



# Planning Committee Report

**Application Number:** WND/2022/0410

**Location:** Land at Glassthorpe Hill and Land off Brington Road, Flore

**Development:** Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with a capacity of up to 49.9MW with associated infrastructure and planting.

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**Applicant:** EDF Energy Renewables

**Agent:** Joanna Berlyn - Stephenson Halliday

**Case Officer:** Erica Buchanan

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**Ward:** WEEDON

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**Reason for Referral :** The Proposal is a major development and is cross boundary with the former South Northants district as part of site lies within South Northants Area.

**Committee Date:** 20<sup>th</sup> June 2023

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### **Proposal**

The proposed development comprises the installation of photo-voltaic (solar panels) and associated infrastructure on land to the north of the M1 in the locality of the parish of Flore. A small portion of the site and one of the means of access is within the parish of Upper Heyford. The site would be divided into two parts, each part would have a new vehicular access. The energy generated by the development would be transferred into the national grid. The solar park would generate at its peak 49.9 MW.

### **Consultations**

The following consultees have raised **objections** to the application:

- Upper Heyford Parish Council, Crime Prevention



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The following consultees have raised **no objections** to the application:

- Flore Parish Council, Highways, Natural England, Archaeology, Landscaping Officer, Ecology, Rights of Way, Environmental Health, Conservation, Environment Agency

## Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Landscape and visual impact
- Heritage
- Ecology
- Highway safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## MAIN REPORT

### 1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is located approximately 500m northeast of the village of Flore and approximately 2km south of Little Brington west of the Village of Harpole and north of the village of Nether Heyford.
- 1.2 The M1 motorway and the A45 bypass run immediately to the south of the site, separating it from the villages of Flore and Upper Heyford. Brington Road runs along the western boundary of the site and the land rises up to Glassthorpe Hill. The northern boundary of the site is agricultural fields and open countryside.
- 1.3 The site covers an area of approximately 96.89ha and consists of 10 agricultural fields which are in mixed use of arable and pastoral grazing. The majority of the fields are enclosed with mature hedgerows with post and rail fencing
- 1.4 The nearest residential properties south of the site lie on the far side of the M1 motorway corridor and are separated from it by roadside embankments and vegetation. There are five residential properties within 500m of the site boundary north of the M1.
- 1.5 Two long-distance footpaths run through the site, the Midshires Way runs along the eastern boundary of the site and follows a roadway to form access to the eastern portion of the site and the Macmillan Way cuts across a corner of the western portion of the site.



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## 2 CONSTRAINTS

- 2.1 The application site lies within the open countryside and is also affected by the following constraints:
- Part of the site is in a Special Landscape Area
  - Part of the site is in Flood Zone 2
  - Public Rights of Way

## 3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is for the change of use from agricultural land to a large scale solar farm comprising of 99,840 solar panels arranged into linear arrays that would be mounted on aluminium frames angled between 10 degrees and 30 degrees to the horizontal and facing south although some panels in the western field would be orientated south east. The Panels would have a maximum height of 3m and would be 0.8m above ground level (AGL). With a minimum separation from each linear array of 3m.
- 3.2 The proposal includes associated infrastructure comprising of 17 MV Power Stations, 2 substation containers, customer substation, spares/storage cabin. All of the associated buildings would be externally finished in either white or grey paint.
- 3.3 There would be an internal access track with a maximum total length of 3750m and will consist of a layer of permeable, unbound granular material placed on a suitable underlying layer.
- 3.4 The site would be secured by a 2.2m height timber post and stock proof mesh fence (deer fencing) CCTV infrared cameras will be mounted on 3m poles along the site perimeter fencing at regular intervals and will face inwards towards the site only.
- 3.5 No visible lighting is proposed for the operational period.
- 3.6 The proposal includes biodiversity enhancement in the forms of a wildflower rich meadow to the northwest of the Macmillan Way where the footpath cuts the corner of a field forming part of the site, another wildflower rich meadow to the west of a relatively short stretch of the Midshires Way and meadow grassland and wildflower rich meadow adjacent to a water course which runs roughly north to south and divides the site into two portions. Woodland around this watercourse would be retained and there is a proposed hedgerow along the northern boundary of the western part of the site and across the eastern part of the site.
- 3.7 The application is for a time limited operational period of up to 40 years from the date of commissioning after which the site would be fully restored to its current condition.
- 3.8 Access into the western part of the site will be taken from Brington Road at the location of an existing field access. Access into the eastern part of the site will be taken from Main Road at Upper Heyford. A new junction and short section of new access road is proposed to the west of an existing all-purpose road which runs north from Upper Heyford towards Little Brington (along the route of the Midshires Way).



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## 4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
P/21/053	Pre-application Enquiry and Scoping Opinion Request	

## 5 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

5.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2), the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

5.3 The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- S11- Low Carbon and Renewable Energy
- C2 — New Developments
- BN1- Green Infrastructure Connections
- BN2 —Biodiversity
- BN5-The Historic Environment and Landscape
- BN7 — Flood Risk
- BN9 Planning for Pollution Control

#### Settlements and Countryside Local Plan (Part 2) for Daventry District (LPP2)

5.4 The relevant policies of the LPP2 are:

- SP1 – Daventry District Spatial Strategy
- RA6- Open Countryside
- ENV1 — Landscape
- ENV2-Special Landscape Areas
- ENV4 Green Infrastructure
- ENV5 —Biodiversity



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- ENV7- Historic Environment
- ENV9-Renewable Energy and Low Carbon Development
- ENV11 – Local Flood Risk Management

## South Northamptonshire Part 2 Local Plan

- SS1 – The Settlement Hierarchy
- SS2 – General Development and Design Principles
- HE1 – Significance of Heritage Assets
- HE2 – Scheduled Ancient Monuments and Archaeology
- HE7 – Non-Designated Heritage Assets
- NE2 – Special Landscape Areas
- NE3- Green Infrastructure Corridors
- NE4 – Trees, Woodlands and Hedgerows
- NE5 – Biodiversity and Geology

## Flore Neighbourhood Plan (NHP)

- F1 – General Development Principles
- F7 – Protecting and Enhancing Local Views, Landscape Character
- F13 – Traffic Management and Transport Improvements

## Material Considerations

5.5 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
  - including Energy Efficiency (Part 1) and Low Carbon and Renewable Energy (Part 2) Supplementary Planning Document adopted in July 2013. Part 2 of this SPD provides specific guidance on different types of renewable energy including Solar Farms.
- National Policy Statement for Energy (EN-1) (2011)
- National Policy Statement for Energy (EN-3) (2011)
- Written Ministerial Statement on Solar Energy: Protecting the Local and Global Environment 25<sup>th</sup> March 2015

## 6 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Flore Parish Council	Support in principle	Flore Parish Council has voted by a small majority to give this proposal support in principle because they accept that there is a pressing need to generate power from renewable



