to 0.83 m. River flooding would cause twice as much economic damage and affect twice as many people, compared to today, while by 2050, up to 7,000 people could die every year due to heat, compared to approximately 2,000 today. And, without action now, we cannot rule out 4°C of warming by the end of the century, with real risks of higher warming than that.*
>
> *A warming of 4°C would increase the risk of passing thresholds that would result in large scale and irreversible changes to the global climate, including large-scale methane release from thawing permafrost and the collapse of the Atlantic Meridional Overturning*

Circulation. The loss of ice sheets could result in multi-metre rises in sea level on time scales of a century to millennia."

5.24. The draft NPSs recognise that to meet the Government's objectives and targets for net zero by 2050, significant large and small scale energy infrastructure is required. This includes the need to 'dramatically increase the volume of energy supplied from low carbon sources' and reduce the amount provided by fossil fuels.

5.25. Solar is recognised specifically in Draft EN-3 (para 3.10.4) as being the cheapest form of electricity generation.

5.26. The benefits of renewable energy raise substantial benefits in favour of the proposal. These benefits are recognised in guidance and national policy in accordance with the Climate Change Act of 2008.

5.27. Support for solar energy is also clearly identified in Section 14 of the NPPF, where it seeks to increase the use and supply of renewable and low-cost energy and to maximise the potential for suitable such development.

5.28. The delivery of suitable renewable energy projects is fundamental to facilitate the country's transition to a low carbon future in a changing climate.

6. Planning Assessment

6.1. This section of the Statement contains a high-level appraisal of the development proposal against the relevant Development Plans and relevant material planning considerations. These considerations have been derived from an understanding of the site and its surrounds and the policy analysis of the previous section.

6.2. The key issues which are considered pertinent for this assessment are:

- Need for Development
- Sustainable Development
- Principle of the Development
- Impact on Green Belt
- Very Special Circumstances
- Other Material Considerations

6.3. Each issue is discussed in turn below.

Need for Development

6.4. There is a plethora of Government legislation, guidance and policy which support the transition to a low carbon future and the continued roll out of renewables and low carbon energy and associated infrastructure.

6.5. The Clean Growth Strategy, published in October 2017, set out the Government's position on solar parks and provided a comprehensive set of policies and proposals that aim to accelerate the pace of "clean growth", i.e. deliver increased economic growth and decreased emissions. To achieve the clean growth, the Government identifies how the UK will need to nurture low carbon technologies, processes and systems that are as cheap as possible, this includes subsidy-free ground mounted solar parks as modelled by this development proposal. The Government places significant emphasis on securing increased investment across the energy systems whilst minimising, as much as possible, the public costs for securing such investments and makes multiple references to how they are seeking the delivery of solar without subsidy. The application proposal would contribute towards this requirement.

6.6. The cost of living crisis and war in Ukraine has only served to increase the need to act, at speed, to ensure that the UK has a reliable and affordable energy supply. In April 2022, the Government announced that it will look to increase the UK's current 14GW of solar capacity by up to 5 times by 2035.

6.7. In terms of national planning guidance, paragraph 158(a) of the NPPF outlines that planning authorities should not require applicants to demonstrate the overall need for renewable energy and the contribution towards limiting Greenhouse gas emissions should be recognised. It then goes on to state that applications should be approved if the impacts are (or can be made) acceptable.

6.8. The solar farm would generate clean renewable energy for the equivalent of more than 12,300 homes a year. The anticipated CO2 displacement is 13,104 tonnes per annum.

6.9. The proposal would provide a clean, renewable and sustainable form of electricity and it would make a valuable contribution to the generation of electricity at a local level. The scheme would make a meaningful contribution to the Council's 2030 carbon-neutral target and it would also assist in meeting national targets.

6.10. In addition, the proposal would make a valuable contribution to offsetting greenhouse gas emissions and help tackle climate change. These are important wider environmental benefits that should be given significant weight in the overall planning balance. The scheme would accord with the National Planning Policy Framework and the thrust of various Acts, Directives and Statements issued in respect of renewable energy.

6.11. The applicant intends to provide further information regarding the need for the development.

Sustainable Development

6.12. Turning to sustainable development, paragraph 8 of the Framework confirms there are three dimensions to sustainable development, these are economic, social and environmental gains. Paragraph 8 advises that in order to achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

6.13. The development will provide employment and business opportunities for component suppliers / installers and those involved in grid connection, transport and logistics. Where possible, local businesses will be contracted for relevant parts of the scope of works over the period of construction (labour and materials such as hardcore etc), operation and maintenance. There will be additional induced impacts during the construction period with any incoming construction workers (engineers, project managers etc) spending their wages at a local level (restaurants, retail stores etc) and using local accommodation.

