

RAINSBROOK SOLAR FARM

PLANNING STATEMENT

LAND OFF RUGBY LANE, HILLMORTON

ON BEHALF OF VOLTALIA UK LTD

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

Pegasus Group

First Floor | South Wing | Equinox North | Great Park Road | Almondsbury | Bristol | BS32 4QL

T 01454 625945 | **F** 01454 618074 | **W** www.pegasusgroup.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

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1. INTRODUCTION

1.1 This Planning Statement accompanies a full planning application submitted by Pegasus Group on behalf of Voltalia UK Limited (“the applicant”). Planning permission is sought for a renewable energy proposal encompassing ground mounted photovoltaics and associated infrastructure on land fronting Rugby Lane, Hillmorton.

1.2 The main element of the proposal is the installation of a ground mounted solar park with a maximum export capacity of 13MW laid out across various field enclosures located to the immediate south of Burnt Thorns farm. This would allow the solar park to generate clean renewable energy for the equivalent of approximately 4000 homes a year. The anticipated CO₂ displacement is circa 5590 tonnes per annum.

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

1.4 The point of connection to the electricity grid is an existing underground 33kv cable located near the junction between Crick Road and Moors Lane around two kilometres to the north. A separate planning application will be lodged for the cable route since it straddles the administrative boundary of two separate local planning authorities, namely West Northamptonshire Council and Rugby Borough Council.

1.5 The issues relevant to the assessment of the application proposal are set out in this Statement. The subsequent sections of this Statement are divided into: -

- **Section 2:** *Background*

1.6 The section summarises the key legislative background and support for standalone renewable energy schemes in the UK. The revised NPPF confirms that planning policies and decisions must also reflect relevant international obligations and statutory requirements and the documents are considered relevant to the determination of this application.

- **Section 3:** *Site and Surrounds*

1.7 This section contains a description of the application site and its environs.

- **Section 4: *The Proposal***

1.8 This section contains a description of the application proposal.

- **Section 5: *Planning Policy Context***

1.9 The planning policy context for the site includes both national policy guidance and the statutory development plan. Brief explanations of the key policies pertaining to the development proposal is contained within this section

- **Section 6: *Planning Assessment***

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

- **Section 7: *Conclusions***

1.11 This provides the concluding comments in relation to the application proposal.

Supporting Documentation

1.12 The application proposal is supported by the following documentation:

- **Completed 1APP [Application Form] and Certificates**
- **Planning Application Drawings**, prepared by Voltalia UK Ltd
- **Covering Letter**, prepared by Pegasus Group
- **Design and Access Statement**, prepared by Pegasus Group
- **Planning Statement**, [this statement] prepared by Pegasus Group
- **Heritage Assessment**, prepared by Pegasus Group
- **Consultation Report**, prepared by Pegasus Group
- **Landscape and Ecological Management Plan**, jointly prepared by Pegasus Group and Clarkson and Woods Ecological Consultants
- **Construction Traffic Management Plan**, prepared by Pegasus Group

- **Agricultural Land Classification Survey**, undertaken by Askew Land and Soil Ltd
- **Arboricultural Survey, Impact Assessment and Protection Plan**, prepared by Barton Hyett Associates
- **Flood Risk Assessment and Drainage Strategy**, prepared by Clive Onions Ltd
- **Phase 1 Ecological Survey Report**, prepared by Clarkson and Woods
- **Landscape and Visual Impact Assessment**, prepared by Pegasus Group.

Statutory Considerations

- 1.13 Given the land take of the application proposal, an Environmental Impact Assessment (EIA) Screening Opinion was requested from the former Daventry District Council prior to the submission of this application. The Council adopted its EIA Screening Opinion on 11 June 2020 which deemed the renewable energy proposal to be Non-EIA development. The screening opinion is provided at Appendix 1.

APPENDIX 1 – LPA’S EIA SCREENING OPINION

Pre-Application Advice

- 1.14 The application submission has been prepared in line with the Local Planning Authority’s advice provided at the pre-application stage. A copy of the Council’s pre-application advice dated 24 September 2020 is provided at Appendix 2.
- 1.15 To summarise, the Council advised that their 'in principle' support for the development was dependant on consideration of detailed matters with regards to landscape and how the proposal could fit with regards to the elements of the development on issues such as biodiversity, heritage impact, highways, security, residential amenity and flooding.

APPENDIX 2 – LPA’S PRE-APPLICATION ADVICE

2. NEED FOR DEVELOPMENT

- 2.1 The explicit need to introduce a step change in how the country deals with the climate change has been recognised by the Government who, on 1 May 2019, declared an Environmental and Climate Change Emergency following the finding of the Inter-governmental Panel on Climate Change that to avoid more than 1.5°C rise in global warming, global emissions would need to fall by around 45 per cent from 2010 levels by 2030, reaching net zero by around 2050. Through the declaration, the Government recognises a need to move swiftly to capture economic opportunities and green jobs in the low carbon economy while managing risks for workers and communities currently reliant on carbon intensive sectors.
- 2.1 As part of its contributions to international efforts, the UK also has domestic legislation and policies in place to reduce greenhouse gas emissions. The Climate Change Act 2008 established long-term statutory targets for the UK to achieve reductions in greenhouse gases by 2050 against a 1990 baseline. The Act originally set a legally binding target of an 80% cut in greenhouse gas emissions by 2050. On 12 June 2019, as a direct response to the climate change emergency declaration, the Government laid the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 to amend the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is otherwise known as a net zero target because some emissions can remain if they are offset by removal from the atmosphere and/or by trading in carbon units. The Order became a Statutory Instruments on 27 June 2019.
- 2.2 In June 2020, the Committee on Climate Change published its Reducing UK Emissions report which provides an annual review of UK progress in reducing greenhouse gas emissions. This is the first annual report since the UK set a legally-binding 'net zero by 2050' target, and was due to be released in the lead up to the UN climate conference in Glasgow (before this was postponed and pushed back to 2021 due to the Covid-19 pandemic).
- 2.3 The report provides important new advice to Government on framing a recovery from Covid-19 that both accelerates the transition to Net Zero and strengthens our resilience to the impacts of climate change, whilst driving new economic activity. The report states that energy networks must be strengthened in order to support the electrification of transport and heating. The report highlights five investment

priorities, one of which addresses the UKs energy networks. Headliners for the report can be summarised as:

