



Planning Committee Report

Application Number: 2024/0649/MAF

Location: Land north of South Kilworth Road Northampton NN6 6JH

Development: The development of a solar farm of up to 49.9MWac of generating capacity and 67MWh of battery storage, comprising the installation of solar photovoltaic panels and associated infrastructure.

Applicant: Welford Solar Farm Limited

Agent: tor&co

Case Officer: Chris Burton

Ward: Brixworth Ward

Reason for Referral: Major Scheme

Committee Date: 16 July 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: 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.

Proposal

The development of a solar farm of up to 49.9MWac of generating capacity and 67MWh of battery storage, comprising the installation of solar photovoltaic panels and associated infrastructure.

Consultations

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

- LLFA, CPRE, British Horse Society

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

- Canal Trust, Minerals and Waste, Welford Parish Council, Environment Agency, Natural England, Ramblers Association, Historic England, Environmental Health, Ecology, Archaeology and Highways.

22 letters of objection have been received and 0 letters of support have been received.

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
- Highway Safety
- Impact on the Character of the Area
- Heritage Impact
- Archaeology
- Flood Risk

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 approximately 77ha and covers six fields (currently in arable and pastoral use) to the north of South Kilworth Road. There is a small area of broadleaved woodland (Sybolds Spinney) within the centre of the site.
- 1.2 The site lies between the villages of South Kilworth and Welford, approximately 6.7km to the south east of Lutterworth. The site is bounded to the east by the Grand Union Canal (GUC) and the meandering River Avon forms the western boundary. The closest residential properties are at Sybole Farm to the south, which also includes equestrian facilities. Kilworth Spring Golf Club is located to the north west of the site.
- 1.3 A public right of way (PRoW, reference: DU4) passes through the eastern part of the site and there are several other routes in the surrounding area linking the villages. The site is also bisected by the route of the old Rugby to Stamford railway line (closed in 1966). Although the section through the site offers no formal public access, it is used as an informal route by locals.
- 1.4 The majority of the site is within flood zone 1, with a band of flood zone 2 and 3 running along the River Avon on the west of the site. To the south west of the South Kilworth Road is Stanford Reservoir.
- 1.5 There are no national environmental designations within the site. Sybolds Spinney is a Local Wildlife Site (LWS). The closest national ecological designation is the Bosworth Mill Meadow Site of Special Scientific Interest (SSSI) approximately 750m to the north of the application site. There are two grade II listed canal bridges and a grade II listed milepost on the section of the GUC adjacent to the site, and further listed buildings in the wider area. The GUC is also a Conservation Area.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for a solar farm of up to 49.9MWac¹ of generating capacity and associated 67MWh² battery energy storage at land north of South Kilworth Road, Northampton.
- 2.2 The proposed solar farm is formed of fixed panels, which are bifacial. The panels will be south facing at an angle of tilt of approximately 25° with the array set out in east/west aligned rows. The solar panels will be designed to benefit from maximum sun hours. The surfaces of the solar panels will be dark blue in colour.
- 2.3 The maximum height of each panel will be 3.1m, similar to the height of other fixed panel solar farms in the West Northamptonshire area.
- 2.4 The framework of the panels will be driven into the soil, removing the need for deep foundations or piling. The arrays will be connected to nine inverter/transformer substations located at appropriate positions across the site.
- 2.5 The solar panels will be arranged in rows, where the distance between rows will vary slightly depending on the topography but will be approximately 4.7m apart.
- 2.6 The PV panels will generate direct current (DC) that will be converted to alternating current (AC) voltage using nine inverter substations located throughout the site along maintenance tracks. The electricity will then be converted from low voltage to high voltage via transformers in the same containers (12.2m x 2.4m and 2.9m high) as the inverters for exporting the electricity.
- 2.7 Adjacent to each inverter/transformer station will be a Battery Energy Storage System (BESS) station container (12.2m x 2.4m and 2.9m high). Each station will have a storage capacity of 7.44MWh). BESS systems use lithium-ion batteries to store electricity which can then be released when the power is needed most.
- 2.8 The site is designed to optimise the use of the electricity that is generated through the use of this battery storage. In periods of low demand from the grid the energy produced will instead charge the batteries on site. Each container will be served by fire suppression and HVAC units (heating, ventilation and air conditioning) for thermoregulation. The storage will then release energy when it is needed, such as in the evenings and early mornings when demand spikes, thereby smoothing the energy supply to the grid, and enabling this renewable energy to provide a greater proportion of electricity to the grid at all times of the day.
- 2.9 The following ancillary infrastructure will also be installed in the south west corner of the site:
 - Substation incorporating ring main unit (RMU) and metering (12.2m x 2.4m and 2.6m high)
 - Customer control room (12.2m x 2.4m and 2.6m high)
 - Storage / spare parts container (12.2m x 2.4m and 2.6m high)
 - Welfare container (6m x 2.4m and 2.6m high)
- 2.10 The following security measures are proposed:
 - 2m high stock proof fencing with 2m high posts
 - Security cameras located at suitable intervals along the perimeter fence line
 - Intruder detections system (IDS)

- 2.11 Standard deer proof fencing will be utilised to secure the solar farm boundary to prevent animal intrusion and to deter trespassers. It will also ensure containment of sheep that will graze the site during the operational phase. The fence will be raised 150mm above ground to allow the movement of wildlife.

3 RELEVANT PLANNING HISTORY

- 3.1 There is no planning history directly relevant to the proposal. A pre-application enquiry was submitted by the applicant (ref. P/2023/3008/PRS) where it was set out that the principle of the application could be supported but that thought would need to be given to the landscape and heritage implications of the proposal.

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 4.4 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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Daventry Local Plan (Part 2) and any adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (2014) (LPP1):

- 4.5 The relevant policies of the LPP1 are:
- Policy SA - Presumption in favour of Sustainable Development
 - Policy S1 - Distribution of Development
 - Policy S10 - Sustainable Development Principles
 - Policy S11 - Low Carbon and Renewable Energy
 - Policy BN1 - Green Infrastructure Connections
 - Policy BN2 - Biodiversity
 - Policy BN5 - The Historic Environment and Landscape
 - Policy R1 - Spatial Strategy for the Rural Areas.
- 4.6 The Daventry District Settlement and Countryside Local Plan (Part 2) (Feb 2020 (LPP2)):

The relevant policies of the LPP2 are:

- Policy SP1 – Daventry District Spatial Strategy
- Policy RA4 - Small Settlements/Hamlets
- Policy RA6 – Open Countryside.
- Policy ENV1 - Landscape
- Policy ENV2 - Special Landscape Areas
- Policy ENV 4 - Green Infrastructure
- Policy ENV5 - Biodiversity
- Policy ENV7 - Historic Environment
- Policy ENV9 - Renewable Energy and Low Carbon Development
- Policy ENV11 – Local Flood Risk Management

4.7 Welford Neighbourhood Development Plan, 2011-2029, September 2017

The site lies in the Welford Neighbourhood Plan Area on the western edge. The policies that are relevant are:

- W2 – Development outside the village confines
- W3 – Important Views
- W5 – Conserving and enhancing local landscape character and biodiversity

4.8 Material Considerations

National Planning Policy Framework (NPPF) (September 2023)

Paragraph 11 - Presumption in favour of sustainable development:

Paragraph - 9 Take local circumstances into account

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Emerging West Northamptonshire Local Plan – 2024 (Regulation 18) Consultation Draft 2024

4.9 A Regulation 18 version of a local plan for the whole of West Northamptonshire was published for consultation between 8th April and 2nd June 2024. Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans subject to the following three considerations:

4.10 Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 4.11 As the local plan is still in the early stages of preparation, policies in it can be a material consideration, but its policies can only be afforded limited weight at this stage.