6.14. Research published in 2014 by the Centre for Economic & Business Research (CEBR) on solar powered growth in the UK highlighted analysis by the Solar Trade Association on the cost of solar energy. The analysis estimated that by 2016, the capital investment cost of building one megawatt of solar power for a large-scale development would be around £800,000. Assuming this price is broadly similar in 2023 (a very conservative assumption), when applied to the Proposed Development this equates to a capital cost of over £17.6 million. The development would also support long term jobs relating to site operation, site security and ongoing management and maintenance. The development therefore fulfils an important economic role.

6.15. Social gain would be provided through the generation of local renewable electricity that will be connected directly to the local grid and helping to reduce reliance upon overseas energy sources. The energy production would help to meet the national and local need for renewable energy and therefore the development would fulfil an important social role.

6.16. Turning to environmental gains these would be secured through carbon reduction and local biodiversity enhancements. The proposed development would help support the transition to a low carbon future and produce a significant amount of renewable energy.

6.17. The development of a diverse grassland beneath the array would benefit a range of native wildlife for a 40 year period, such as: Invertebrates (butterflies, moths, beetles, crickets, grasshoppers, worms etc.); Small mammals (voles, shrews and mice); Larger mammals (badgers); Amphibians; Birds and Bats. The proposal would therefore deliver on the environmental aim of sustainable development.

6.18. Reflecting on the above, the proposal duly delivers economic, social and environmental benefits and accords with the requirements of paragraph 8 of the Framework and is considered to constitute sustainable development.

Principle of the Development

6.19. The plan-led approach to development as enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires development proposals to accord with the adopted development plan unless material consideration indicate otherwise. The most up to date plan for the area is the Core Strategy. The NPPF (paragraph 155) suggests that Local Plans should provide a positive strategy for renewable energy and consider identifying suitable areas. In addition, Paragraph 152 of the NPPF sets out that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, including supporting renewable and low carbon energy and associated infrastructure.

6.20. Policy CS13 (Mitigating and Adapting to Climate Change and Efficient Use of Resources) of the WMDC Core Stratgey (2009) sets out that in order to achieve the indicative renewable energy generation target for the district of 11 mega watts by 2010 and 41 mega watts by 2021 and to contirbute to sub-regional and regional targets to Council will encourage the development of new sources of renewable energy generation where there is no adverse environmental impact on nearby communities.

6.21. Policy WSP 23 (Mitigating and Adapting to Climate Change and Efficient Use of Resources) of the WMDC Draft Local Plan sets out that in order to contribute to the UK 2050 net zero carbon emissions target and the objectives of the Council's Climate Emergency Resolution and Action Plan the Council will encourage the development of new sources of renewable energy generation where there is no adverse environmental impact or harm to nearby communities.

6.22. Policy LP26 (Renewable and Low Carbon Energy) of the Kirklees Local Plan promotes and encourages the development of renewable energy schemes where certain criteria are met, including:

a. The proposal would not have an unacceptable impact on landscape character and visual appearrance of the local area, including the urban environment;

b. The proposal would not have either individually or cumulative an unacceptable impact on protected species, designated sites of importance for biodiversity or heritage assets;

c. The statutory protection of any area would not be compromised by the development;

d. And noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity;

e. Any significant adverse effects of the proposal are mitigated by wider environmental, social, and economic benefits.

6.23. The proposed development would contribute directly to the Council's aspirations in tackling climate change through the production of renewable energy.

Green Belt Impact

6.24. Paragraph 147 of the NPPF outlines that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 follows on, stating that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations.

6.25. Paragraphs 149 and 150 provide exceptions for development in the Green Belt which this proposal does not fall in to. Therefore, the development of a solar farm in the Green Belt would represent inappropriate development when assessed against planning policy.

6.26. It is conceded that the proposal would reduce the openness of the Green Belt but it is important to consider the severity of the reduction. As outlined in a Supreme Court ruling (Case: Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council 2020), openness is a matter of planning judgement, not a legal principle.