- Effective and decisive action is needed to secure our recovery from COVID-19 and also to accelerate the transition to Net Zero and strengthen our resilience to the changing climate.
- It is 12 months since Net Zero became law, requiring the UK to reduce net emissions of greenhouse gases to zero by 2050. Initial steps towards a net-zero policy package have been taken, but this was not the year of policy progress that the Committee called for in 2019. **Current policy is insufficient for even the existing targets and a net zero target would not be credible unless policy is ramped up significantly.**
- Power sector plans are advancing in line with the large scale required to achieve net-zero target. The power sector has been a major success story in the past decade. Emissions have decreased around 62% over the period 2008 - 2018 reflecting real decarbonisation of energy produced in the UK. The carbon intensity of the grid fell from around 500 gCO₂/kWh in 2010 to 246 gCO₂/kWh in 2018. Electricity generated from renewables was 25 TWh in 2008 (7% of mix), and rose to 100 TWh in 2018 (34% of mix). This has resulted in a transition from fossil fuel-based power to renewables. Electrification will increase demand for electricity over the coming decades.
- The goal to substantially expand supplies of low-carbon power must be accompanied by steps in the Energy White Paper to encourage a resilient and flexible energy system. The Energy White Paper was scheduled for publication in Spring 2020, but the Covid-19 outbreak has delayed this.
- **Delivery of renewable energy generation must continue to progress with great urgency in order to meet the UKs next carbon budget. Consistently strong deployment of low-carbon generation is crucial to the Net Zero target.**

2.4 The National Grid has also carried out extensive work on what needs to be done to reach UK's 2050 net zero target. It's Future Energy Scenarios¹, published in July 2020, identifies how reaching net zero carbon emissions by 2050 is achievable. However, it requires immediate action across all key technologies and policy areas

¹ <https://online.flippingbook.com/view/621114/22/>

and full engagement across society and consumers. The document explores four different pathways towards decarbonising the UK energy system and these are linked to variables from the level of decentralisation to the level of societal change. Importantly, National Grid identifies that a 'steady progression' approach will not enable the UK to meet its 2050 target. In reaching net zero emissions by 2050, National Grid believes that: -

- At least 40 GW of new low carbon capacity is connected to electricity system in the next 10 years alone.
- At least 3 GW of wind and 1.4 GW of solar need to be built every year from now until 2050.

2.5 It is therefore acknowledged that in order to achieve net zero major investment and electrification of much of our heating, industry and transport is required. Cleaner power generation and major changes in the way that energy is used will also be needed.

2.6 BREXIT is also a material consideration for energy and climate change. Government has explored the relationship between BREXIT, energy and climate change through its Briefing Paper published on 9 November 2018². The salient points are: -

- There is currently uncertainty about the Brexit impact on a number of issues including: the UK's departure from Euratom, the future of the EU internal energy market (IEM) and the status of the single electricity market (SEM) on the island of Ireland.
- The impact of Brexit on UK energy and climate change policy is subject to the outcome of the Brexit negotiations. The possible consequences vary based on whether the outcome is a full Brexit deal, a sector-specific deal, or in the case of no Brexit deal.
- Brexit has the potential to impact the UK's civil nuclear industry, including nuclear supply of electricity
- The UK is currently a full member of the EU internal energy market (IEM). The IEM allows harmonised, tariff-free trading of gas and electricity across

² House of Commons Briefing Paper: Brexit Energy and Climate Change

Europe (through interconnectors), leading to lower prices and greater security of supply. Britain has four electricity interconnectors with Europe and the island of Ireland providing 4GW of electricity interconnector capacity: 2GW to France (IFA); 1GW to the Netherlands (BritNed); 500MW to Northern Ireland (Moyle); and 500MW to the Republic of Ireland (East West).

- The IEM facilitates harmonised, tariff-free trade across these interconnectors. The flow of electricity between interconnected markets is driven by cost differentials. When the price of electricity is lower in one market, energy will flow from that market to the higher priced market. The effect of this is to make the prices in each converge - they increase in the exporting market and decrease in the importing market.
- As wholesale gas and electricity prices in the UK are generally higher than elsewhere in Europe, interconnection has caused a reduction in wholesale prices, and hence consumer prices in the UK.

2.7 Leaving the IEM has the potential to impact the trade of energy through interconnectors. The Briefing Paper identifies how one potential impact of leaving the IEM is an increase in the cost of energy imports and this in turn would be passed on to UK's householders and businesses. In terms of energy security, it notes how the interest of the UK should be to increase the flexibility and resilience of grid, especially with increasing intermittent renewables. The development proposal would contribute towards the objectives set out in the briefing note.

2.8 The **Energy Act (2013)**³ aimed to '*power low-carbon economic growth for the UK*'. At its core is the need to ensure that, as old power plants are taken offline, the UK remains able to generate enough energy to meet its needs even if demand increases. Doing this while also decarbonising requires significant investment in new infrastructure to be brought forward.