Important Appeal Decisions

- 4.12 There are two recent planning appeals, within the Local Authority boundaries that, consideration has been given to while determining this application, these are:

APP/W2845/W/23/3314266 (Gayton) - Dismissed, Secretary of State Call In.
 APP/W2845/W/23/3315771 (Land at Halse Road) - Allowed

- 4.13 Both of the above appeals have been judicially reviewed, with decisions not expected until the Autumn/ Winter of 2024.
- 4.14 Though all planning applications turn on their individual merits and constraints both provide a material consideration in the weighting to be given to solar farms and renewable energy in the planning balance.
- 4.15 In this particularly instance the LPA believe that the circumstances and decision making at Land at Halse Road provide a particularly useful basis to consider this application, with a number of comparables including the output of the solar farm, the identified landscape harm and the mitigation proposed.
- 4.16 The Gayton decision has also been carefully considered. The decision sets out that the proposed development would give rise to specific and individual heritage harm. In the particular circumstances of Gayton this heritage harm outweighed the significant positive weight for the delivery of solar, given by the Secretary of State. It does not necessarily translate that other applications will follow suite.

5 RESPONSE TO CONSULTATION

- 5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Canal Trust	No Objection	<p>The Canal Trust sets out 3 areas of concern, these are:</p> <ul style="list-style-type: none"> a. Heritage and landscape/visual impacts b. Ecological Impacts c. Potential glint and glare impacts <p><u>Heritage</u></p> <p>The Canal Trust set out that the canal is a designated heritage asset with 2 listed bridges and a listed milepost in close proximity to the site. It accepted that the canal is enclosed by relatively dense and mature vegetation which limits the views of the wider views and provides good screening, even in winter.</p>

		<p>The Trust acknowledges the additional planting proposed and the distance from the panels and feels that this should assist in ensuring the primary setting of the various heritage assets remains unchanged.</p> <p><u>Ecology</u></p> <p>The Canal Trust set out that the canal is an important wildlife corridor and request that no lighting, a planting scheme and a CEMP are conditioned.</p> <p><u>Glint and Glare</u></p> <p>Though the Canal Trust would have found it useful to see more work on glint and glare they are satisfied that with the existing vegetation and proposed landscaping there will not be a significant adverse impact on canal users.</p> <p>Officer Comment:</p> <p>The analysis from the Canal Trust regarding the heritage and effective screening is noted. The conditions requested are reasonable and will be applied.</p>
Minerals and Waste	No Objection	<p>The site is within a mineral safeguarding area. It is requested that, before development is commenced, that is demonstrated how the application will avoid sterilising the minerals below it.</p> <p>Officer Comment:</p> <p>As the site is temporary in nature (40 years), with a condition requiring the decommissioning of the site. It is felt appropriate to include a pre commencement condition which sets out how the scheme will avoid the long term sterilisation of the minerals.</p>
Welford Parish Council	No objection	<p>The Parish council has set out 8 requests, these are:</p> <p>1. The Parish Council request on going annual maintenance to both the</p>

		<p>existing area and landscaped areas of the proposal over a period of 40 years.</p> <p>2. On the Welford Road to South Kilworth we are concerned that the canal bridge will not withstand weight and may not have received any significant maintenance for several decades. We would request a survey of the bridge (we would also like to know the opinion of the Canal and River Trust regarding the bridge).</p> <p>3. Court Lane to South Kilworth Road will not withstand heavy traffic. There is a weight limit on the road. We request the road surface is regularly monitored and maintained along with the verges, and the size of the construction and site vehicles are considered.</p> <p>4. At the end of the six-month period when the construction traffic has completed its schedule of delivery and plant materials, we would request that any damage to roads and verges (and any damage caused by HGV traffic widening the roads) along the routes are inspected and repaired within a reasonable period. The roads should be monitored and repaired routinely for degradation.</p> <p>5. We would request that the proposal is an isolated development, and the infrastructure would not be permitted to be developed further in the future as this would be intrusive and visible to Welford.</p> <p>6. Hedgerows are maintained and, where possible, reinforced in order to conceal the solar farm.</p> <p>7. The Gilding Club fly over the area and we request they are notified regarding potential glint and glare from the solar farm.</p> <p>8. Welford Parish Council requests we are included in the negotiations and agreement between West Northants Council and the applicants/developer regarding community endowment payments to be made of the operating</p>
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		<p>lifetime of the operation.</p> <p>Officer Comment:</p> <p>The requested conditions are considered reasonable and have been included within the report. Within the Glint and Glare report the aerodrome (and flight path) were assessed, with the report finding that <i>“Taking into account the level of predicted glare received and relevant guidance, it is considered that the predicted glare does not pose an unacceptable risk towards the helicopter approach paths.”</i></p> <p>With regards to community endowment payments Officers are aware that the Parish Council and Developer have agreed a community endowment between themselves. This is covered in more detail within this report but members must be aware that no weight can be applied in the planning balance towards this fund.</p>
Environment Agency	No objection, subject to condition	<p>The Environment Agency (EA) sets out that the scheme is only acceptable subject to a condition that states: “Any switch gear or control cabinets shall be built outside of Flood Zones 2 and 3 and shall set no lower than 300mm above the existing ground levels”</p> <p>The EA also requested an update to a plan to reflect the flood zone limits.</p> <p>Officer Comment: The condition is proportionate and is included. The applicant has provided an amended plan as per the EA’s request.</p>
Campaign for the Protection of Rural England (CPRE)	Objection	<p>The objection concerns the open landscape impact, the impact on Sybole Farm (and the decrease in house price) and the removal of the ‘cleansing winds’ between Welford and South Kilworth.</p> <p>Officer Comment: The landscape commentary is noted but advocacy of private members of public house prices is not considered a matter for planning. Environmental Health were queried with regards to ‘cleansing winds’ but</p>

		held no concerns.
Natural England	No Objection	Natural England set out that they do not believe the site will have significant adverse impacts on designated sites.
Historic England	No Objection	Recommend the advice of the Council's specialist conservation and archaeological advisers.
Ramblers Association	No Objection	<p>The Ramblers note that the bridleway and permissive paths will be kept open during construction. They also consider that the paths will be visually intruded upon by the development but do not think the intrusion is significant enough to object to.</p> <p>The Ramblers note the intention to turn the permissive path into a right of way and welcome the addition. They request this is a condition of approving planning.</p> <p>Officer Comment: The impact on the PROW's is noted and as part of the Construction Management Plan the mechanism to allow the continued operation of the footpaths will be included.</p>
British Horse Society	Objection	<p>The BHS objects because during construction there will be 15 HGV vehicle movements a day. They set out that the access is a narrow road that accesses the bridleways DU2/DU4 to the east and DU23/FC7/FC3/FC6/DU6 to the west.</p> <p>The BHS note the planting intentions of the scheme and welcome it, though request management of the site to keep a minimum of 3 metres width and at the DU4 crossing site a width of 5 metres.</p> <p>Officer Comment: It would not be proportionate to refuse a scheme based on 15 HGV vehicle movements a day over the 6 month construction period. A traffic management plan condition is included and it may be appropriate, within it, for the applicant to consider a section on how their HGVs will address horse riders.</p> <p>The requirement for maintenance is</p>