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		<p>sources in the face of carbon-driven climate change however the vote carried was subject to implicit conditions covering areas of concern that they would wish to see addressed. These conditions are as follows:</p> <ol style="list-style-type: none"><li>1. This is an exceptionally large solar farm which is effectively an industrial development despite any effort to mitigate that situation and it encroaches appreciably on the Upper Nene Valley which has a particular value for its landscape quality. The recent warehouse development at Panettone Park (near M1 Junction 16 east of Upper Heyford) has already severely compromised this, and - together with the inclusion of an adjacent area on the north side of the A4500 as a potential warehousing/industrial site in the West Northants Strategic Plan now being developed - is already threatening the environmental value of this area, in particular in the impact on Glassthorpe Hill, an important landscape feature.</li><li>2. The use of good quality agricultural land for this use is also potentially reducing the solar panels' benefit in mitigation of environmental cost, since such land is likely to become of even greater value as the pressure on worldwide food production grows and this country faces a growing need to import grain. It is regrettable that more emphasis is not put into re-using brownfield sites of low landscape value for solar generation or else ensuring industrial developments (such as the warehouse park cited above) incorporate solar panels as planning conditions.</li><li>3. In consequence of the above the Parish Council seeks a reduction in area utilised for the solar panels and to retain the level arable field to the west of the proposed development for agricultural use (ie removal of the solar arrays numbered 1,2,3 and 19 on the site masterplan), which would have the added benefit of removing the need for a separate access from the Brington</li></ol>
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		<p>Road. Furthermore, removal of the solar arrays numbered 4 and 5 in the extreme north-east of the application site would further assist with mitigating the landscape impact on the Glassthorpe Hill area. It is considered the remaining arrays would collectively still represent a viable solar farm, and consideration should be given to higher efficiency panels which generate more power per square metre instead of using more land for the sake of cheaper, more inefficient solar panels. EDF have not to date given a satisfactory answer to the question of using more efficient units to minimise land take.</p> <p>4. In the event that the field off Brington Road be retained in the scheme, the Parish Council ask that the temporary bridging of the brook which was mentioned as an option (during the public meeting with EDF in Flore on 7th June) be incorporated to enable construction access from the east of the site via the proposed point of access from Main Road, Upper Heyford: This would be a condition to reduce heavy traffic in Flore village High Street, which has recently been traffic-calmed. Further, it should be a condition that the said temporary access byway road diversion at Upper Heyford be removed in entirety and made good following the construction of the development, and the existing access reinstated as before which is considered sufficient for maintenance traffic.</p> <p>5. The Council seeks clarification on the access to and uses of the community benefit fund which would arise in the event of the project proceeding.</p>
Upper Heyford Parish Council	Objection	<p>Upper Heyford Parish Meeting has decided to enter an objection to this application for the following reasons</p> <p><u>Site Location</u></p> <p>1) As we understand the power generated by this solar farm is destined for Dallington Sub Station Northampton we cannot understand why this site was selected when there are alternative sites available nearer to Dallington.</p>



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		<p>2) The proposed location of this industrial development in the Upper Nene Valley will cause significant harm to the present high quality landscape view. The impact on views from several close surrounding locations can be seen from the photographs attached to this response.</p> <p>3) The majority of the site is on good quality agricultural land which for 16 years has been under grazing although in the past it has also been used for arable farming.</p> <p><u>Access to site</u> We are strongly against the proposed temporary access road in Upper Heyford as this would result in all heavy construction traffic coming through the village. We cannot understand why access off Lang Furlong Road using the existing bridge over the M1 is not being considered for the main access to the site.</p> <p><u>Power Line Route</u> It is proposed that the power line to Dallington should be routed along the road side verge in Upper Heyford despite the fact that this verge already contains a number of utility pipes. Should the site be approved the power line should pass through the fields away from the village.</p> <p><u>The Countryside Charity Northamptonshire (CPRE)</u> We strongly support the decision by the charity that permission for this proposal should be refused.</p> <p><b><u>Conclusion</u></b> This proposal if allowed to proceed will have a huge impact on the parish. Along with Panattoni Park and the proposed sand and gravel extraction little will be left of the rural nature of Upper Heyford. We therefore strongly oppose the application.</p>
<p>Stowe Nine Churches Parish Council</p>	<p>Raises Concern</p>	<p>Parish Council is concerned regarding the detrimental visual impact on the Area of Special Landscape Value, already degraded by Panattoni Park, and the loss of agricultural land and</p>





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		state that adequate screening needs to be provided.
Brington Parish Council	comment	<p>Brington Parish Council are responding as a neighbouring parish that will see an impact from the construction. The council query the suitability of Brington Road for construction traffic. This road is not suited to large numbers of larger vehicles. It is felt that during the construction period that there could be a huge impact on our parish should this be used.</p> <p>We declare ourselves an interested parish for community benefit funding or for the proposed free electric vehicle charging points on offer.</p>
Archaeology	No Objection	Trial trenching has been carried out and mitigation is possible details to be submitted via a condition
Highways	No objection	<p>Vehicular access to the site was subject of pre-application discussions with the applicant and the LHA with the principle of the access arrangements agreed subject to more detailed design and audit.</p> <p><u>Brington Road Access</u> – The proposed construction access will be a heavy duty commercial access with the crossover of highway verge constructed in concrete The construction will require a S278 agreement.</p> <p><u>Main Road Access</u> The proposed construction access will be a heavy duty commercial access with the crossover of highway verge constructed in concrete The construction will require a S278 agreement.</p> <p><u>Eastern Road Access Improvements</u> introduction of 10mph speed limit cannot be imposed by a TRO.</p> <p>Proposed temporary road closure of the southern section of road should only be introduced if completely necessary. It will not be possible to close only the southern section of this road as the new access and short diversion to be constructed to the west will not have highway status. Closure of the Southern section of the unclassified road would require complete closure of the entire route including the section</p>



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		<p>where it becomes a byway towards Little Brington.</p> <p>Construction traffic can be appropriately managed using temporary signage positively directing construction traffic to the new access and prohibit use of the existing junction without the need for a full closure of this junction.</p> <p>The unclassified Road leading North from Main Road forms part of Midshires Way long distance path and users likely to encounter construction traffic including HGV's and there is potential for conflict between the two on what is a narrow route in places whilst the applicant has proposed mitigating measures the LHA is still concerned that the potential for conflict could create an unsafe situation on what is a popular walking route. This matter must be raised and considered as part of the Road Safety Audit.</p> <p>As with the junctions works public highway will be subject of a S278 agreement.</p> <p><u>Brington Road/High Street Junction</u> HGV tracking shows localised widening at this junction will be required this highways work will be subject of S278 agreement.</p> <p><u>Traffic Impact</u> As with all solar and wind farms the greatest traffic is during construction and decommissioning. Trip generation during operational stage is minimal and would not impact highways network. The forecast trips for construction and decommissioning would take place over 6 months period with an average of 4 HGV movements per hour during the busiest 2 months construction period. This would not have a detrimental impact on the highway network.</p> <p><u>Vehicle routing</u> All construction traffic will approach both east and west accesses from the East (A45/M1) and shall be conditioned and included in a Construction Management Plan.</p>
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		<p>Glint and Glare It is accepted that there will not be an unacceptable impact on highway safety and no mitigation in respect of glint and glare is required.</p> <p><u>Construction Management Plan</u> A CMP will be required and should include details of construction traffic access routes from the wider highway network along with measures to control of mud and debris on the public highway and should include locations of wheel wash facilities at each access point.</p> <p><u>S59 agreement</u> This will be needed to survey routed on Brington Road and the unclassified road prior and post construction to access any damage to verges as a result of construction traffic. damage to verges</p> <p><u>Public Rights of Way</u> Applicants should be made aware of their responsibilities of public Right of Way which cross the development site and include standard requirements relating to construction traffic in close proximity to and using the PROW. The definitive map shows accurate position.</p> <p><u>Conclusion</u> The LHA has no objection to this application but should planning permission be granted the applicant will need to be aware of their responsibilities in respect of highway related post-planning agreements and requirements. It is advised, but not necessary, for the applicants to undertake a Stage 1 Road Safety Audit for the various off site highway and access works at this stage. These will require undertaking in order to obtain the necessary agreements with the LHA to deliver works within public highway land.</p>
<p>Lead Local Flood Authority</p>		<p>Having reviewed the applicant's submitted documents as of the 9<sup>th</sup> February 2023, we would advise that</p>