2.9 The Government places significant emphasis on securing increased investment across the energy systems whilst minimising, as much as possible, the public costs for securing such investments and makes multiple references to investing in solar without government support. The assessment is highly supportive of low carbon energy and advises that the crucial first step to reducing carbon emissions is to

³ <http://www.legislation.gov.uk/ukpga/2013/32/contents/enacted>

enable an increasing deployment of renewables. The Government believes that a suitable mix of renewable energy is required, but highlights that solar energy is an effective low cost option in the production of energy and with its use in the longer run consumers would pay the same in real terms for their energy as today.

West Northamptonshire Council and Climate Change Emergency

2.10 At a local level, a climate change emergency was declared by the former Daventry District Council in February 2020 whereby the Council, now West Northamptonshire council, has committed to becoming carbon neutral by 2030.

UK Legislative Context

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

- The reduction of CO₂ emissions to tackle climate change;
- The promotion of competitive energy markets in the UK; and
- Security of decentralised energy supplies.

2.12 This subsection goes on to summarise the following relevant provisions:

Government's Energy White Paper 'Powering our Net Zero Future' of December 2020

2.13 The Energy White Paper ("EWP") was presented to Parliament on 14 December 2020 and builds upon the Prime Minister's Ten Point plan for a Green Industrial Revolution (which is discussed below).

2.14 The EWP sets out ambitious plans offering support for a variety of technologies and committing funds to support the growth of low-carbon green-technologies. It is intended to entirely reshape British industry and the economy. At the core of the EWP is the commitment to achieve Net Zero and tackle climate change. The application will deliver towards both these requirements.

2.15 In the introduction to the EWP (pages 2 and 3), the former Secretary of State for Business, Energy and Industrial Strategy, Alok Sharma MP, states (inter alia): -

"The government presents this white paper at a time of unprecedented peacetime challenge to our country. Coronavirus has taken a heavy toll on our society and on our economy. But we will overcome COVID-19 and rebuild our economy, building back better and levelling up the country. As we do so, we must address the intergenerational challenge of climate change. Unchecked, the impact of rising global temperatures represents an existential threat to the planet. So, building back better means building back greener.

This white paper puts net zero and our effort to fight climate change at its core, following the Prime Minister's Ten Point Plan for a Green Industrial Revolution. The Ten Point Plan sets out how government investment will leverage billions of pounds more of private investment and support up to 250,000 jobs by 2030.

The way we produce and use energy is therefore at the heart of this. Our success will rest on a decisive shift away from fossil fuels to using clean energy for heat and industrial processes, as much as for electricity generation.

These are more than academic considerations; the shift to net zero will affect us all. This white paper presents a vision of how we make the transition to clean energy by 2050 and what this will mean for us as consumers of energy in our homes and places of work, or for how businesses use energy to produce goods and services."

2.16 The EWP seeks to put in place a strategy for the wider energy system that transforms energy and supports a green recovery (page 4).

2.17 Page 5 of the EWP sets out the Government's 'Compelling case for tackling climate change'. The salient points presented by Government are (inter alia): -

- *We need to act urgently. The future impacts of climate change depend upon how much we can hold down the rising global temperature. To minimise the risk of dangerous climate change, the landmark Paris Agreement of 2015 aims to halt global warming at well below 2°C, while pursuing efforts to limit it to 1.5°C, increasing measures to adapt to climate change, and aligning financial systems to these goals.*

- *At the global scale, however, we are not presently on track to reach the temperature goal of the Paris Agreement. Based on current national pledges, and assuming the level of ambition does not change, the world is heading for around 3°C of warming by the end of the century.*
- *The cost of inaction is too high. We can expect to see severe impacts under 3°C of warming. Globally, the chances of there being a major heatwave in any given year would increase to about 79 per cent, compared to a five per cent chance now. Many regions of the world would see what is now considered a 1-in-100-year drought happening every two to five years.*
- *To meet the temperature goal of the Paris Agreement, the world must collectively and rapidly reduce global emissions to net zero over the next 30 years. Success will mean we are less exposed to flood and heat risks and preserve our national security, our prosperity, and our natural world which are threatened by the global disruption of climate change.*

2.18 The Government recognises how decarbonising the energy system over the next thirty years means replacing, as far as it is possible to do so, fossil fuels with clean energy technology such as renewables (EWP Introduction, page 9). The EWP identifies how clean energy will become the predominant form of energy, entailing in a potential doubling of electricity demand and consequently a fourfold increase in low-carbon electricity generation (EWP Introduction, page 10). Government recognise that growing and supporting green jobs across the country in green industries will also support a green recovery from Covid-19 (page 16).

2.19 The EWP, at page 43, identifies how the Government envisages that (inter alia) *"While we are not planning for any specific technology solution, we can discern some key characteristics of the future generation mix. A low-cost, net zero consistent system is likely to be composed of predominantly wind and solar. But ensuring the system is also reliable, means intermittent renewables need to be complemented by technologies which provide power, or reduce demand, when the wind is not blowing, or the sun does not shine"*. Page 45 identifies how *"Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind"*. It goes on to state how the Government recognised that sustained growth in the capacity of these sectors is needed over the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios.