6.27. The proposed solar farm would effect the openness of the Green Belt , but the proposed infrastructure retains a low height (2.9m) off the ground. This would then be mitigated through the provision of vegetation planting and enhancement within and around the site, allowing it to assimilate into the landscape. The temporary nature of the proposal also minimises the impact of encroachment into the countryside, and ensures the longevity of the Green Belt for future generations.

6.28. The role of the site in meeting the 5 purposes of the Green Belt (NPPF paragraph 138) are considered below and the LVIA considers the impact on the Green Belt with particular regard to visual impact and openness.

6.29. In terms of *the unrestricted sprawl of large built-up areas* (purpose 1) and *preventing neighbouring towns merging into one another* (purpose 2), the solar farm would not be seen or understood as an extension to the existing urban area and would not cause the merging of settlements. Thus the solar farm would not harm these purposes.

6.30. Temporary *encroachment into the countryside (*purpose 3) will result as an inevitable consequence of the development, so encroachment will result and there is conflcit with this purpose. It is not considered that the use of the land for a solar farm would negatively impact *urban regeneration* (purpose 5). Solar farms are typically located in rural locations. However, any impact on the wider countryside would be limited by the sensitive placement and design of the proposed development, along with the landscape mitigation proposals within and surrounding the proposals. Weight should also be given to the temporary (albeit long term) nature of the proposed development, which means that the encroachment will not be permanent. The applicant would welcome a planning condition requiring decommissioning and reinstatement of the land at the end of the operational lifetime.

6.31. With regard to the *setting and special character of historic towns* (purpose 4), it is considered that no impact will result.

6.32. In summary, the proposal will have an impact on the openness of the Green Belt by virtue of temporary encroachment, but the siting, design and proposed planting will ensure that any perceived impact on the Green Belt is relatively limited.

6.33. The submitted LVIA concludes that 'the Proposed Development would not result in a notable reduction in the openness of the Green Belt'.

Very Special Circumstances

6.1. Paragraph 151 of the NPPF states:

"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".

6.2. This clearly outlines that the provision of renewable energy development can be considered as a very special circumstance in the determination of an application. It is then a matter of whether its benefits significantly outweigh the impacts on the openness of the Green Belt.

6.3. The benefits of the renewable energy output in satisfying local, national and international renewable energy targets, and at a time when the country faces a severe energy and cost of living crisis, exacerbated by recent factors including war in Ukraine would significantly outweigh the impact on the Green Belt in this case and would satisfy the 'Very Special Circumstances' test.

6.4. The April 2022 British Energy Security Strategy requires a 5 fold increase in solar deployment by 2035.

6.5. In addition to providing clean and renewable (low carbon) energy, displacing the requirements for other polluting energy types, and addressing the negaitve impacts of climate change there are further benefits and relevant material considerations through:

- The Site Search Assessment demonstrates that a Green Belt site is required,
- Core Strategy policy CS13 supports renewable energy,
- The diversification of a land-based rural business providing significant economic benefits which is supported by paragraph 84 of the NPPF,
- The development is temporary and reversible, with the landscape improvements to remain beyond the lifetime of the solar farm,
- The significant biodiversity net gain as outlined in the Biodiversiry Net Gain Plan.

6.6. These key benfits of the scheme are consisered to provide the very special circumstances necessary to overcome the harm to the Green Belt, and other harm.

Other Material Considerations

6.7. A range of other material planning considerations are relevant, including:

- Landscape and Visual Impact
- Ecology and Wildlife
- Highway Considerations
- The Historic Environment
- Agricultural Land Classification
- Noise
- Glint and Glare and
- Flood Risk

6.8. These matters will be assessed in the following sub-headings.

Landscape and Visual Impact

6.9. The Landscape and Visual Impact has been assessed by Landscape Visual and set out within the accompanying Landscape and Visual Impact Assessment (LVIA). The LVIA assesses the landscape and visual baseline and the potential impact on the proposed development.

6.10. An assessment of the potential significance of the landscape impacts is provided as well as the potential significance of visual effects. The cumulative effects of the proposed development in conjunction with the Low Farm solar farm to the west of the site has also been taken into consideration.

6.11. The Assessment concludes that while some effects would be noticeable in the immediate vicinity of the site, there is capacity for the landscape to accommodate the proposed development without causing unacceptable landscape or visual harm to the wider surrounding area. The landscape and visual effects as assessed would be limited in scale and extent and some effects would reduce over time as the proposed mitigation planting matures. The effects would be wholly reversible with the removal of the proposed development and the reinstatement of the current land management.