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		<p>there is <b>insufficient</b> information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.</p> <p>Our information requirements in support of applications are outlined in our document Local Standards and Guidance for Surface Water Drainage in Northamptonshire document: <a href="https://www.floodtoolkit.com/wp-content/uploads/2017/09/Local-Standards-for-publication-v1.3-September-2017.pdf">https://www.floodtoolkit.com/wp-content/uploads/2017/09/Local-Standards-for-publication-v1.3-September-2017.pdf</a></p> <p>With reference to the above documents, we note that the submitted surface water drainage information fails on the following grounds:</p> <ol style="list-style-type: none"><li>1. Given the scale and nature of the proposed development, we would expect such a development to:<ol style="list-style-type: none"><li>I. incorporate a surface water drainage strategy relative to the scale and nature of the development.</li><li>II. construct shallow surface water cut-off trenches parallel to the sites topography to intercept any overland sheet flow that may be produced as a result of the proposed development.</li></ol></li></ol> <p>Our comments only cover the surface water drainage implications of the proposed development.</p> <p><b><u>Overcoming our concerns</u></b></p> <p>Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above. We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke comments within 21 days of receiving a formal re-consultation. We</p>
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		cannot support the application until adequate surface water drainage information has been submitted.
Rights of Way	No Objection	We have no comments regarding this proposal. We do note that the road/track does cross the Right of Way network so we would like clarity that users won't be affected and that traffic will be a minimum
Conservation	No Objection	<p>The solar farm would cover a very large area and would represent a substantial change to the character and appearance of this historic landscape, which is a characteristic feature of the SLA and forms the setting of designated and non-designated heritage assets, including the site of the deserted medieval village of Glassthorpe, which is a non-designated heritage asset of high significance (as recorded in the Rockingham Forest Trust study, which I forwarded to Katherine Daniels to make available to the applicant's heritage advisor at the pre-app stage), albeit that some form of agricultural use can, in theory, continue beneath the solar arrays and the landscape is capable of being restored upon their removal at the end of their anticipated life of 40 years (see comments below regarding decommissioning and landscape restoration). Although it appears that no formal response was sent by the Council to the pre-application enquiry, the landscape and heritage concerns that officers expressed during our site meeting with the project team obviously prompted them to review the extent of the proposed site. The two fields on the east side of the Midshires Way footpath have been omitted from the current application scheme. All of the panel arrays would now be situated within fields to the west of the footpath route. This change is welcomed as it avoids those fields that have evidence of ridge and furrow and/or are on rising land towards Glassthorpe Hill, in which solar panel arrays would be likely to have the greatest visual impact. Within the two northernmost fields on the west side of</p>



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		<p>the footpath the panel arrays have now been set well back from the line of the footpath, leaving a generous strip of open field. St Johns Church tower (grade II listed) is a distinctive feature when travelling north along the footpath route through/past the application site. The changes that have been made to the extent of the application site and the layout of panel arrays within it would help to limit the visual impact on the setting of the church. I do not consider that the remaining arrays would diminish the presence of the tower or materially harm its significance. The proposal to plant additional standard trees within the northern boundary of the site might further detract from its visual prominence. The existing hedgerow boundaries on the western side of the Midshires Way are generally in very good condition and create a strong physical and visual buffer. There are some gaps, including at the top north-east corner of the site, which it would be important to fill with appropriate mixed native species. Existing hedgerows within the fields that would contain the solar arrays would also be retained, which would effectively maintain the underlying field pattern and help to limit the impact of the plethora of proposed new access tracks, substations and storage cabins, etc. In terms of mitigating the visual impact of the development from the surrounding landscape there might be an opportunity to introduce a hedge line along the western edge of the proposed wildflower meadow/buffer zone adjacent to the public footpath to link up with the existing field boundaries and create a continuous hedge, although I note that there was no hedge in this position historically. If you are minded to grant planning permission for this development within the SLA I would suggest that it is very important to get all details of the landscape mitigation strategy and decommissioning strategy agreed and tied in to the permission to ensure that all stated enhancements</p>
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		<p>would be carried out at the earliest stage of development and would be retained and managed throughout the life of the project, and that the site was cleared of all equipment and infrastructure and made good at the end of its life so that the land could be returned to its former state.</p>
Landscape	No Objection	<p>I have revisited the site to clarify my thoughts and can confirm the removal of the two fields east of the Midshires Way at the northern end of the site has reduced the impact visually of the panels as they now are all located to the west of Midshires Way and are generally separated by a well-established hedge running immediately adjacent to the footpath. It is noted on the Landscape Mitigation Plan that immediately north of the proposed location of the Educational Interpretation Board a section of a field that extends up to the Midshires Way has been excluded from erecting solar panels and shown as a wildflower meadow which is certainly beneficial in particular regarding views north from the footpath as panels will not impact that view due to the retained hedgerows. In order to provide further visual mitigation can I suggest a new hedge planted along the line of the deer fencing linking the hedges and providing screening of the adjacent panels when viewed from Midshires Way south west at the northern end of the site. There are a number of gaps in the hedges around the section of field to be excluded from the erection of panels that needs to be gapped up as has been indicated on the Landscape Mitigation Plan. Additional trees have been identified on the northern boundary in the vicinity of the existing mature trees and while I would not wish to lose additional planting it would certainly be useful to include some trees in the new hedge identified across the excluded eastern end of the field next to Midshires Way. This would tie into the general character of the area</p>