		noted and will be included within a LEMP condition.
Lead Local Flood Authority (LLFA)	Objection	<p>The LLFA have set out 7 deficiencies within the revised Flood Risk Assessment and have requested further information to address their concerns. These concerns are:</p> <p>Confirming points of discharge regarding infrastructure at the site. Further evidence on why infiltration is not feasible. A plan showing exceedance routes. The position of swales. Responsibility for maintaining SUDS and how the solar panels will be kept safe in a 1 in 100 year flood event.</p> <p>Officer Comment: The comments from the LLFA are noted, with officer's view being the comments are seeking minor details as opposed to exposing a fundamental flaw in overall flood risk of the site. As such it is felt appropriate and proportionate to condition the final details of the FRA.</p>
WNC Ecology	No Objection	<p>WNC Ecology originally objected to the scheme, requiring the submission of further information. Following this submission Ecology have lifted their objection.</p> <p>Officer Comment: A full ecology section is included below, this includes a detailed analysis of the ecology provision around the site and proposed mitigatory and BNG features.</p>
WNC Highways	No Objection subject to conditions	<p>The Highway Authority (LHA) have not objected, following further discussions, subject to a condition requiring the applicant to demonstrate the visibility at the access is safe for the duration of the build.</p> <p>The LHA find that the construction traffic will not have a detrimental impact on the local highways network. The LHA ask that the CEMP review construction traffic travelling over the listed bridges.</p> <p>Officer comment: The LHA comment is noted, the applicant is content to</p>

		<p>provide the necessary information for the existing entrance way and it is felt a suitable condition will mean a safe access is created before the commencement of development.</p>
WNC Archaeology	No Objection	<p>Initial concern with regards to the inability to survey 15% of site. There is potential for remains at the site so a full survey is appropriate.</p> <p>Officer Comment: Following discussion with WNC Archaeology officer it has been agreed that a suitably worded condition is proportionate.</p>
Environmental Health	No Objection	<p>No objection, though the impact of 6 months of building should be considered. Noise has been assessed and no unacceptable impact is envisaged. An unexpected contamination survey condition is requested.</p> <p>Officer Comment: Condition noted and accepted. Further to this a noise condition will be imposed as will a CEMP, which will mitigate impacts of building works.</p>
WNC Heritage	No objection	<p>Heritage commented on the original pre-application setting out the requirements of the Heritage Impact Assessment.</p> <p>Heritage set out there will be no direct impact on designated assets arising from the proposed development. In terms of non-designated assets there are no buildings on the site.</p> <p>In terms of the setting of the listed bridges the Heritage officer provides that they are narrow brick-built accommodation bridges. The setting of these bridges primarily relates to the immediate canal environment (the cut, towpath, etc), the officer also believes the bridges are largely screened by the mature vegetation bounding the canal such that any wider views which may provide a setting to these bridges are limited and make little contribution to overall significance.</p>

		<p>The view of the Heritage Officer is that the proposed development will alter the wider setting of these assets albeit their setting principally relates to the canal and how boaters and walkers experience the canal. In the same way as the canal will be affected the proposed development will alter the appearance of the rural landscape in a way that does not sustain or enhance any potential views of the bridges, the proposed development is therefore considered to cause harm to the setting of the Grand Union Canal Conservation Area, that harm is considered to be less than substantial and the same tests in the NPPF must be applied</p> <p>Officer Comment: The Heritage Officer finds that the harm to the heritage assets is less than substantial and therefore the public benefit tests need to be applied. This is done in the heritage section, below.</p>
South Kilworth Parish Council	No comment received	<p>Officer Comment: South Kilworth does not sit within the boundary of WNC so is not a statutory consultee. (The Planning Officer has written directly to the Parish Council, requesting their views. The Parish Council have now acknowledged those emails and will be holding a meeting on 9 July to discuss the application. Any comments received will be provided in the late representation up-date to this agenda).</p>
Harborough District Council	No comment received	<p>Officer Comment: Harborough District Council have been consulted. No comment has been received from the Neighbouring Authority. This is not a cross border application but the application red line does abut Harborough District Council.</p>

6 RESPONSE TO PUBLICITY

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

- 6.1 There have been 22 objections/letters raising the following comments in summary:
- Disappearance of farm land

- No justification for solar, should be wind turbines.
- The site is near a heritage canal
- The site is near a nature sanctuary
- The development will block off habitats and animal movements
- The production of the solar panels and construction will produce CO2
- The HGV's will significantly impact the village.
- A neighbouring solar farm took 4 years to build.
- The site is very waterlogged throughout the year.
- There could be up to 18,000 lorries
- Solar panels can be mistaken for water and impact birds
- Impact on views from South Kilworth
- Impact on rural community
- Should trigger an EIA automatically
- It is an important recreational area
- South Kilworth should also be in receipt of money from the site
- There will be future infrastructure.
- Should be built on industrial roofs instead.
- The listed bridges are weak
- Noise will be disturbing
- It will impact on house price
- It will impact on mental health

6.2 Throughout this report the public comments are addressed. It should be noted that items such as private views and reduction in house prices do not form material considerations that the committee can make a planning decision on.

7 APPRAISAL

Principle of Development

7.1 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.

7.2 Within the NPPF 2023 the following is set out:

"157. 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. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. "

(officer emphasis added)

7.3 The NPPF also sets out how applications involving renewable development should be determined:

“163. When determining planning applications for renewable and low carbon development, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas”

7.4 The supporting text in ‘Climate Change and Sustainable Development Principles’ at paragraph 5.105 – 5.106 of the West Northants Joint Core Strategy (JCs) LPP1 acknowledges that:

“The deployment of larger scale low carbon and renewable energy schemes can have a range of positive or negative effects on nearby communities. They could provide landowners with the opportunity for rural diversification, deliver local jobs and opportunities for community based schemes and benefits. However, proposals can have a range of impacts that will vary depending on the scale of development, type of area where the development is proposed, and type of low carbon and renewable energy technology deployed. When considering planning applications for low carbon and renewable energy, an assessment will need to take account of impacts on landscape, townscape, natural, historical and cultural features and areas and nature conservation interests. Proposals should also use high quality design to minimise impacts on the amenity of the area, in respect of visual intrusion, noise, dust, and odour and traffic generation.”

7.5 Planning Practice Guidance states that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors 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.

7.6 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.

7.7 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 of the JCS set out a presumption in favour of sustainable development and principles for sustainable development to facilitate assessment of development 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.

7.8 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”.

7.9 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...”

- 7.10 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).
- 7.11 It is therefore considered that the principle of solar farm development can be 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 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.