Ecology and Wildlife

6.12. The proposed solar farm is an example of a development which presents considerable opportunity for landscape and biodiversity mitigation and enhancement.

6.13. An EcIA has asssesed the site and its ecological value, and conlcuded that there is no overall constraint to development.

6.14. Habitat creation and ongoing management practices are proposed that will enhance the operational site for biodiversity.

Trees

6.15. An Arboricultural Impact Assessment has been submitted with the application which describes the extent and effect of the proposed development at the site on the individual trees and groups of trees within and adjacent to the site. The Assessment concludes that the proposal does not require the removal of any trees, or the pruning of any trees, and does not cause any incursions into the root protection areas of any trees/groups of trees/hedges at the site.

6.16. An Arboricultural Method Statement & Tree Protection Plan, prepared by Arbtech has also been submitted with the proposals.

Biodiversity Net Gain

6.17. A biodiversity net gain will be delivered through the proposals, by virtue of the landscape proposals. The Biodiversity Net Gain Plan predicts an 141.03% net gain in habitat areas (177.80 units) and 12.68% gain in hedgerow units (5.85 units).

Highway Considerations

6.18. The submitted Construction Traffic Management Plan sets out details of the site access, the predicted number of vehicle trips during construction and construction traffic routing.

6.19. The CTMP concludes that the proposed access is suitable.

The Historic Environment

6.20. An Archaeology and Built Heritage Assessment, prepared by Pegasus Group, has been submitted in support of this application. The Assessment concludes that there are two areas of archaeological potential within the site: one within the south-west and one within the north-east area of the site. The results of the survey potentially indicate rural activity which may date back to the Iron Age and/or Romano-British periods. The remains are not considered to be of significance to preclude the development, although the report recommends a precautionary approach to the archaeological area in the north east of the site, with non-intrusive construction techniques proposed in this area.

6.21. While the site is considered to have high potential for archaeological remains from the Iron Age and/or Romano-British periods, it is considered to have low potential for significant archaeological remains from all other periods. It is anticipated that any remains identified within the site will be localised and not of a significance to preclude development.

6.22. The site does not comprise any designated assets, however the proposed cable route will pass through the Hope Pit Conservation Area to meet a consented substation. As the cable will be buried and follow the existing line of New Road, it is not anticipated to result in any harm to the character and appearance of the Conservation Area.

6.23. The proposed development is anticipated to result in a change to the character of some of the agricultural land in the wider vicinity, and to the dynamic views when approaching and leaving the Scheduled New Hall Moat and fishpond. The proposed change to the wider surrounds is anticipated to result in, at a most, a very minor level of harm to the significance of the asset, which is clearly less then substantial, at the lowermost end of the spectrum.

6.24. The proposed development is not anticipated to result in any harm to the significance of any other identified heritage assets in the wider vicinity.

Public Benefits

6.25. NPPF paragraph 202 requires that where harm to designated heritage assets is less than substantial harm, this harm should be weighed against public benefits.

6.26. The key public benefits of the Proposal are discussed below.

Provision of renewable energy (carbon reduction)

6.27. As discussed above, there is a very strong planning policy and wider policy imperative to increase rapidly the generation of renewable energy in order to meet Net Zero targets. The contribution of the Proposal in this regard is therefore a very substantial public benefit.

Biodiversity Net Gain

6.28. The Proposal will deliver a substantial BNG, well in excess of the 10% that is expected, but not yet required by relevant legislation. The BNG enhancements that are proposed will have positive impacts on the landscape and act as habitat, feeding and foraging areas for wildlife. This benefit carries substantial weight.

Economic Benefits

6.29. The Proposal will support a small number of jobs, plus jobs through the construction phase. Service. The Proposal would represent a substantial economic investment and also generate business rates for the Council.

6.30. NPPF paragraph 81 confirms that "*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"*.

Addressing UK Energy Security

6.31. The UK's energy security is an important issue which has been elevated further in light of the cost of living crisis and war in Ukraine. The government published the British energy security strategy in April 2022 and Draft En-3 in March 2023 acknowledged the imperative of moving towards energy independence.

6.32. Helping towards this goal is therefore a public benefit that should be afforded moderate weight.

6.33. Recognising the great weight to be afforded to the harm to designated heritage asset, it is concluded that the significant public benefits of the proposal, far outweigh the less than substantial harm to designated heritage assets that is identified by the Heritage Statement.