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		<p>and in time provide further vertical mitigation of views of the solar panels from Midshires Way at the northern end of the site. As I previously commented I am pleased that the field hedges and associated trees have been retained and the panels have been set back a reasonable distance to avoid conflict with shading. This will also allow the extent of the Solar Farm to be broken up by the hedges and trees when viewed from public vantage points as well as allowing it to be better incorporated into the surrounding landscape though it will certainly still be visible. The allowance of the hedges to grow higher will in time further mitigate views, where currently views may be possible, but as noted the filling in of gaps and strengthening of hedges is very important as whilst the hedge next to the Midshires Way is a very good visual barrier the existing gaps provide clear views of the future solar panels so need to be addressed. The retained pastoral grassland and proposed wildflower meadow buffer zone will lessen the impact of the panels on the hedgerows as well as creating linear areas for wildlife in the context of the retained hedgerows. Finally the hedge along the southern boundary of field 14 next to the existing farm buildings has a number of gaps especially as the Midshires Way turns east before heading north has a number of gaps that requires substantial replanting and I would again recommend additional tree planting as this is an important view from the footpath as you head north, with potentially the clearest view of the solar panels. There will always be views of the panels in fields 13 and 14 but the northern hedge screens views beyond and if the southern hedge is strengthened the impact will be reduced. Whilst the Solar Farm will be visible in the landscape the retention and strengthening of the existing hedges along with the omitted fields at the northern end of the site will allow</p>
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		the proposal to be accommodated in the landscape and as such I do not object to the application in landscape terms.
Environmental Health	No Objection	<p>Solar panels can come with associated infrastructure such as: Transformers, substations, a DNO control room, GRP comms, security fencing, landscaping and other associated infrastructure. The impact of fixed plant and equipment associated with the development on the existing sensitive receptors should be assessed.</p> <p>Land Quality The full contaminated land condition is necessary:</p> <p>Light It is not clear if any additional external lighting is proposed, and if so a condition for a scheme to be submitted and approved is recommended.</p> <p>Vermin Structures such as those proposed, can harbour vermin and a pest prevention strategy should be submitted. Please get back to me if you would like me to provide wording for a condition in relation to this.</p>
Environment Agency	No Objection	We have no objection to the application as all development will be located in Flood Zone 1.
CPRE	Objection	Loss of Agricultural Land
National Highways	No Objection	National Highways' formal recommendation is no objection. As the proposed development has no impact on the Strategic Road Network or a drainage asset, National Highways have no objections to this planning application.
Natural England	No Objection	Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
Crime Prevention	Objection	I would hope that even at this early stage the developer would have some indication of the spacings of cameras, what they are likely to look like, how they would be monitored, by whom and what the response is hoped to be. Planners surely want to be able to assess whether the erection of CCTV



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		cameras will create too much of an industrial looking landscape and I am not sure how that can be achieved with no drawing to go on. From my perspective I need to be able to determine that the potential for crime has been adequately addressed and a one line statement with no further detail does not enable me to do that.
Ramblers	No Response	

## 7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 There has been 1 objection raising the following comments:

- Detriment to Character of area and appearance of Countryside
- Loss of good quality agricultural land
- Inefficient use of land
- Traffic Impacts.

## 8 APPRAISAL

8.1 The determining considerations of the application are the principle of the proposal, Landscape and visual impact, Heritage, Ecology, Highways and Rights of Way.

### Principle of Development

8.2 The Energy White Paper was published in December 2020 and sets out how the UK will clean up its energy system and reach net zero emissions by 2050. The Energy White Paper lays out a plan that the Government says will 'transform energy', provide people with a 'fair deal' and drive a 'green recovery' while supporting up to 220,000 jobs over the next decade. The White Paper highlights the importance of renewable energy and stipulates that onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. It sets out that sustained growth in the capacity of these sectors in the next decade is required to ensure that the UK is on a pathway that allows us to meet net zero emissions in all demand scenarios.

8.3 The NPPF states at paragraph 7 that the planning system is to contribute to sustainable development. Paragraph 8 (c) states that by moving to a low carbon economy is one of the ways the planning system can contribute towards sustainable development. Paragraph 158 (a) states that applicants for energy development should not have to demonstrate the overall need for renewable or low carbon energy and (b) applications should be approved, unless material considerations indicate otherwise, if their impacts are (or can be made) acceptable.

8.4 Planning Practice Guidance states that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating



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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 to be considered include:

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

8.5 The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, 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.

8.6 Spatial Objective 1 (Climate Change) of the West Northants Joint Core Strategy (JCS) encourages renewable energy production in appropriate locations. Policies SA, S10 and S11 set out a presumption in favour of sustainable development and principles for sustainable development to facilitate assessment of development



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proposals. Policy S11 refers to Low Carbon and Renewable Energy, this inter alia requires that proposals should be sensitively located and designed to minimise adverse effects on people, the natural environment, biodiversity, historic assets, and mitigate pollution. It specifically requires wind energy proposals (although it is generally applicable to solar proposals too) to have no significant adverse impact on amenity, landscape character and access; and to provide for the removal of the energy generation infrastructure and re-instatement of the land when the generation operation ceases.

- 8.7 Policy R2 of the JCS supports proposals which sustain and enhance the rural economy by creating and safeguarding jobs and businesses “where they are of an appropriate scale for their location, respect the environmental quality and character of the area and protect the best and most versatile agricultural land”.
- 8.8 Policy ENV9 of the Settlements & Countryside Local Plan for Daventry District 2020 (DDLPP2) relates to ‘Renewable Energy and Low Carbon Development’. Criteria A) states: “Proposals for renewable energy developments will be supported where, with appropriate mitigation, they do not have an adverse impact on any of the following:
- i. Form, character and setting of the existing settlement;
  - ii. Heritage assets and in particular on views important to their setting;
  - iii. Biodiversity and ecology;
  - iv. The landscape including the cumulative impact with existing or approved renewable energy development;
  - v. Residential amenity; and
  - vi. The enjoyment of the open countryside including public rights of way.
- Criteria B) Where appropriate and viable, new development should utilise the availability of any local energy network, such as combined heat and power (CHP) system or generate their own energy from low carbon technology...”
- 8.9 Policy RA6 of the DDLPP2 sets out the forms of development which will be supported in the open countryside and this includes ‘essential investment in infrastructure including utilities’ (criterion vii).
- 8.10 The South Northamptonshire Local Plan Part 2 (SNLPP2) contains no additional policies that are directly applicable to the principle of renewable energy projects, although it includes various policies on specific matters that are relevant to assessing the overall impacts of the proposal.
- 8.11 The Council’s adopted Supplementary Planning Document (SPD) (Part 2) on Low Carbon and Renewable Energy recognises that renewable energy, combined with energy efficiency, offers an opportunity to counter the effects of global warming. This general support for renewable energy is qualified in seeking to ensure that such development does not have a significant adverse effect on the natural environment, landscape character, cultural heritage and residential amenity. The SPD also advocates community consultation and ownership along with the necessary EIA processes being followed.
- 8.12 It is therefore considered that the principle of solar farm development is supported as a means of reducing carbon emissions. Whether or not the proposal is acceptable in this particular location will instead rest upon a consideration of the detailed matters that are each assessed below. The respective conclusions in each of these sections are that the development is or can be made acceptable and as such there is



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no policy basis for resisting the principle of development. The NPPF is clear that renewable projects should benefit from a presumption in favour of development