Loss of Agricultural Land

- 7.12 Paragraph 180 b) of the NPPF states that planning decisions should recognise "the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland". Policy R2 of the Joint Core Strategy supports proposals "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". The advice contained in the NPPG is relevant when considering large scale solar farms involving ground mounted photovoltaic panels and this advises that the following considerations are relevant:

"The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:

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

- 7.13 Agricultural land is classified into 5 grades (5, 4, 3a/ b, 2, 1), with Grade 1 being of excellent quality and Grade 5 being of very poor quality. Grade 3 is classified into two subgrades – 3 a and 3 b. 3 b is classified as being "moderate quality agricultural land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year". The site itself is Grade 3b (70ha) with the remainder not in agricultural use (4ha). As such the development proposed would not significantly harm national or local agricultural interests in terms of paragraph 180 of the NPPF and Policy R2 DDLPP2.

Impact on Character of Area and Surrounding Amenity

7.14 The NPPF (Paragraph 135), Policy BN5 of the JCS,) Policies ENV1, ENV2 and ENV9 of the DDLPP2, explicitly require the protection and/or enhancement of the landscape and visual quality of the area.

7.15 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. ENV1 (D) advises:

“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”.

7.16 As the site sits within open countryside it is important to note the National Character Area Profiles provide description of the landscape character of the study area and the site at its broadest level.

7.17 The site and surrounding 2.5km study area lie in national character area 95 Northamptonshire Uplands. The description of the landscape character area has the following key characteristics that are visible within the study area:

- *“Gently rolling rounded hills and valleys with many long, low ridgelines and great variety of landform. Wide, far-reaching views from the edges and across the ridgetops.*
- *Dominant Jurassic scarp slope of limestone and Lias clay hills capped locally with ironstone-bearing Marlstone and Northampton Sands. Glacial boulder clay covers the northern and eastern areas, with sands and gravels along river valleys.*
- *Upper Nene Valley divides the gently undulating Northamptonshire Heights to the north from the hillier Cherwell/Ouse plateau (the ‘Ironstone Wolds’) to the south and has been exploited for sand and gravel.*
- *Rivers rise and flow outwards in all directions, including the rivers Cherwell, Avon, Welland, Tove, Ouse, Nene and Ise, and the area forms the main watershed of Middle England.*
- *Sparse woodland cover, but with scattered, visually prominent, small, broadleaved woods, copses and coverts, particularly on higher ground.*
- *Mixed farming dominates with open arable contrasting with permanent pasture.*
- *Typical ‘planned countryside’ with largely rectangular, enclosed field patterns surrounded by distinctive, high, often A-shaped hedgerows of predominantly hawthorn and blackthorn, with many mature hedgerow trees, mostly ash and oak. Some ironstone and limestone walls in places and some localised areas of early irregular enclosure.*
- *Small pockets of semi-natural vegetation with many small scattered broadleaved woodlands, some ancient and often on hill tops, with mires, areas of lowland meadow, calcareous grassland and lowland dry acid grassland in the river valleys. Bluebell woods occur in places.*
- *Nationally rare, locally abundant and prominent ridge and furrow, with frequent deserted and shrunken settlements. Several large historic country estates such as Cottesbrooke Hall and Althorp and many small country estates, with extensive parkland containing a great many mature, veteran and ancient trees.*
- *Nucleated villages often on hill tops or at valley heads with low densities of dispersed settlement. Cob, ironstone and limestone in older buildings with some remaining thatch, but mostly pantile and slate roofs. Brick buildings in some*

villages. Extensive new developments in villages along main transport corridors and in the two main towns.

- A dense network of narrow lanes with wide grassy verges, often following ridges, crossed by many strategic road and rail corridors including the M1, M40, A14, West Coast Main Line railway, Great Western Railway line and the Oxford and Grand Union Canals.
- The many historic houses, parks and gardens open to the public, the reservoirs, long-distance paths (such as the Knightley Way, Jurassic Way and Brampton Valley Way) and the Grand Union and Oxford canals provide well-used recreation assets.”

7.18 The landscape strategy for the character area in the Daventry LCA is as follows:

“New development and land management practices should be controlled or encouraged to retain the simple, open and mostly rural character of the Vale of Rugby. Areas of extensive development outside A5 and M1 corridors would be inappropriate and undermine the rural character.

Although woodland cover across the landscape type is low, the pattern of tree lines along the watercourses, canals and roads are important local features. This pattern of tree cover should be conserved, and where possible enhanced, particularly south of DIRFT and east of the M1. The hedgerow network is also an important characteristic and the retention and enhancement of hedgerows and hedgerow trees to strengthen their visual contribution to the landscape and biodiversity value should be encouraged.

Change in land management or development around the fringes of settlements needs to respect the enclosure created by small-scale pastoral fields and mature trees to ensure they do not become more prominent within this open sparsely settled landscape. Any development should respect the urban form and local vernacular of individual villages, respect the skyline where churches or other features make an important contribution and respect distinctive gateways, approaches and central spaces. This character area is part of the Rains Brook Valley south of Rugby and although outside the character area and the district, change along the fringes of Rugby that increased the prominence of development across this landscape would adversely affect its character.

East of Rugby, the landscape is already influenced by large-scale warehouses at DIRFT (east of Rugby) which will increase as this is expanded east of the A5. The siting of new development in this area and design of mitigation to boundaries will be important to help limit their influence. Development should avoid higher ground, utilise opportunities for backgrounding, choose suitable colour gradations to building facades avoiding highly contrasting colours; put smaller scale buildings towards the edges of the development and include suitable landscape buffers to the rural fringes. Landscape mitigation should avoid large-scale woodland blocks as a means of screening development but should utilise smaller scale copses, hedgerows and trees to filter and break up the scale and massing of buildings.”

7.19 There is no dispute that the application will have a detrimental impact to the landscape. As set out in appeal APP/W2845/W/23/3315771, Land at Halse Road paragraph 67 (as per the above, this appeal has been Judicially Reviewed) the site should not be considered temporary, due to the length of time the ‘temporary’ nature will sit in the environment. However, appeal APP/W2845/W/23/3315771 (paragraph 115) also states that solar farms are becoming an established part of the countryside

landscape. Though the built form of the solar farm may initially appear incongruous to the surrounds, ultimately the proposal is low lying and can be well screened.

- 7.20 Figure 7 of the submission LVIA provides the Zone of Theoretical Visibility (ZTV). It is notable how the topography helps the scheme to reduce its wider impact on the landscape, especially that of the Grand Union Canal. Figure 3 of the Neighbourhood Plan also provides a useful indication of important views from Welford.

Public Rights of Way

- 7.21 The impact on the Public Right of Way (PROW) traversing the site (DU/4) will remain throughout the development with the LPA considering that the harm is permanent (though recognising it is a temporary consent). This will create a high degree of visual impact and will fundamentally change the enjoyment of and character of this part of the PROW. The site will also be noticeable from the footpath on the GUC, however, this harm is not felt to be far reaching (due to the topography) and will be mitigated via additional planting.
- 7.22 There are further views from PROWs (Y/63 and DU/2), though these are considered 'long views' into the site and though the development is considered to create medium harm it is again considered that this harm needs to be balanced against the wider, cumulative impact and the positives of the scheme.
- 7.23 Through the centre of the proposal runs a permissive path. It is intended to turn this path into public right of way and enshrine public access to the pathway. The path is relatively wide and already benefits from substantial, mature screening to each side, which would be enhanced as part of the application. The presence of the solar farm would be felt when using the permissive path but the width means it should not feel oppressive.
- 7.24 The comments from the Ramblers Association and British Horse Society are noted, in particular the ramblers comment with regards to the impact being reduced because of the available screening. There will, inevitably, be a decrease in the enjoyment of the permissive path and surrounding footpaths due to the development however, the impact of construction is short lived will the continued operation is well managed through the existing and proposed planting.
- 7.25 The British Horse Society comments have been reviewed, with their principle concern (and objection) being the construction traffic and the impact on horse riders. Highways are content that there will not be an adverse impact that is so significant to warrant refusal and the applicant will look to address horse rider safety during construction via the construction management plan (which is conditioned). With regards to the commentary on width and maintenance of the path, this will be dealt with under the Landscape and Ecological Management Plan (LEMP) condition.