The Climate Change Act and the Climate Change Act 2008 (2050 Target Amendment) Order 2019 / net zero by 2050

- 2.20 The Climate Change Act 2008 is the basis for the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are adapted to. The Act also establishes the framework to deliver on these requirements. The Act supports the UK's commitment to urgent international action to tackle climate change.
- 2.21 The Climate Change Act 2008 set in legislation the UK's approach to tackling and responding to climate change. It introduced the UK's long-term legally binding 2050 target to reduce greenhouse gas emissions by at least 80% relative to 1990 levels. It also introduced 'carbon budgets', which cap emissions over successive five-year periods and must be set 12 years in advance. The Act also established the Committee on Climate Change (CCC), the independent statutory body that provides expert advice to the UK government on climate change mitigation and adaptation. Policies and proposals for mitigating climate change go through an established development process. As the development is completed, the impact of policies is quantified in updated Energy and Emissions Projections (EEP), which are published by the UK government annually. This is a continuous process and the latest EEP, published in October 2020, provides the updated energy and emissions projections from 2019 to 2040, this is discussed below
- 2.22 On 27 June 2019, the UK government set a legally binding target to achieve net zero greenhouse gas emissions from across the UK economy by 2050, via an amendment to the Climate Change Act. This is known as a net zero target because some emissions can remain if they are offset by removal from the atmosphere and/or by trading in carbon units.

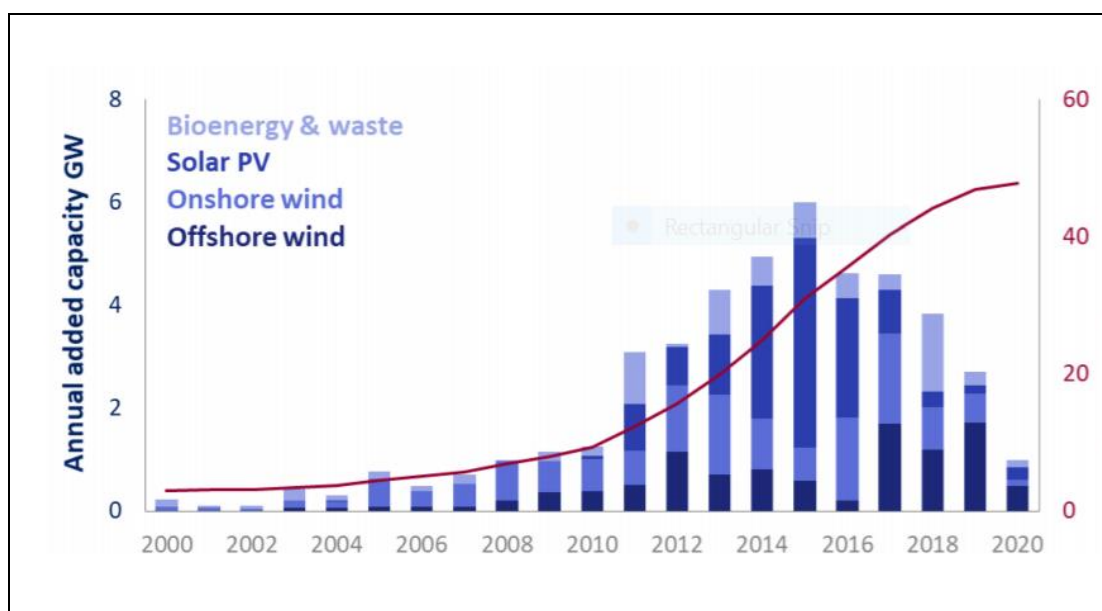
Energy and Emissions Projections (EEP)

- 2.23 The Energy and Emissions Projections (EEP) is one way which Government monitor progress towards the UK's legislated targets. The October 2020 publication identifies how the projected shortfall between performance and carbon budget targets has risen since EEP 2018.

Digest of UK Energy Statistics (DUKES) (JULY) 2021

2.24 The Digest of United Kingdom Energy Statistics (DUKES) is the annual energy statistics publication produced by BEIS. It provides a detailed and comprehensive picture on the production and consumption of individual fuels and of energy as a whole.

2.25 DUKES 2021 notes (at page 36) that growth in new renewable capacity has continued to slow with just 1.0 GW added in 2020, the lowest since 2007. The document advises that Covid-19 restrictions are likely to have contributed to the slowdown in growth in 2020 but at just 2.1 per cent, this is the slowest growth rate since 2002. Chart 6.3 of DUKES 2021 shows the annual added capacity from 2000 to 2020. It shows a clear decline in provision of renewables since 2015, see chart below.



2.26 DUKES 2021 (at page 43) discusses how progress in the growth of renewable energy as a proportion of final consumption was separately monitored as part of a European Union Directive, the Renewable Energy Directive (RED). The RED set the UK a target to derive 15 per cent of total energy consumption by 2020 from renewable sources. The overall target covered electricity, heat, and transport, there was a separate target for transport to derive 10 per cent from renewable sources, including liquid biofuels and renewable electricity. The final outturn for the RED was 13.6 per cent against the 15 per cent, this only represents an 11 percentage point increase since 2008.

UK's National Energy and Climate Plan (NECP)

2.27 The Department for Business, Energy and Industrial Strategy published the UK's National Energy and Climate Plan (NECP) for 2021 to 2030, on 7 June 2021, in order to uphold the Government commitments under the Withdrawal Commitments⁴. The NECP (at page 30) identifies how the EU has a target under the Renewable Energy Directive of 32% of energy coming from renewable sources in 2030, with Member States required to set their own non-binding contributions to collectively achieve the EU target. As of 31 January 2020, the UK has left the EU and will therefore not contribute to EU targets or be bound by the Renewable Energy Directive after the Transition Period ends. However, to comply with Government commitments under the Withdrawal Agreement with respect to the NECP, the UK has set out a proportion of renewables in final energy consumption in 2030 of between 22%-29%. This represents a significant challenge as RED progress in 2020 is only 13.6 per cent.