## Agricultural Land

- 8.13 Planning Practice Guidance note on Renewable and Carbon Energy give guidance on planning considerations that relate to large scale ground-mounted solar photovoltaic farms and that they 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.
- 8.14 Particular factors to be considered include:
- encouraging the effective use of land by focusing 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
- 8.15 The accepted definition of what constitutes best and most versatile land (BMV) is land graded 1, 2 and 3a. Land graded 3b, 4 and 5 should be seen as preferred categories for development subject to other policy considerations.
- 8.16 The Agricultural Land Classification and Soil Resource Assessment Report which accompanies the planning application confirms that the majority of the site represents Grade 3b agricultural land (71% of the site area), with the remaining site area, split into various land pockets, comprising Grade 3a agricultural land (26% of the site area), and 3% comprising non- agricultural land.
- 8.17 Whilst it is acknowledged that 26% of the site comprises BMV land (grade 3a), it is important to note that this is within various land parcels spread throughout the site and as stated within the Agricultural Land Survey, 'the distribution of this subgrade on the site within wider tracts of ALC subgrade 3b mean that, in practical terms, the land cannot be farmed separately'. Thus, the site is currently farmed to reflect the lower Grade 3b and therefore it is not considered that the proposal would lead to an unacceptable loss of agricultural land and as such it is considered not be in conflict with national and local planning policies which seek to "protect the best and most versatile agricultural land" as required by Policy R2 of the JCS; Policy SS2(1h) of the SNLPP2 and the NPPF.
- 8.18 Therefore it is considered that the application should not be refused due to the loss of agricultural land. Furthermore, the NPPG recognises that solar farms involve temporary structures where agricultural land can be reverted back to agricultural use at the end of the lifetime of the development.
- 8.19 In assessing this proposal, it is considered that the worse-case scenario should be assumed and the resultant harm from the loss of the existing agricultural land for a



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period of 40 years due to the installation of solar panels would need to be factored and weighed into the overall planning balance. Though, it could be noted the proposal seeks to retain and enhance existing hedgerows across the site and provide additional hedgerows and such measures would lead to biodiversity improvements in-line with the NPPG.

## EIA

- 8.20 The development has been subject to a scoping opinion, required under the relevant Environmental Impact Assessment (EIA) regulations on the matters that should be addressed in the ES.
- 8.21 Where an ES is submitted with an application there is a legal duty for the Local Planning Authority to have regard to it. This means examining the environmental information, reaching a reasoned conclusion on the significant effects, integrating that conclusion into the planning decision and, if granting permission, considering whether to impose monitoring measures.
- 8.22 An ES which has been submitted in support of this application considers the proposal in detail on two environmental topics – Landscape and Visual Effects and the Historic Environment. A number of other technical reports (covering topics such as ecology, noise, hydrology, flood risk, soils, agricultural land and transport) are submitted separately.
- 8.23 The ES does not identify any significant adverse effects either individually or cumulatively from the proposed development and mitigating measures are proposed to make the scheme acceptable.

## Landscaping and Visual Impact

- 8.24 Policy ENV1 of the DDLPP2 looks more specifically at Landscape and sets out the need for larger applications to be supported by a Landscape Visual Impact Assessment (LVIA) to demonstrate impacts on the landscape.
- 8.25 The policy advises that the cumulative impact of development proposals on the quality of the landscape should be considered and where appropriate, applicants will be expected to demonstrate that their proposal:
- i. Respects the local distinctiveness and historic character of the particular landscape character area in which it is located; and
  - ii. Respects existing patterns of development and distinctive features that make a positive contribution to the character, history or setting of a settlement or area such as key buildings, village skylines and ridgelines; and
  - iii. Avoids creating hard developed edges to the open countryside; and
  - iv. Avoids physical and visual coalescence between settlements; and
  - v. Enhances and restores landscape features where the opportunity arises; and
  - vi. Incorporates mitigation measures to integrate development into its surroundings and enhance or restore the local landscape.
- 8.26 Proposals that would cause landscape harm will be required to demonstrate that the harm can be successfully mitigated through an appropriate landscape treatment in keeping with the landscape character area.



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- 8.27 Provision should also be made for the long term management and maintenance (minimum of five years) of new landscape proposals to ensure their establishment.
- 8.28 Policy SS2 of the SNLPP2 sets out various criteria concerning visual impacts, most notably the first five criteria of the policy specific for the proposal is that it does not result in the unacceptable loss of undeveloped land, open spaces and locally important views of particular significance to the form and character of a settlement; a design-led approach to demonstrate compatibility and integration with its surroundings and the distinctive local character of the area in terms of type, scale, massing, siting, form, design, materials and details; incorporates suitable landscape treatment as an integral part of the planning of the development.
- 8.29 Policy ENV2 (DDLPP2) states, that the Council will protect the special qualities of the District's areas of high quality landscape which are designated as Special Landscape Areas and that consideration is given to the impact of proposals on the special qualities of the SLA, including cumulative impacts, and will resist proposals that would have a harmful effect on their special qualities that cannot be successfully mitigated.
- 8.30 These objectives are reinforced by NPPF paragraph 174 which advises that planning decisions should protect and enhance valued landscapes alongside recognising the intrinsic character and beauty of the countryside and the benefits of trees and woodland.
- 8.31 A Landscape Visual Impact Assessment (LVIA) has been submitted in support of the application and a landscape and ecological mitigation strategy has been developed as part of the design process to deliver a substantial biodiversity net gain whilst also enhancing the landscape fabric of the site. Which include:
- Two new lengths of native species rich hedgerow (over 550m in total) will be planted within the western field.
  - A further length of native species rich hedgerow (over 750m in total) will be planted along the southern side of the of the eastern parcel of land.
  - Existing hedgerows within and surrounding the perimeter of the site will be infilled and strengthened wherever there are currently breaks or gaps in the line. Where short sections of roadside hedgerow along Brington Road and Main Road (near Upper Heyford) need to be removed to accommodate visibility splays, hedgerows will be replanted at the back of the splays.
  - Two new blocks of native shrub planting (totalling an area of over 1.5ha) would be planted across the site.
  - Fields currently in arable use will be seeded as wildflower rich meadows and maintained throughout the duration of the project. Existing pasture fields will be maintained for sheep grazing.
  - Field margins outside of the boundary fence line will also be seeded and maintained as species rich wildflower margins.
  - A triangle of land between the Macmillan Way and Brington Road will also be established and maintained as a wildflower rich meadow.
- 8.32 This LPA commissioned a Review of the LVIA provided in support of the proposal from Askew Nelson (a registered practice with The Landscape Institute).
- 8.33 The review provided by Askew Nelson of the LVIA is summarised as follows:-



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The methodology used in this LVIA generally follows the standard guidance for landscape and visual assessments of this nature. Key relevant policies and landscape character assessments have been referred to.

The character of the landscape to the east of the overhead power lines (a large part of which is designated 'Special Landscape Area') is distinctly rural but the M1 is a detracting influence of noise. It is loud in the southern part of the site and detracts from the quality and enjoyment of the landscape. The noise diminishes as one moves north across the site; here levels of tranquillity are higher.

I agree with the LVIA that the proposed scheme will cause harm to the character of the local landscape character and the visual amenity for receptors on the various public rights of way on and around the site. In some cases, we agree that the long term effects will remain significant.

In other case we disagree on the severity and significance of the harm where I consider the value, sensitivity and magnitude of change to be higher than the LVIA has concluded. I would expect the adverse effect on the local landscape character within LCT13c to be significant (Moderate Adverse) in the medium and long term where the panels will remain visible and where mitigation may take longer than the anticipated 5-10 years.