Grand Union Canal

- 7.26 When assessing the impact on the Grand Union Canal (GUC) SoS decision 3314266 (Gayton) must be given careful consideration.
- 7.27 An assessment of the GUC must be made in terms of both the impact to users of the canal and the long views into the GUC, where its setting as a conservation area may be affected.

- 7.28 The GUC forms the eastern boundary of the character area, designated as a Conservation Area, an important visual component of the landscape with grade II listed bridges numbers 33, 36, 28 and 39 and mileposts within the study area.
- 7.29 The GUC is bound by a dense corridor of hedgerows and hedgerow trees with few breaks to the western side of the towpath, with direction of views towards the higher, often wooded ground to the east, over the adjacent character area of Long Buckby. PROWs run through the character area and link to the Grand Union Canal towpath and the River Avon, including bridleways DU/2, DU/23, FC/1, FC/6 and FC/7 and part of the long-distance path Shakespeare's Avon Way.
- 7.30 The tow path of the GUC borders the application site, the topography sees the towpath raised above the site, with the solar panels slopping down and away. There is an existing, extensive hedgerow and treeline that follows the towpath and separates the proposal from any walker, however there are a number of sections where the site is visible and the 'in winter' screening appears insufficient to entirely contain the site.
- 7.31 The proposed landscaping scheme shows reinforcement of the entire hedgerow, with the intention to strengthen and enhance the screening. Figures 26 and 27 of the submitted LVIA show viewpoint 13 (which is from the GUC) and demonstrate that even at the 10 year window there will still be glimpsed views of the solar farm and any user of the towpath would be aware of its presence.
- 7.32 In terms of long views in, the planting which sets next to the GUC shields the scheme from long range views. Any casual viewer would not know or have any perception of the GUC.
- 7.33 Within appeal APP/W2845/W/23/3314266, Gayton (as per the above this decision has been judicially reviewed), the location sees the solar farm extend to higher ground so the impact would be greater to a user of the towpath. The Inspector sets out that the harm was considered to be limited to a short stretch of the Grand Union Canal Conservation Area (GUCCA) and therefore the harm to the GUCCA as a whole was limited at the lower end of less than substantial harm.
- 7.34 With the current proposals officers views concur with this approach and level of harm. Though there is undoubtedly a localised impact this is mollified by the length of the GUC.

South Kilworth

- 7.35 The nearest residences in South Kilworth are situated about 500 metres from the site, though their gardens are perpendicular to the proposal. The nearest residences with a garden that faces directly onto the proposal are approximately 1km away. The impact on these residents is heightened because of the topography, with the houses at South Kilworth looking down and onto the site.
- 7.36 Even with mitigatory planting there are a number of residents that will be aware of the scheme and will be able to see it from their properties and gardens.
- 7.37 Viewpoint 2 of the submitted LVIA is the best placed viewpoint to assess the harm of the proposal. The site will have a moderate impact on the long-range views but there remains a large amount of verdant countryside between the proposal and the settlement, with the overall impact mollified by the distance. Figures 22 and 23 of the submitted LVIA show the proposal against the 0 and 10 year window. At the 10 year

window the mitigation slightly reduces the impact of the solar farm to the eastern fields but it is still obvious in the landscape.

- 7.38 Overall, the site will be visible to a number of residences in South Kilworth, however, it is predominately private views that are affected and the impact is approximately 1km. The views from the public domain are long range, with a visible large expanse of open countryside remaining.

Neighbouring Residential Amenity

- 7.39 There is a single property that sits next to the application site, this is Sybole Farm. The application will have a significant detrimental impact to the view from the property, however a private view is not a planning consideration (although the visual amenity aspect can be considered).
- 7.40 There is an existing, strong, hedgerow that is planted along the boundary of the application site and Sybole Farm. The applicant has confirmed that this boundary is in the control of Sybole Farm. The existing hedgerow is far in excess of the height of the proposed solar panels and already serves as an effective restriction on any view across the field from the ground floor and garden of Sybole Farm.
- 7.41 The proposed panels will be in circa of 37 metres from Sybole Farm. Though not a truly analogous comparison, a separation distance of 21 metres is considered acceptable when assessing back garden distances between dwelling houses. In this instance the solar panels are lower and do not cause an overlooking issue.
- 7.42 To the north east the site follows a field outside of the ownership of the applicant, again native hedgerow planting is proposed.
- 7.43 Though recognising that the residents at Sybole Farm have strong objection to the impact of the scheme on their residential amenity it is reiterated that a private view is not a planning consideration, nor is the reduction in house price. There will be limited impact to the visual amenity of the occupants of the dwelling house but this must be balanced against both the existing and mitigatory planting proposed and the large number of dwellings that will be provided with green energy.

Glint and Glare – LVIA

- 7.44 The applicant has provided a Glint and Glare study which assess the potential glint and glare of the application to local dwellings, the highway and to aviation.
- 7.45 The assessment sets out that within 1km of the Proposed Development boundary, there are a number of residential dwellings that require modelling, including dwellings to the west in the village of South Kilworth, and a few farm dwellings to the south and east. Including these is a dwelling directly to the South of the Proposed Development boundary, connected to Sybole Farm. This has been screened out of assessment due to a tall hedge bordering the garden of the dwelling and the buildings of Sybole Farm which will block out any potential glare. Only the receptor points closest to the proposed development with a potential line of sight towards the PV panels were considered, as other dwellings are expected to be screened by these receptors, as well as vegetation and/or other buildings found in between them.
- 7.46 The assessment also concludes that nearby Dwellings Glare with no impact was predicted for three of the seven modelled receptors, whilst low impact glare was predicted at two. At two of the modelled receptors, the model predicted glare lasts for

less than 60 minutes daily but at an incidence of potentially greater than three months of the year. However, further review of mitigating factors indicated that the residual glare impact at these receptors is low.

- 7.47 With regards to aviation, the assessment concludes that at the Husbands Bosworth Helipad Glare with 'low potential for temporary after-image' is predicted towards the North-East approach path and the modelled observation point OP1. Glare with 'low potential for temporary after-image' is predicted towards the modelled observation points OPs 1- 18 for the South-West approach path. Glare with 'potential for temporary after-image' is predicted along a short section of South-West approach path from PV Array 5. Taking into account the level of predicted glare received and relevant guidance, it is considered that the predicted glare does not pose an unacceptable risk towards the helicopter approach paths.
- 7.48 Your officers have no reason to contradict the submitted assessment and therefore conclude that there will not be an unacceptable impact from glint and glare.