Climate Change Committee 2021 Progress Report to Parliament

2.28 This double report – Progress in Reducing Emissions and Progress in Adapting to Climate Change provides a comprehensive overview of the UK Government's progress to date on reducing emissions and adapting to climate change. Together, the assessment offers more than 200 policy recommendations covering every part of Government.

2.29 In the latest progress report published by the Climate Change Committee, released in June 2021, they have identified that progress towards achieving Net Zero is not yet in step with the urgency of the challenge⁵.

2.30 The Climate Change Committee identify that a rapid build-out of renewables (particularly solar) would enable net zero emission from the power sector to be reached by 2035, however, the increase in 2020 of renewable energy projects was at a much slower rate than the last 5 years⁶.

Net Zero - Opportunities for the Power Sector

⁴ On 31 January 2020, the UK left the European Union (EU) and the Withdrawal Agreement the Government concluded with the EU entered into force.

⁵ Progress in reducing emissions 2021 Report to Parliament, page 16

⁶ Progress in reducing emissions 2021 Report to Parliament, page 20

- 2.31 The National Infrastructure Commission (NIC)⁷, official advisor to the Government on Infrastructure, has published a report (Net Zero - Opportunities for the Power Sector, March 2020) setting out the key infrastructure requirements needed to meet the UK's 2050 net-zero target, including the amount of renewable energy development that would need to be deployed.
- 2.32 The NIC recommends that in meeting these targets, the UK's energy mix needs to be made up of around 90% renewables. At page 18 of the report, it is recommended that across all scenarios, significant levels of solar, onshore wind and offshore wind, will need to be deployed in order to ensure that between 129 – 237 GW (gigawatts) of renewable energy capacity is in operation by 2050. To achieve this, the report recommends the following split:
- 56-121 GW of solar;
 - 18-27 GW of onshore wind; and
 - 54-86 GW of offshore wind.
- 2.33 To achieve the above targets would require a significant increase in installed capacity across the UK, including over nine times the current installed capacity of solar technologies in the UK, which as of October 2020 is around 13.4GW according to the Department for Business, Energy & Industrial Strategy (BEIS)⁸.

Clean Growth Strategy – Leading the way to a low carbon future (2017)

- 2.34 The Clean Growth Strategy, published in October 2017, sets out comprehensive set of policies and proposals that aim to accelerate the pace of “clean growth”, i.e. deliver increased economic growth and decreased emissions. The Executive Summary (page 9) confirms that for the UK to achieve its fourth and fifth carbon budgets (2023 - 2027 and 2028 - 2032) it will be necessary to drive a significant acceleration in the pace of decarbonisation.
- 2.35 To achieve the clean growth, the Government identifies how the UK will need to nurture low carbon technologies, processes and systems that are as cheap as possible, this includes subsidy free ground mounted solar parks as achieved by this development proposal. The Government places significant emphasis on securing

⁷ Paragraph 6 of the NPPF states how the endorsed recommendations of the National Infrastructure Commission may be material when deciding applications.

⁸ <https://www.gov.uk/government/statistics/solar-photovoltaics-deployment>.

increased investment across the energy systems whilst minimising, as much as possible, the public costs for securing such investments and makes multiple references to how they are seeking the delivery of solar without subsidy. Moreover, page 99 specifically states how the 'Government want to see more people investing in solar without government support'. It estimates that the low carbon economy could grow 11% per year between 2015 and 2030, four times faster than the projected growth of the economy as a whole. The application proposal would clearly contribute to the delivery of the Clean Growth Strategy.

The Ten Point Plan for a Green Industrial Revolution (November 2020)

- 2.36 'The Ten Point Plan for a Green Industrial Revolution – Building back better, supporting green jobs, and accelerating our path to net zero', was published on 18 November 2020 and is aimed at delivering a 'Green Industrial Revolution' in the UK, with the foreword by the Prime Minister stating that the Ten Point Plan will aim to mobilise £12 billion of government investment and potentially three times as much from the private sector, to create and support up to 250,000 green jobs. The Ten Point Plan is followed on from and built on by the EWP. Point ten seek to accelerate the commercialisation of innovative low-carbon technologies, systems and processes in the power.

National Infrastructure Plan (HM Treasury, 2014)

- 2.37 The National Infrastructure Plan (NIP) 2014 presents an overview of the government's policies, investments and record on infrastructure delivery since 2010 and details the government's approach to ensuring that the Top 40 priority investments remain on track to deliver.
- 2.38 The report confirms an future pipeline investment of £80bn in energy infrastructure.
- 2.39 The stated objectives (paragraph 8.1) with regard to energy are to:
- ensure power, heat and transport are affordable for households and businesses
 - provide energy security to facilitate day-to-day activities and support economic growth

- reduce carbon emissions in order to mitigate climate change and meet its legally binding targets

National Infrastructure Assessment (The National Infrastructure Commission, 2018)

2.40 The first National Infrastructure Assessment (NIA) set out the Commission's plan of action for the country's infrastructure over the next 10-30 years.

2.41 The NIA sets out a number of recommendations to a pathway for the UK's economic infrastructure:

- nationwide full fibre broadband by 2033
- half of the UK's power provided by renewables by 2030
- three quarters of plastic packaging recycled by 2030
- £43 billion of stable long term transport funding for regional cities
- preparing for 100 per cent electric vehicle sales by 2030
- ensuring resilience to extreme drought
- a national standard of flood resilience for all communities by 2050.