The proposed development will introduce significant change in the character and quality of the landscape, such is its scale and the likely magnitude of change. I agree with the LVIA's assessment of significant harmful visual effects for receptors on Glassthorpe Hill. I would also expect there to remain significant harmful visual effects for receptors in places along Macmillan Way, Midshires Way and footpath KT5.

With this in mind the proposed scheme would seem unlikely to maintain the distinctive character and quality of the local landscape as required under Policy ENV1 of the Daventry Local Plan or protect and make a positive contribution to the special qualities of the landscape within the designated SLA under Policy ENV2.

Regarding the landscape officer's comments, I generally agree with his specific comments, namely:

- The scheme is improved by the removal of the parts of the application site east of the Midshires Way;
- I agree with his suggestion to omit solar infrastructure from the parcel west of Midshires Way which he rightly noted is highly visible from the PROW. I would perhaps suggest native shrubs and medium-sized trees here rather than wildflowers to help mitigate the wider landscape and visual effects, in addition to his suggested hedge.
- He makes a good suggestion to gap up hedges. The application appears to now include this.
- Where additional trees are suggested, I would go further and suggest more, particularly to mitigate visibility from the west.
- The retention of hedges on the site is welcomed but will not be able to mitigate all harmful effects, even when managed at 3m. Ideally this





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height should be increased as much as practically possible. The suggestion of planting along the southern boundary of parcel 14 is good and appears to be now part of the application.

In spite of the above and having now reviewed the application and LVIA in some detail I do feel there remain significant adverse

- 8.34 The agents have provided a response to the review of their LVIA and it should be noted that that the reviewer had no concerns regarding the overarching methodology, approach taken, or viewpoints adopted within the LVIA, and that, he was in agreement with many of the conclusions of the report. It must be noted that Askew Nelson have been commissioned to review the LVIA submitted by the Agent in order to assist this LPA in the determination of this application similar to other consultees who have been consulted on various other matters discussed within this report.
- 8.35 The variation in effects considered to be major adverse vs moderate adverse and significant vs non-significant as viewed by the Agents against those of Askew Nelson and that the conclusion regarding the magnitude and significance of effect is down to professional judgement.
- 8.36 It is acknowledged that whilst the Solar Farm will be visible in the landscape the retention and strengthening of the existing hedges along with the omitted fields at the northern end of the site will allow the proposal to be accommodated in the landscape and the Council's Landscape officer has not objected to the application in landscape terms.
- 8.37 The Landscape Mitigation Plan shows immediately north of the proposed location of the Educational Interpretation Board a section of a field that extends up to the Midshires Way has been excluded from erecting solar panels and shown as a wildflower meadow which is beneficial in particular regarding views north from the footpath as panels will not impact that view due to the retained hedgerows. There are a number of gaps in the hedges around the section of field to be excluded from the erection of panels that is proposed to be gapped up as indicated on the Landscape Mitigation Plan.
- 8.38 Additional trees are proposed on the northern boundary in the vicinity of existing mature trees and the Councils Landscape Officer has suggested that additional trees within the new hedge identified across the excluded eastern end of the field next to Midshires Way would be beneficial and could be included in a landscape plan. This would tie into the general character of the area and in time provide further vertical mitigation of views of the solar panels from Midshires Way at the northern end of the site.
- 8.39 With the retention of field hedges and associated trees and the panels have been set back a reasonable distance to avoid conflict with shading. This allows the extent of the Solar Farm to be broken up by the hedges and trees when viewed from public vantage points as well as allowing it to be better incorporated into the surrounding landscape though it will still be visible. The allowance of the hedges to grow higher will in time further mitigate views, where currently views may be possible, but as noted the filling in of gaps and strengthening of hedges helps provide a visual barrier. The reviewer has stated that the height of the hedges would be beneficial to be higher



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than the proposed 3m, but this can be part of a landscape condition. It should be noted that there will always be views of the panels in fields 13 and 14 but the northern hedge screens views beyond and if the southern hedge is strengthened the impact will be reduced.

- 8.40 The retained pastoral grassland and proposed wildflower meadow buffer zone will lessen the impact of the panels on the hedgerows as well as creating linear areas for wildlife in the context of the retained hedgerows.
- 8.41 Whilst the solar farm will be visible in the landscape it is considered that the proposed mitigation measures reduces the impact of the scheme in the landscape and additional enhancements and mitigation planting reduces the impact further
- 8.42 Paragraph 47 of the NPPF states "*Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise*". In addition, the supporting text within the DDLPP2b at paragraph 9.1.06 states "*Where a proposal would result in landscape harm, the general principle is that it should be refused, unless there would be an over-riding public benefit of the development*". The submitted Planning Statement details the relevant national energy policy and the (former) Daventry District climate change emergency declaration. Further, a recent publication from the Climate Change Committee, 'Delivering a Reliable and Decarbonised Power System' (March 2023) stresses the urgency for a decarbonised electricity supply and highlights the need to reform planning in order to deploy infrastructure at sufficient speed. These documents form material considerations in the determination of the application. Thus, it is clear that the renewable energy generation of the proposed development is a public benefit which weighs in favour of the development.

## Heritage

- 8.43 Chapter 16 of the NPPF sets out the government's advice on conserving and enhancing the historic environment.
- 8.44 Paragraph 190 requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This should be taken into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.45 Paragraph 199 advises great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification. Paragraph 195 states that where substantial harm to a designated heritage asset such cases should be weighed against the public benefit of the proposal.
- 8.46 Paragraph 202 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.



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- 8.47 Paragraph 206 states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.48 Policy BN5 of the JCS requires that designated and non-designated heritage assets and their settings and landscapes are conserved and enhanced.
- 8.49 Policy ENV7 of the DDLPP2 states that proposals affecting the historic environment must demonstrate a clear understanding of any potential impact on the significance of heritage assets and their setting. In line with national policy, any description of significance and the contribution of setting should be proportionate to the asset's importance.
- 8.50 Policy HE1 of the SNLPP2 states that when considering proposals that affect both designated and non-designated heritage assets and their settings, the significance of those assets should be established through a proportionate but thorough and systematic heritage assessment to understand the potential impact of the proposal on the significance of the asset. Policy HE2 provides protection for Scheduled Ancient Monuments and nationally and locally important archaeology. It states that when considering proposals that may affect sites that potentially have remains of archaeological importance, they will not be assessed until an appropriate desk-based assessment and where necessary, a field assessment has been undertaken.
- 8.51 The solar farm would cover a very large area and would represent a substantial change to the character and appearance of this historic landscape, which is a characteristic feature of the SLA and forms the setting of designated and non-designated heritage assets.
- 8.52 There are no designated heritage assets within the site, or its immediate environs. There are 21 non-designated heritage assets identified within the site, including the site of the deserted medieval village of Glassthorpe, which is a non-designated heritage asset of high significance (as recorded in the Rockingham Forest Trust study)
- 8.53 All of the panel arrays would be situated within fields to the west of the Midshires Way footpath route and avoids those fields that have evidence of ridge and furrow and/or are on rising land towards Glassthorpe Hill, in which solar panel arrays would be likely to have the greatest visual impact.
- 8.54 Within the two northernmost fields on the west side of the footpath the panel arrays have been set well back from the line of the footpath, leaving a generous strip of open field. St Johns Church tower (grade II listed) is a distinctive feature when travelling north along the footpath route through/past the application site. The changes that have been made to the extent of the application site and the layout of panel arrays within it would help to limit the visual impact on the setting of the church. It is not considered that the remaining arrays would diminish the presence of the tower or materially harm its significance. The proposal to plant additional standard trees within the northern boundary of the site might further detract from its visual prominence



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- 8.55 A series of cropmarks and corresponding geophysical anomalies that relate to potential prehistoric settlement activity and appear to represent a series of multi-period prehistoric to Roman settlement enclosures and associated field systems are located within the site and as such trial trenching has been carried out. The archaeologist is satisfied that mitigation is possible and has stated that there will be a range of possible options for the areas with archaeology present. The report from the trial trenching would need to provide the details for the areas where preservation can be achieved or where some further fieldwork may be needed and that this can be conditioned.
- 8.56 It is therefore considered that with the proposed mitigating measures that the heritage assets would not be harmed by the proposal.