Agricultural Land Classification (ALC)

6.34. The ALC report concludes that some 51% of the site, amounting to 28.3ha, is Best and Most Versatile Land. However, the site layout and design has responded to this and the total area where panels or other built structures are proposed is 17.7ha. of this, only 2.5ha is Grade 2 and 15.7ha is Grade 3a classified land.

6.35. As such, it is demonstrated that the proposal has sought to avoid areas of higher quality land in accordance with footnote 58 (page 50) of the NPPF.

6.36. In addition, footnote 58 refers to 'significant development of agricultural land'. The Development Management Procedure Order requires Council's to only consult Natural England where the loss of land would be over 20ha, for their advice on the level of impact on BMV land and likely long-term effects. The implication of this, is that any loss under 20ha is not 'significant'. It is the case here that the temporary use of BMV land is under 20ha and not therefore significant.

6.37. In addition, the agricultural land will not be lost. The proposed solar farm would have a temporary operational lifetime and can be used for sheep grazing during operation, maintaining an agricultural use.

6.38. In summary, the proposal has sought to minimise the use of higher quality land, will not result in the permanent loss of agricultural land, the area of BMV land used is not significant and the site can be used for agriculture during the operational lifetime of the solar farm.

Noise

6.39. A Noise Assessment has been prepared by ION Acoustics in support of this planning application. The Assessment concludes that based on the calculations for the operational noise levels, noise from the facility would be low in absolute terms and comply with the relevant noise limits. Therefore, it is considered that there are no noise-related issues associated with the proposed development that would prevent development being given planning permission.

Glint and Glare

6.40. Pager Power have prepared a Glint and Glare Assessment based on the proposed development. The assessment considers the potential impact of reflection from the proposed solar panels on surrounding ground-based receptors; including road receptor, residential dwelling receptors and public rights of way receptors.

6.41. The assessment concludes that no impacts of the proposed development require future mitigation with no mtiigation recommended as part of the report. A copy of the Glint and Glare Assessment has been submitted with this planning application.

Flood Risk

6.42. A Flood Risk Assessment has been prepared to consider the impact of the solar farm on the existing hydrology in the area, to show that flood risk is not increased off-site and that the solar farm is safe to operate for its lifetime. The Flood Risk Assessment demonstrates that the fluvial and pluvial flood risk to the site is very low. The Assessment also concludes that the risk of groundwater flooding is considered to be low and flooding from sewers and artificial sources is considered to be very low.

6.43. The Assessment also sets out the proposed drainage strategy and confirms that the proposal accords with the requirements of the NPPF with residual risk to the site fully mitigated, and therefore considered low risk.

7. Planning Balance and Conclusions

7.1. The proposal is for the installation of ground mounted solar farm which provides clean renewable energy to the National Grid. This should be seen as a significant material benefit in favour of the planning application. The current energy and cost of living crisis only serves to emphasise the importance of increasing the supply of renewable energy generated in the UK, and in April 2022, the government committed to increasing the amount of solar deployment 5-fold by 2035.

7.2. The NPPG explains that the importance of increasing energy from renewable 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". The development proposals contribute to meeting those objectives.

7.3. Under the NPPF, one of the core principles is the need to support the transition to a low carbon future in a changing climate; and to encourage the use of renewable resources. The development does both of those things. Planning is also acknowledged to play a key role in securing reductions in greenhouse gas emissions and in supporting the delivery of renewable and low carbon energy. The application proposal contributes towards this.

7.4. The NPPF says that applications for renewable energy should be approved if the impacts are acceptable. In this instance, the site is located within the Green Belt where renewable energy infrastructure does not fall as an exception against inappropriate development in the Green Belt. However notably, NPPF paragraph 151 confirms that the benefit of renewable energy can constitute very special circumstances. It is considered that there is a very special circumstances case that outweighs the harm to the Green Belt and therefore justifies granting planning permission.

7.5. The creation of a siginifcant net biodiversity gain and economic benefits should be afforded signficant weight, and further contribute to the very special circumstances.

7.6. Reflecting on the planning balance and turning to sustainable development, it is widely understood in planning that there are three dimensions to sustainable development, these are economic, social and environmental gains. National Policy advises that in order to achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

7.7. The proposed development has been shown to achieve the main objectives of sustainable development (environmental, social and economic) without causing undue detriment to any of these matters.

7.8. Overall, the proposals are acceptable to the site and its surrounds; consistent with Planning Policy and all relevant material planning considerations; and will achieve a high-quality design as envisaged by the applicant and as required by the Local Planning Authority.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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