National Infrastructure Strategy: Fairer, faster, greener (HM Treasury, 2020)

2.42 The National Infrastructure Strategy (NIS) was published on 25 November 2020, a week after the Prime Minister's Ten Point Plan. The NIS sets out the Government's plans to deliver an infrastructure revolution in the UK, while "levelling the country up" and achieving its Net Zero target by 2050.

2.43 The Strategy sets out the government's plans to improve infrastructure, and responds to the National Infrastructure Commission's 2018 assessment of the country's infrastructure needs.

2.44 Page of the National Infrastructure Strategy sets out the government's plans to transform the UK's infrastructure networks. It is based around three central objectives: economic recovery; levelling up and strengthening the Union; and meeting the UK's net zero emissions target by 2050.

- 2.45 Page 51 confirms (inter alia) *"To deliver net zero, the share of generation from renewables needs to dramatically increase. While the UK leads the world in the deployment of offshore wind, greater generation capacity will need to come from onshore wind and solar as well"*.
- 2.46 Chapter 4 (page 68) recognises how historic levels of investment will be required in the UK infrastructure in the coming years to meet the government's objectives for economic growth and decarbonisation. It goes on to state how the government remains strongly committed to supporting private investment and maintaining the UK's status as a leading global destination for private investment.
- 2.47 Chapter 5 (page 78) of the NIS deals with the need to accelerate and improving delivery. It states (inter alia) *"The government wants to deliver infrastructure projects better, greener and faster. That means addressing longstanding challenges such as complex planning processes, slow decision-making, and low productivity in the construction sector"*

Net Zero Review: Interim report (December 2020)

- 2.48 HM Treasury's interim Net Zero Review (NZR) - the first of its kind from a finance ministry - was published on 17 December 2020 to inform next steps in the UK's transition to net zero by 2050. The NZR supports the government's work in maximising opportunities and benefits for the UK over the next 30 years as we transition to net zero, and help to ensure an equitable balance of contributions between households, businesses and the taxpayer. The interim report contains initial analysis, rather than policy recommendations, which will guide further work ahead of the publication of the Review's final report next year.
- 2.49 The NZR (page 24) considers the potential changes in energy process for business and households and states (inter alia) *"Costs of wind and solar energy have already seen significant falls, and some forms of renewable electricity generation in the UK, such as onshore wind, are expected to have lower estimated costs per unit than electricity derived from fossil fuels. Lower long-run energy costs and greater energy efficiency could benefit both businesses and households. One of the priorities of the Energy White Paper is keeping energy bills affordable as the UK decarbonises, especially for the most vulnerable households. Analysis by the National Infrastructure Commission further suggests that household energy bills could be potentially lower or equal to current levels after switching to clean energy"*

2.50 The NZR (page 56) identifies how solar is a proven technology where market institutions are well established and the technology is commercially viable.

3. APPLICATION SITE AND SURROUNDS

- 3.1 The site is made up of a small collection of agricultural fields to the south east of the suburb of Hillmorton. The immediate surrounding area is agricultural, however approximately 1.2km to the north east is a large industrial estate accommodating typical warehouse style units and associated infrastructure.
- 3.2 To the west, the site boundary lies close to the Oxford Canal, whilst the eastern boundary lies adjacent to the B4038. The M45 motorway is located approximately 1km to the south of the site.
- 3.3 There are no concentrated pockets of residential development, however, there are several isolated farms located in close proximity to the site, including Croft Farm to the north east and Tower Farm to the south east. To the north are Eastfield Farm and Nortoft Farm, whilst to the west, Wharf Farm is located.
- 3.4 The site measures approximately 20 ha of generally flat agricultural land. The fields are bound by low level hedges and isolated mature trees.
- 3.5 Access to the site will be directly from the B4038 (Rubgy Road) which is a well maintained B-road, circa 5m in width. The fields are bound by low level hedgerows and some mature trees, the surrounding area in general is relatively flat with the land rising gently to the north and south.

Landscape Designations

- 3.6 The application site is not adjacent to any statutory or non-statutory landscape designations.

Public Right of Ways

- 3.7 There are no public rights of ways running through the site. The nearest is the Oxford Canal walk which runs broadly south west from Kilsby Lane to Barby Lane. The path runs along the northern edge of the Canal.

Environmental Designations

- 3.8 There are no environmental designations within the site's boundaries or within a 3km radius of the site.

Heritage Assets

- 3.9 There are no listed buildings within the red line area, however Wharf Farmhouse is located approximately 400m to the north west of the site and is a Grade II listed building. The building is an early to mid C19 traditional red brick structure with Welsh slate roof. The farmhouse sits on the frontage of the B4038 and adjacent to the Oxford Canal. The farmhouse has been subdivided in recent years with a small business centre and caravan storage yard located within the grounds. The site will have no visual impact on the proposal due to the distance apart and the subsequent diversification of Wharf Farm.
- 3.10 There are no scheduled monuments, on or adjacent to the site.
- 3.11 There are no World Heritage Sites situated within the parcel of land or its surrounds.
- 3.12 There are no Conservation Areas within or close to the site.

Agricultural Land Classification

- 3.13 A detailed ALC survey has determined that agricultural land at the Site is limited by soil wetness to Subgrade 3b. The site is therefore considered to comprise poor quality agricultural land.

Hydrology

- 3.14 According to the Environment Agency (EA) Flood Map for Planning the solar farm site is entirely within Flood Zone 1 at low risk of flooding. Associated ecological mitigation will remain in Flood Zones 2 and 3 at medium and high risk of flooding, within the landowners land, but outside the solar farm fence. The EA Surface Water Flooding Map shows most of the site to be at very low risk of surface water flooding, with some localised shallow fragmented areas at low risk and medium risk.