## Highways and POW

- 8.57 The all-purpose road leading from Upper Heyford runs along the eastern boundary of the site. The southern section of this road between Main Road in Upper Heyford and the northern side of the M1 motorway bridge lies within the site boundary and will provide access to the development. The road is open to all traffic (subject to seasonal restrictions) but is unsurfaced for most of its length and in practice is used primarily for farm access
- 8.58 The two long distance footpaths which are also Public Rights of Way (PRoW) pass through the site; the Macmillan Way passes through the north western corner of the western field and the Midshires Way passes adjacent to the eastern boundary of the site along the route of the all purpose road. A number of additional PRoWs also traverse the southern boundaries of the site.
- 8.59 It is estimated that construction of the Proposed Development would take a maximum of 6 Months. At the peak of construction, it is estimated that up to 40 workers (arriving and departing in up to 20 vehicles) will be required. This number will be less at other times of the construction phase.
- 8.60 It is proposed that construction activities on site would only take place between the hours of 07:00 to 19:00, on weekdays and between 07.00 and 13.00 on a Saturday. No construction related activity would take place on a Sunday. Outside of these hours, works would be limited to either time sensitive (e.g. when task completion outside normal hours is necessary for safety reasons) or emergency works.
- 8.61 It is acknowledged that most of the traffic would be during construction and decommissioning with trip generation reduced during operational periods. It is considered that the construction traffic movements would have minimal impact on the highway network.
- 8.62 Whilst proposed mitigation measures to reduce the potential conflict with pedestrians using the PRoW and construction traffic the Highways Officer has recommended that a Road Safety Audit is carried out which would address the potential conflict.



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- 8.63 Therefore mitigating measures can be taken and condition to reduce the impact on highway safety.

## Ecology

- 8.64 Policy BN2 of the JCS sets out the objective of ensuring that development will maintain and enhance sites of ecological importance. The policy requires that developments that have the potential to harm sites of ecological importance to be subject of an ecological assessment to demonstrate:
- The methods used conserve biodiversity in its design, construction and operation.
  - How habitat conservation, enhancement and creation can be achieved through linking habitats.
  - How designated sites, protected species and priority habitats will be safeguarded.
- 8.65 Policy ENV5 of the DDLPP2 looks specifically at Biodiversity and advises that the Council will support proposals that conserve and enhance designated and undesignated sites and species of national and local importance for biodiversity and geodiversity and contribute towards a resilient ecological network. As with Policy BN2 of the JCS, this policy also requires proposals likely to affect biodiversity to assess their impact through an ecological assessment and include details of mitigation or compensation, where harm will be caused. These policies are supported by NPPF paragraph 174 which requires decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value.
- 8.66 The principle ecological value of the Site lies in its boundary habitat features (hedgerows, mature trees, scrub and stream) and an area of plantation woodland. Apart from limited access and cable works affecting short sections of hedgerows and ditches, these features will be retained and protected in the Proposed Development and will be enhanced through on-going conservation management and through the creation of semi-natural buffer habitat including the enhancement / creation of wildflower grassland. Additional habitat creation including scrub and hedgerow planting. As such the scheme will result in a biodiversity net gain
- 8.67 The ecology mitigation designed into the Proposed Development and the additional mitigation set out in the ecological report to safeguard protected species during the construction and operational phases with any potential risks to individuals or populations of protected species (e.g. bats, otters, barn owl, breeding birds and badgers) will be avoided, or mitigated, and an overall enhancement for these species groups is likely, with suitable habitat creation and the provision of bat and bird boxes. The habitat creation will also be of benefit to invertebrates, amphibians, small mammals and reptiles.
- 8.68 Any further surveys or additional mitigating measures would form part of a CEMP which is proposed by condition and therefore with mitigating measures the biodiversity and ecological habitats are safeguarded.



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## Flood risk

- 8.69 A watercourse runs through the centre of the site and a buffer of 20m has been incorporated into the final design. Part of the site is in Flood Risk Zones 2 and 3 are located within the site associated with the watercourse. These areas have been excluded from solar development in the final design. The Environment Agency has been consulted and have no objections to the proposal.
- 8.70 Paragraph 167 of the NPPF states that in determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Applications of over 1Ha (i.e. major development) should be accompanied by a Flood Risk Assessment.
- 8.71 Policy BN7 of the Joint Core Strategy requires development to provide satisfactory surface water drainage and incorporate mitigation identified through an assessment of flood risk and, where necessary, the sequential test and exception test. A Flood Risk assessment was submitted as part of the application
- 8.72 The LLFA have stated that insufficient information was submitted and have requested further information a pre-commencement condition is proposed to address this.

## **9 FINANCIAL CONSIDERATIONS**

- 9.1 The proposed development is not liable to pay the Community Infrastructure Levy (CIL)

## **10 PLANNING BALANCE AND CONCLUSION**

- 10.1 The proposal relates to the provision of renewable energy and low carbon technology where it states that these proposals would be supported in principle subject to it being able to demonstrate that proposals have been designed, in terms of its location and scale, to minimise any adverse impacts on adjacent land uses and local residential amenity, and has been designed to minimise the adverse impacts (including any cumulative impacts) on the natural environment in terms of landscape, ecology and visual impact; that there is no unacceptable impact on heritage assets and their setting; and that in respect of solar farms if they are proposed on the best and most versatile agricultural land a sequential test has to be undertaken as outlined in the supporting text to the policy.
- 10.2 Where it is proven that the use of the best and most versatile agricultural land is necessary, conditions may be applied to an approval to require the land to be restored to its previous greenfield use when the operation ceases; in addition, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.
- 10.3 The supporting text referred to in the policy states that large scale solar farms should be focused on previously developed and non-agricultural land. Where green field sites are proposed it should be demonstrated that the use of any agricultural land is necessary and where applicable the proposal allows for continued agricultural use. The economic and other benefits of the best and most versatile agricultural land will be taken into account. Where significant development of agricultural land is



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demonstrated to be necessary, areas of poorer agricultural land should be sought in preference to that of a higher quality.