Summary of Impact on Character of Area

- 7.49 Overall, and with the benefit of the submitted LVIA, it is felt that the application will have an adverse impact on the landscape GUCCA, listed assets, local viewpoints and the local footpath network. However, suitable mitigation and screening has been advanced and that mitigation will help to offset the adverse impact. This mitigation and screening is conditioned. It is not possible to remove all negative impacts of a Solar Farm in the open countryside and instead the positives of the scheme must be balanced against the landscape harm.
- 7.50 The impact on the footpath will remain throughout the development with the LPA considering that the harm is permanent (though recognising it is a temporary consent). However, the footpath will remain along its legal and current alignment.
- 7.51 It is therefore considered that the development with the proposed landscaping and subject to the conditions proposed would accord with the relevant provisions of the NPPF, Policy BN5 of the JCS, and Policies ENV1, ENV2 and ENV9 (criteria i iv,v and vi) of the DDLPP2.

Heritage

- 7.52 Policy ENV9 A) ii) of the LPP2 gives support to renewable energy development with appropriate mitigation and where they do not have an adverse impact on heritage assets and in particular on views important to their setting; these aims are reflected in Policy S11 of the Joint Core Strategy and ENV7 of the LPP2.
- 7.53 This section should be read in conjunction with the above landscape section as the landscape setting directly contributes to how the heritage impact is read. The well thought out comments from the Canal Trust are also useful in assessing the heritage impact.
- 7.54 The heritage assessment must also be closely considered with the findings of the Gayton SoS decision, with both sites sitting in close proximity to the GUCCA and a listed bridge (2 listed bridges and a listed milestone in the case of this application).
- 7.55 The proposed development site lies immediately adjacent to a 1.5km stretch of the Grand Union Canal Conservation Area and two Grade II listed canal bridges and a

listed milepost. A disused railway line of 19th century date also runs through the proposed development site and is a non-designated heritage asset.

- 7.56 As part of this application, the applicant provided an addendum to their Heritage Statement, this addendum specifically considered the Gayton decision in relation to this site. The addendum found that the main aspect of concern with the Gayton scheme was the impact on the ability to understand and appreciate the raised embankment form which formed part of the historic and architectural significance of the asset, and which could be appreciated from the top of the grade II listed Turnover Bridge. The impact of the development, when taken into consideration within the whole length of the conservation area, was assessed as causing less than substantial harm.
- 7.57 The South of Kilworth Solar Farm scheme is located at a different section of the Grand Union Canal, which was not constructed at the same time, or in the same way as the canal at Gayton. The Leicester Arm of the waterway for this application is considered to be less overengineered, narrower, and more sinuous as it follows the contours of the land. The level topography of the site at this application did not necessitate the use of embankments along that stretch of the waterway, which contrasts with the Gayton scheme. The construction techniques that are of architectural and historical interest to the Gayton scheme are not applicable to the Leicester Arm of the waterway which forms part of this application.
- 7.58 In the Gayton scheme, the Inspector considered open views from the Turnover Bridge towards the northern parcel to be impacted. When compared to the South of Kilworth site, the extensive dense vegetation along the western boundary of the GUC significantly restricts views of the site beyond and affords no clear view of any possible aspect of engineering as referenced within the Gayton scheme.
- 7.59 In addition, the nature of the application site, where the proposed array is 'contained' within a large field with a mature screen of shrubs and bushes along the whole length of the canal boundary", means that similar outward views into the countryside beyond are not affected by the proposals.
- 7.60 Following on from both the Ramblers and Canal Trust consultee comments, reviewing the submitted LVIA and from observations on walking the towpath and surrounding view points your officer is inclined to concur with the applicant that there is material difference between the Gayton appeal and the application proposal.
- 7.61 It is well established in planning law, an application such as Gayton can set a precedent for the determination of an application, however, the individual merits and circumstances of each site must also be considered. As set out in the landscaping section above, the GUCCA and listed bridges/ milestone benefit from extensive, mature screening with the application looking to further enhance said screening. As it stands the GUCCA and listed bridges/ milestone are already well screened with limited views in and out. Their immediate setting will be minimally altered by the introduction of the solar farm and mitigatory planting, while the long views into the GUC and listed bridges/ monument are already removed because of the in place vegetation.
- 7.62 As required in NPPF chapter 16, an assessment has been made to the harm of the GUCCA and listed bridges and milestone. The applicant's heritage assessment finds no harm to these assets by virtue of the dense vegetation. Your officers deviate from this, finding less than substantial harm, with the level of harm at the lower end of the 'less than substantial harm' spectrum. This harm is caused by the glimpsed views and

perception of the solar farm that even the densest of mitigation planting cannot completely ameliorate.

- 7.63 Paragraph 208 of the NPPF advises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”. The provision of renewable energy development would lead to wider environmental benefits and Officer opinion is that it is considered that this could be regarded to be a public benefit that would outweigh the potential level of harm identified on any views in the local landscape and hence it is considered that the proposal conforms with Policies ENV 9 and ENV7 of the DDLPP2.

Archaeology

- 7.64 In determining applications, Paragraph 200 of the NPPF advises that Local Planning Authorities should require the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and “*Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, or has the potential to include, heritage assets which archaeological interest, Local Planning Authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*”.
- 7.65 The WNC Archaeologist has commented on the proposal and has set out that in principle the level of information is acceptable but that there is an area of approximately 15% of the site that has not been assessed adequately. The applicant has advanced that this is because of the challenging winter and spring which meant the ground was not accessible due to it being waterlogged.
- 7.66 Following discussion with the WNC Archaeologist and applicant it is agreed that a condition for the remaining exploratory work would be proportionate. Though it is important to understand what is under the ground the application could proceed lawfully, even with this 15% of land removed. A suitable condition will mean that any archaeological artefacts are properly recorded while allowing the development to advance.
- 7.67 As such, it is not considered there would be any adverse impact on areas of archaeological interest or their setting in accordance with the requirements of Policy BN5 of the JCS and Policies ENV7 and ENV9 (criteria ii) of the DDLPP2.

Ecology

- 7.68 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 be subject to an ecological assessment to demonstrate:
- The methods used to 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.
- 7.69 DDLPP2 Policy ENV5 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 180 which requires decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value.

- 7.70 The application site offers a substantial increase in terms of Biodiversity Net Gain (BNG) (though was submitted before the BNG regulations of February 2024 came into effect). The site has a current baseline of 294.60 habitat units, 57.83 hedgerow units and 15.62 watercourse units. The post-development habitat provision shall allow for 620.78 habitat units and 72.19 hedgerow units to be delivered, the watercourse will be unaffected by the proposals and will remain the same. The proposed development will result in a net gain of 110.72% (+326.18 units) in habitats and 24.83% (+14.36 units) for hedgerows. Trading rules for habitats are not satisfied with respect to arable field margins pollen and nectar (medium distinctiveness).
- 7.71 New habitats will include other neutral grassland, species-rich hedgerow, and species-rich hedgerow with trees enhancement, along with retention of the majority of baseline habitats.
- 7.72 The application also shows substantial planting along the boundaries and supplementary planting to strengthen the existing hedgerows.
- 7.73 Overall, the Ecologist is satisfied that subject to conditions requiring the submission of CEMP, LEMP and a Landscape Management Plan, the development proposals are unlikely to have a significant effect on habitats or protected species and hence it is considered that the development will accord with the relevant Policy BN2 of the WNC JCS and Policy ENV4, ENV5 and EVN9 (criteria iii) of the DDLPP2 and the NPPF.