4. APPLICATION PROPOSAL

- 4.1 The application proposal relates to the construction, operation, maintenance and decommissioning of a ground mounted solar park. Full details of the proposed layout is provided at Appendix 3.

APPENDIX 3: PROPOSED LAYOUT PLAN

- 4.2 The photovoltaic panels would be laid out in straight arrays set at an angle of c. 25 degrees from east to west across the various field enclosures. The distance between the arrays would respond to topography but would typically be between 3.35 metres to 6 metres. The top north edges of the panels would be 2.72 metres above ground level and the lower edges of the panels would be approximately 0.9 metres above ground level. The arrays would be static.
- 4.3 The positioning of the arrays respond to existing physical features and separation distances are provided between such features, these include ditches, overshadowing, rights of way, existing infrastructure (overhead cables), biodiversity considerations and tree root protection areas. The separation distances have been guided by technical studies and consultation with relevant bodies. The arrays would be set within a 2.0m high stock fence which will provide site security. The distance between the proposed fencing and existing hedges would vary across the site, the typical distance would be 5m. The metal framework that houses the solar modules would be fixed into the ground by posts centred c. 6m apart. The posts will be driven into the turf to a depth of around 1.5 m, subject to ground conditions. The cables linking all the arrays to the inverter / transformers and then the substation would be concealed in trenches up to 1m deep. The inverters / transformers and substation will be laid on slab / concrete foundations. The security measures that will accompany the scheme include CCTV.
- 4.4 A single main substation compound will serve the development, and this will be required for the duration of the development.
- 4.5 The point of connection to the electricity grid is an existing underground 33kv cable located near the junction between Crick Road and Moors Lane around two kilometres to the north. As the cable run straddles the administrative boundary of two separate local planning authorities it is the subject of a separate planning application submission.

Biodiversity

- 4.1 The proposed solar farm is an example of a development which presents considerable opportunity for landscape and biodiversity mitigation and enhancement. The objectives for biodiversity are: -
- 4.2 The following objectives have been identified which, when implemented, will ensure the overarching aims of the Plan are achieved.

Objective 1: To create a diverse grassland habitat through management and planting of locally appropriate native species

- 4.3 Any bare areas created during construction will be reseeded in the first sowing season post construction to ensure injurious or ruderal weeds do not establish. The seed mix will include yellow rattle as well as suitable foodplants for small heath butterfly, which is known to be present on the site.
- 4.4 The areas within the array will be managed to create a diverse grassland habitat, which will benefit a wide range of wildlife. Conservation grazing of the site will be applied, with sheep grazing restricted between March and August; this will allow plants to flower and set seed and will gradually increase the floral diversity of the sward.
- 4.5 Specific areas outside the footprint of the array will be managed for ground nesting birds such as skylark *Alauda arvensis*.
- 4.6 The grassland within the field margins (between the security fencing and field boundaries) will be managed as rough tussocky grassland that will benefit a range of species including birds, bats, small mammals, invertebrates, reptiles and amphibians. This will also benefit harvest mice (a local BAP species), should they be present in the area.

Objective 2: To plant and manage hedgerows and trees to provide habitat for a range of species and ensure visual screening of the site

- 4.7 A variety of native tree and hedgerow planting is proposed as part of the development to maintain the existing landscape structure of the area, maintain and enhance the level of visual screening of the site from the surrounding areas and help to improve and enhance biodiversity of the site. Native hedgerow planting is proposed to gap up and reinforce the existing hedgerow stock on site. This will be

maintained to various heights to aid visual screening of the site and provide a more robust and continuous network of hedgerows to promote habitat for wildlife. Wych Elm whips have been included within the hedgerow mix and allowed to grow out to hedgerow trees to aid habitat creation for white letter hairstreak butterfly.

Objective 3: To provide sheltering features around the site for nearby populations of bats, birds and other notable faunal species

- 4.8 A variety of bird boxes will be installed on mature trees throughout the site for species such as willow tit and tree sparrow (local BAP species), as well as general nest boxes for a variety of other passerines.
- 4.9 Bat boxes will be installed onto mature trees within the site. These will be suitable for brown long-eared and noctula bats (both local BAP species).
- 4.10 Three partially buried hibernacula, as well as log and brash piles, will be installed around the site in order to provide habitat for invertebrates, amphibians and reptiles.

Objective 4: To create new habitat for amphibians and other species

- 4.11 A pond will be constructed just off site in order to enhance the local area for great crested newts, which are known to be present.

Objective 5: To monitor the site and assess the success of management

- 4.12 In order to deliver the proposed ecological objectives, monitoring of the effects of management prescriptions will be required to ensure that these are effective, and to inform any necessary refinement of the site management.
- 4.13 The monitoring will include botanical surveys, great crested newt surveys and bird surveys.

Operational Lifespan

- 4.14 The development would export renewable energy to the grid for a minimum of 40 years.

Access

- 4.15 Vehicular access to the site is proposed via an existing field access from Rugby Road. Visibility splays can be provided at 2.4 x 215 metres in both directions within

land under the control of the local highway authority and/or the Applicant, as shown at Figure 1. This is commensurate with Design Manual for Roads and Bridges (DMRB) standards for the 60mph speed limit.