- 10.4 Given that solar farms are temporary structures, it is proposed to apply planning conditions to ensure that the land is restored to its previous green field use in the event that the operation ceases. As previously stated, the proposal includes mitigate landscape and visual impacts have been maximised for example through screening with native hedges.
- 10.5. In conclusion, it is considered that the planning balance lies in favour of granting planning permission as the above benefits outweigh the harms. The development is fundamentally consistent with the Development Plan with no material considerations that indicate a decision should be taken other than accordance with the Development Plan.

## 11 RECOMMENDATION

- 11.1 Grant permission subject to the conditions as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### Time

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

### Approved plans

- 2 The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The development shall be carried out strictly in accordance with drawings plans:

ATP-002G-Site Boundary  
ATP - 012G MV Power station  
ATP - 020G - Customer and DNO Substation  
ATP - 004G - Site Masterplan  
ATP - 017G - Security Fencing  
ATP - 012G - Solar PV Table  
BTP-2103-TA08  
BTP-2103-TA03  
BTP-2103-TA06  
BTP-2103-TA12  
BTP-2103-TA11

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.



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## Noise

3. Prior to the commencement of development, a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy BN9.

## Lighting

4. Prior to installation of any external lighting, details of the external lighting shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles). The means of illumination of the subject of this consent shall not be of a flashing or intermittent nature. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the open countryside from light pollution, and in the interest of the environment, nature conservation and local visual amenity i.e. in accordance with Paragraphs 170 and 180 c) of the NPPF.

## Highway

5. Prior to the commencement of any construction works the Brington Road Access and Main Road Access shall be fully constructed in accordance with plans BTP-2103-TA08 and BTP-2103-TA03

Reason: In the interests of highway safety.

## PROW

6. Prior to Commencement of works affecting any existing public right of way, full details of any enhancement, improvements, diversions or closure shall be submitted to and gain the approval of the Local Planning Authority.

Any such works of enhancement, improvements, diversions or closure shall be carried out in accordance with the approval set out by the Local Planning Authority

Reason: In the interests of highway safety.





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## CCTV

7. Notwithstanding the submitted details and prior to the first installation of any solar panels on the site, full details of CCTV coverage for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The CCTV shall thereafter be provided in accordance with the details so approved and be brought into operation no later than within two months of the completion of the development, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of crime prevention and to ensure that a safe and secure environment be provided in accordance with national and local planning policies, including Paragraph 127 a) f) of the NPPF and Policy ENV10 A iv) of the Settlement & Countryside Part 2 Local Plan for Daventry District.

## Time limitation

8. The permission hereby granted shall expire no later than 40 years from the date when electricity is first exported from any of the solar panels to the electricity grid network ("First Export Date"). Written confirmation of the First Export Date shall be submitted to the Local Planning Authority no later than 1 calendar month after the event.

Reason: To clarify the terms of this planning permission and to enable the development to be reviewed and for suitable decommissioning/ restoration be secured for the site to ensure a sustainable form of development and in accordance with the Energy and Development SPD 2007 and National Planning Practice Guide.

## Decommissioning

9. No later than 12 months before the expiry of this planning permission, a decommissioning scheme which involves the removal of the solar panels and other associated infrastructure and equipment, together with a restoration scheme for the site to revert back to its agricultural use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include i) the management and timing of any works, a traffic management plan to address traffic issues during the decommissioning period, identification of access routes, ii) an archaeological management plan to minimise the impact on the archaeologically sensitive areas (which shall include a scheme to minimise the impact of vehicular movements and methodology for removal of the panels from these areas), and iii) an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats. The scheme shall be fully implemented no later than within 24 months of the expiry of this planning permission.

Reason: To ensure a sustainable form of development by ensuring the site be appropriately decommissioned/ restored after the expected lifetime of the development and to minimise and mitigate the effects of the decommissioning/ restoration process on the local environment, wildlife, archaeology and in the interest of local visual and residential amenity, and highway safety and in accordance with the Energy and Development SPD 2007, National Planning Practice Guide and NPPF.



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10. If the solar farm ceases to export electricity to the grid for a continuous period of twelve months, a scheme shall be submitted to the Local Planning Authority for its written approval within three months from the end of the twelve-month period for the removal of the solar farm and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within nine months of the written approval being given.

Reason: To ensure a sustainable form of development by ensuring the site be appropriately decommissioned/ restored after the expected lifetime of the development and to minimise and mitigate the effects of the decommissioning/ restoration process on the local environment, wildlife, archaeology and in the interest of local visual and residential amenity, and highway safety and in accordance with the Energy and Development SPD 2007, National Planning Practice Guide and NPPF.

## Archaeology

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of appropriate mitigation to be agreed with the LPA. The mitigation may comprise exclusion of specified areas, use of concrete block mounting or four-pin piling, or further archaeological investigation, or a combination of these measures. The programme will include the following components, completion of each of which will trigger the phased discharging of the condition:
- i. Approval of a Written Scheme of Investigation and/or Construction and Decommissioning Management Plan;
  - ii. Fieldwork in accordance with the agreed Written Scheme of Investigation;
  - iii. Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
  - iv. Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are appropriately protected, or examined and recorded and the results made available, in accordance with NPPF Paragraph 205 and WNJCS Policy BN5.

## CEMP

12. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include drawing ref BTP-2103-TA11 and include details of the construction traffic access routes from the wider highway network; measures to control dust and debris on the public highway; location and type of wheel wash facilities at each access point and to include arrangements for the call in of road sweepers if necessary. The approved details shall be adhered to throughout the construction and deconstruction periods.



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Reason: In the interests of safeguarding highway safety and residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

## Surface water drainage

13. Prior to commencement of the development a surface water drainage strategy relative to the scale and nature of the development shall be submitted to and approved by the Local Planning Authority. The drainage strategy shall include details of shallow surface water cut-off trenches parallel to the sites topography to intercept any overland sheet flow that may be produced as a result of the proposed development.

Reason: To ensure that the drainage systems associated with the development will be adopted and maintained appropriately in perpetuity of the development, to reduce the potential risk of flooding.

14. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure that the drainage systems associated with the development will be adopted and maintained appropriately in perpetuity of the development, to reduce the potential risk of flooding due to failure of the proposed drainage system.

## Biodiversity CEMP

15. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.



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## Landscaping

16. Prior to the installation of any solar panels on the site full details of the soft landscaping to be retained/provided in accordance with the details as illustrated within ES figure 6.6 and within the ES Landscape Mitigation Strategy shall be submitted to and approved in writing by the local planning authority. All new planting shall be implemented in accordance with the details so approved no later than in the first planting season following commencement of the development.

Reason: To secure suitable landscape mitigation for the development, in the interest of local visual and residential amenity and to ensure the development would not detract from the character and appearance of the site and surrounding rural area.

17. If within a period of 5 years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, up rooted or destroyed or die (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) replacement planting of the same species and size, in the same location(s) as that originally planted shall be provided, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of visual and residential amenity, to mitigate the impacts of the development of the landscape and to secure ecological/ biodiversity enhancement in-line with Policies BN2 and S10 j) of the West Northamptonshire Joint Core Strategy and Policies ENV5 (B, C, D), ENV10 (A, B) of the Settlement & Countryside Part 2 Local Plan for Daventry District and Paragraphs 127 a) b) c), 130, 170 and 175 d) of the NPPF.