Highways

- 7.74 JCS Policy C2 seeks to ensure to ensure that developments are accessible and will not have an unacceptable adverse impact on the highway network. This objective is supported by NPPF paragraph 114 b) which requires that safe and suitable access to the site be achieved for all users. Paragraph 115 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.75 The application proposes to use the existing agricultural access from Kilworth Road. WNC Highways (LHA) have no objection to application, subject to conditions in respect of details of the access arrangement, construction and environmental management plan (CEMP) and a road condition survey. The applicant has provided that they are content with the LHA comments that require condition and that they can accommodate a suitable entrance and have requested this is conditioned.
- 7.76 The majority of public comments raise concerns regarding highway movements, with a number of different vehicle scenarios advanced by members of the public. During construction the applicant has set out that there will be a total of 15 HGVS accessing the site each day (30 total trips), this is in line with the Council's expectation. The LHA have assessed that on some days this may increase over the baseline but that they do not envisage a negative impact on the road network.

- 7.77 Through out the life of the solar farm trips would be very limited, with the occasional maintenance visit. It is envisaged that, following construction there will be circa 1 to 2 trips a month for maintenance and inspection. This needs to be considered against the possible trip generation if the site remained in an agricultural use.
- 7.78 Concern has also been raised with regards to access to and from the site via the listed bridges, which create a natural pinch point. Highways have advised that a construction management plan and traffic management plan are suitable conditions which will help to control access to the site, at the worst case temporary traffic lights could be used during construction to control traffic over the bridge, although Highways officers would want to further analyse the information submitted within the conditions to see if such a provision was necessary. A further condition is also advanced which is a road survey, this requires the applicant to survey the road condition now and to restore the road condition to the same standard as existing if any damage is caused during construction.
- 7.79 As such, and with suitably worded conditions, it is felt that there will not be an unacceptable highways impact the proposal is in accordance with policy C2 of the JCS and Policy K2 & K5 of the Welford Neighbourhood Plan) and requirements of the NPPF.

Drainage, Flood Risk and Surface Water Drainage

- 7.80 Paragraph 173 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 in Flood Zone 1 (i.e. major development) should be accompanied by a Flood Risk Assessment.
- 7.81 Policy BN7 of the Joint Core Strategy and Policy ENV11 of the DDLPP2 requires development to provide satisfactory surface water drainage and incorporate mitigation identified through an assessment of flood risk.
- 7.82 The application site sits within Flood Zone 1,2 and 3, with the majority of the application site and any infrastructure (including battery storage) within Flood Zone 1.
- 7.83 Annex 3: Flood risk vulnerability classification of the PPG places Solar Farms within 'Essential Infrastructure' and Table 2: Flood risk vulnerability and flood zone 'incompatibility' provides that 'Essential Infrastructure' is acceptable within flood zone 2 but not flood zone 3. As the site sits within the flood zone a Sequential and Exceptions Test are required.
- 7.84 The application is supported by a Flood Risk Assessment which has been subject to consultation with the relevant drainage bodies.
- 7.85 The surface water impacts of the proposal have been assessed by the Lead Local Flood Authority (LLFA) and they have requested some clarifications to the FRA to assess the application.
- 7.86 The LLFA have requested further information in regard to the application, this information requires submissions confirming points of discharge regarding infrastructure at the site, further evidence on why infiltration is not feasible, a plan showing exceedance routes, the position of swales, the responsibility for maintaining SUDS and how the solar panels will be kept safe in a 1 in 100 year flood event.

- 7.87 The applicant has requested that these details are conditioned and officers are inclined to agree that as the initial FRA shows no prohibition to the scheme coming forward a condition to deal with final details is proportionate.
- 7.88 The Environment Agency were also consulted on the proposal, no objection was advanced subject to the imposition of a condition requiring the mitigation measures submitted in the FRA to be closely adhered to.
- 7.89 With the provision of a condition to submit the additional information/ clarifications that the LLFA require.

Sequential Test

- 7.90 The Sequential Test is set out within the submitted FRA. In assessing a Sequential Test the PPG allows local authorities to set out a 'pragmatic' approach. In this instance there is no built form inside of flood zone 2 or 3 with the flood zone appearing to be incorporated because of the redline as opposed to any functional need to be included for the operation of the scheme. As such the Sequential Test, as submitted by the applicant, is considered to be brief but sufficient in demonstrating that there is no other reasonably available land.

Exceptions Test

- 7.91 Following the Sequential Test the NPPF requires the Exceptions Test to be passed, this has two elements:
- *development that has to be in a flood risk area will provide wider [sustainability benefits to the community that outweigh flood risk](#); and*
 - *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*
- 7.92 It is considered that the provision of solar energy on this scale is a substantial benefit to the community, this is weighed against the fact that no development is proposed in the flood zone.
- 7.93 The vulnerability of the users is considered to be 'low' due to the static nature of the infrastructure and the minimal maintenance it requires. Though the application appears unlikely to reduce flood risk elsewhere it will also not increase it. It is considered that the development will be safe for its duration.
- 7.94 As such it is considered that the application passes the Exceptions Test. It should be noted that if built form was proposed within the flood zone, it would be unlikely that the sequential or exceptions test would be passed.

EIA

- 7.95 The development has been subject to a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended.
- 7.96 The proposal was considered to fall within Schedule 2, Column 3(a) (Energy Industry) of the Regulations.

- 7.97 The adopted screening opinion concluded that the development was not likely to have significant effects on the local environment by virtue of factors such as its nature, size or location and, therefore, does not fall with the definition of EIA development as set out in the Regulations. As such, an Environmental Statement is not required.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL and a S106 are not payable as part of this application.
- 8.2 The applicant has agreed a community payment with Welford Parish Council. Members are advised that no planning benefit or consideration can be given to this community payment and it should form no part of the planning balance.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 Each planning application will turn on its own merits, there is no absolute template that can be copied over from one development proposal to another. That being said the south of Greatworth appeal provides a very clear direction that the Council must consider when determining solar farm applications, this includes the weightings to be given to the benefits of a solar farm when assessed against the perceived harm that they cause.
- 9.2 In assessing this application officers have considered the impacts of the development, including impacts on the local landscape, heritage and the natural environment. Though finding that there will be an adverse harm to the landscape character of the area and less than substantial harm to the heritage asset it has been assessed that this limited harm is well mitigated and when balanced against the significant weight to be applied to the provision of solar farms it is felt that the limited landscape harm is outweighed. This is in accordance with DDLPP2 Policy ENV9, Spatial Objective 1 (Climate Change) and Policies SA, S10 and S11 of the West Northants Joint Core Strategy (LPP1) which set out a presumption in favour of sustainable development and principles for sustainable development to facilitate assessment of development proposals provided they are sensitively located and designed to minimise potential adverse impacts on people, the natural environment, biodiversity, historic assets and should mitigate pollution.
- 9.3 It is your officers view that the application should be approved and it is presented to you that the Assistant Director – Planning and Development be granted authorisation to approve any amendment(s) to conditions as deemed necessary

CONDITIONS

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:

- TOR-P-101 Site Location Plan
- TS-BR-WELFORD-SL-PVAL001-R15 Welford Solar Farm PV Array Layout

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.

Security Measures CCTV

3. Prior to the commencement of development, the applicant shall submit details of proposed site security, including details of CCTV and other necessary security measures, details of any temporary security measures required during construction and any crime prevention signage for approval in writing by the Local Planning Authority. The development shall be carried out and operate for its duration in accordance with the approved details.

Reason: In the interest of crime prevention and to ensure that a safe and secure environment be provided in accordance the NPPF and Policy ENV10 A iv) of the Settlement & Countryside Part 2 Local Plan for Daventry District and Policy S10 of the West Northamptonshire Joint Core Strategy.

Temporary Time Limit

4. 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.

Public Rights of Way

5. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion 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 in accordance with the requirements of the NPPF.

Construction Traffic Management Plan

6. Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A5 Trunk Road. The plan shall include as a minimum:

- Construction routing plans;
- Permitted construction traffic arrival and departure times.
- Temporary speed restrictions during construction.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A5 Trunk Road in accordance with DfT Circular 01/2022.

Section 59 Agreement (Highway Condition Survey)

7. Prior to commencement of works, the applicant shall be required to agree the scope and enter into a Section 59 Agreement with the LHA. This agreement shall include a pre-construction highway condition survey. Following completion of the works, a post-construction highway condition survey shall be undertaken with any highway defects attributed to the works rectified at the applicants expense.

Reason: In the interests of highway safety and safeguarding the condition of the public highway.

Ecological Impact Assessment

8. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in the Ecological Assessment 11474.EcoAs December 2023 and Biodiversity Net Gain Report June 2024 11474.BNGReport unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Landscape

9. A landscape and ecological management plan (LEMP) for the retained, enhanced and created habitats, including the biodiversity net gain provision, shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development (including demolition, ground works, vegetation clearance). The content of the LEMP shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures including 1, 2, 3, 5 and then every 5 year monitoring cycle of Biodiversity Net Gain provision with results feed back to the LPA Ecologist.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the installation of the solar arrays and associated infrastructure , and shall be maintained for a period of ten years from the completion of the development.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies ENV1 of the Daventry Local Plan and Government guidance contained within the National Planning Policy Framework.

11. 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 135 a) b) c) of the NPPF.

12. The solar panels hereby permitted shall be of a non-glare/ non-reflective type and the front face of the panels shall comprise of (or be covered) with a non-reflective coating. The solar panels shall thereafter be retained and maintained for the lifetime of this permission with the non-glare/ nonreflective finish.

Reason: to reduce glare from the solar panels and minimise their impact on the landscape for the lifetime of the development and in the interest of visual amenity, in accordance with national and local planning policies including Paragraph 127 of the NPPF and Policy ENV10 of the of the Settlements and Countryside Local Plan Part 2 for Daventry District.

Construction Environmental Management Plan

13. 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 as a minimum:

- (i) Risk assessment of potentially damaging construction activities;
- (ii) Identification of 'Biodiversity Protection Zones';
- (iii) 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);
- (iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- (v) The times during construction when specialist ecologists need to be present on site to oversee works;
- (vi) Responsible persons and lines of communication;
- (vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- (viii) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity 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.

All species used in the planting proposals associated with the developments ecological mitigation, biodiversity enhancement and net gain areas shall be native species of UK provenance.

Reason: In the interests of safeguarding highway safety and residential amenity in accordance with Policies C2 and BN9 of the West Northamptonshire Joint Core Strategy 2014.

Noise Assessment

14. 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 (+A1:2019). 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 Scheme

15. Prior to the first operation of the development hereby permitted, a scheme showing the provisions to be made for external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed, installed and maintained so as to fully comply with the ILP Guidance for the Reduction of Obtrusive Light. The design shall satisfy criteria to limit obtrusive light presented in Table 2, page 8 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained.

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 Paragraph 185 c) of the NPPF.

Conservation Management Plan

16. Prior to commencement of development, the applicant or their agent shall provide a method statement for the fencing or areas to be excluded and the demarcation or fencing of areas where surface mounting is to be used, and an indication of how those areas are to be differentiated during construction. This may be included as part of the Construction Management Plan, which should also include suitable vehicle routes avoiding the sensitive archaeological areas, and information on compounds and material storage areas which shall also avoid the archaeological areas. The Landscape or Conservation Management Plan shall also include information on the maintenance of the archaeological areas, and a commitment to provide suitable decommissioning information in advance of any works to dismantle the facility. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the archaeological resource, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy 2014.

Written Scheme of Archaeological Investigation

17. No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. This written scheme 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;
- (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 211 and Policy BN5 of the West Northamptonshire Joint Core Strategy 2014.

Drainage Details

18. No development shall take place until full details of the proposed swales for the site have been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details. These should include:

- a) Calculations supporting the proposed locations and size of the swales, demonstrating how they have been designed in accordance with the Greenfield runoff rate and capture surface water runoff up to and including the 1 in 100 year design event plus climate change.
- b) Calculations showing the discharge from the swales in accordance with the Local Standards and Guidance for Surface Water Drainage in Northamptonshire and details of where the swales discharge to, as well as any relevant and necessary permissions to do so.

- c) Construction details (i.e. dimensions, gradients and arrangements for managing site drainage during construction).
- d) Adoption and maintenance information, outlining who will be responsible for keeping the swales operational.

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.

19. Before any above ground works commence a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Surface Water Drainage Verification Report

20. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- a) As-built drawings;
- b) Photos of construction of any elements of the drainage system which are not accessible for inspection upon completion;
- c) Any departure from the agreed design is keeping with the approved principles (details of any of departures to be provided)
- d) Results of any Performance Testing undertaken
- e) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- f) Evidence that the system is free from defects, damage, and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

Decommissioning

21. 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, and iv) full details of proposed methods of materials recycling of the solar panels and associated infrastructure. 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.

22. 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.

General Site Management / Construction Conditions

23. No demolition or construction work (including deliveries to or from the site and sub-contractors) shall take place on the site outside the hours of 0730 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Bank Holidays or Public Holidays unless otherwise agreed with the local planning authority.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.

24. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.

25. Prior to the development being brought into operation, details of signage and other available information around the site for the general public shall be submitted to and approved in writing by the local planning authority. This shall include, as a minimum, the size, location, and content of any signage to be installed. The approved details shall be implemented and maintained as approved.

Reason : To ensure the development is appropriately signed without detriment to the visual amenities of the surrounding area, in accordance with Policy ENV1 of the Daventry Local Plan (Part 2).

Unexpected Contamination

26. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been

submitted to and approved in writing by the local planning authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the National Planning Policy Framework.

Glint and Glare

27. The development shall not commence until a report setting out compliance with *Renewable energy developments: solar photovoltaic developments CAST Aerodrome Safeguarding Guidance Note* (July 2023) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of safeguarding the aerodrome and flight paths passing within the vicinity of the site in accordance with the aims of the NPPF..

INFORMATIVES:

1. In making this decision, the Local Planning Authority has had regard to the requirements of Paragraph 38 of the National Planning Policy Framework and Article 35 (2) of the Town and Country (Development Management Procedure)(England) Order 2015 (as Amended).
2. The Statement required to discharge the Construction Management Plan (Condition 6 above) of this consent is expected to cover the following matters:
 - the parking and turning of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.
 - design of construction access
 - hours of construction work
 - measures to control overspill of light from security lighting
 - a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

3. Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.
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