- 4.16 The PV panels and frames will be shipped in 40ft containers which are typically carried to the site on a 15.4m long articulated vehicle. This is the largest vehicle which will access the site.
- 4.17 The routes will ensure, as appropriate, that construction vehicles associated with the site will not pass through Kilsby village to the south.
- 4.18 Construction vehicles will not be permitted to travel to/from the southeast of the site and will only access the site via the designated construction route.
- 4.19 Given the height restriction identified on Crick Road, as set out in Chapter 2, two routes have been designated as follows.

Route for vehicles under 12"6'

- 4.20 The designated route for all construction traffic with a height less than 12"6' is via the A5, Crick Road and Kilsby Lane. The A5 provides access to the M6 and M1 motorways to the north.

Route for vehicles over 12"6'

- 4.21 The designated route for all construction traffic with a height more than 12"6' is via the Crick Road, A426 and B4429 connecting to the A45 / M45 west of Dunchurch. The A428, A426 and B4429 are already used by large vehicles. They are therefore considered suitable for use by the relatively low number of Heavy Goods Vehicles (HGVs) that will be associated with the temporary construction period.

Construction Phase

- 4.22 From experience of solar farms developments elsewhere in the UK, it is anticipated that the solar farm will take approximately three to six months to complete. This includes the preparation of the site, the temporary access roads (if necessary), erection of security fencing, assembly and erection of the PV strings, installation of the inverters/transformers and grid connection.
- 4.23 Construction traffic and delivery vehicles will be limited to outside the peak hours on Monday to Friday (1000-1600) and on Saturdays between 0800-1300.

- 4.24 It is anticipated that around 339 vehicle movements would be generated during the construction period, assuming a three month construction period, this would equate to around 5 HGV deliveries per day.
- 4.25 During the construction phase, one main construction compound will serve the proposed development and this will be located off the main site entrance, thus reducing the distance delivery vehicles will need to travel after reaching the site's entrance. The temporary compound will likely include: -
- Temporary portable buildings to be used for offices, welfare and toilet facilities;
 - Containerised storage areas;
 - Parking for construction vehicles and workers vehicles;
 - Temporary hardstanding;
 - Temporary gated compound; and,
 - Wheel washing facilities.
- 4.26 If ground conditions dictate, wheel washing facilities will be provided at the contractor's compound, or the end of the access track within the application site. Wheel wash facilities will be provided in the form of a portable automated high pressure washer with motion sensors to conserve water. All construction vehicles will therefore have to exit through the wheel wash area and as such will reduce the spread of mud and dirt onto the local highway network. A road sweeper will be deployed by the applicant, should this become necessary.

Operation

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

Decommissioning

- 4.28 After a 40 year generation period the development would be decommissioned. All solar panels, transformer units, fencing, security measures will be removed. The

likely element that will not be removed is the substation compound which would have been adopted by the District Network Operator. The decommissioning of the proposal is expected to take 12 weeks and generating 80 vehicle movements per week.

Renewable Energy and Carbon Displacement

- 4.29 The solar park would generate clean renewable energy for the equivalent of 4000 homes a year. The anticipated CO₂ displacement is circa 5590 tonnes per annum.
- 4.30 The proposal would provide a clean, renewable and sustainable form of electricity. It would make a valuable contribution to the generation of electricity at a local level. The scheme would add to the Council's progress in meeting its renewable energy target. It would also assist in meeting national targets.
- 4.31 In addition, the proposal would make a valuable contribution to cutting greenhouse gas emissions and help tackle climate change. These are important wider environmental benefits that should be given significant weight in the overall planning balance. The scheme would accord with the National Planning Policy Framework and the thrust of various Acts, Directives and Statements issued in respect of renewable energy.

5. PLANNING POLICY AND CONTEXT

- 5.1 This section of the Planning Statement identifies the national and local planning policy and guidance pertinent to the application site and development proposal. The plan-led approach to development as enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires development proposals to accord with the adopted development plan unless material consideration indicate otherwise.
- 5.2 Importantly, the development plan must be understood as a whole. This approach to construing policy is endorsed in case law judgments; notably that of Sullivan J in Rochdale [R v Rochdale MBC ex parte Milne [2001] reported at 81 P&CR 365]. In this case, Sullivan J concluded that in assessing compliance with the development plan it is not necessary to comply with all policies; there will be some core or site specific policies that take precedence over others⁹. In other words, there will be dominant policies which guide the development proposal.
- 5.3 Government's Planning Practice Guidance on Determining Planning applications sets out what may be a material consideration. Paragraph 8 of the guidance states **"A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations"**.
- 5.4 The components of the Development Plan pertinent to the site and development proposal comprises: -

⁹ The proper approach in this regard is that articulated by **Sullivan J. in R v Rochdale MBC, ex p Milne [2000] Env. L.R. 1** . He said that "[i]t is not at all unusual for development plan policies to pull in different directions ... there may be no clear cut answer to the question: "is this proposal in accordance with the plan?". The local planning authority has to make a judgment bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach ... For the purposes of section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein." Accordingly, there will be some policies that take precedence over others.

5.5 The components to the Development Plan pertinent to the application proposal comprises:

- West Northamptonshire Joint Core Strategy 2014-2029
- Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029

West Northamptonshire Joint Core Strategy (JCS)

5.6 West Northamptonshire Council inherited the development plans produced by the former district councils within West Northamptonshire. The West Northamptonshire Joint Core Strategy was adopted on 15 December 2014 at a Joint Strategic Planning Committee by the former Daventry District Council. The JCS sets out the long-term vision and objectives for the whole of the West Northamptonshire area, including the previous administrative area covered by the former Daventry District Council, for the plan period up to 2029, including strategic policies for steering and shaping development. It identifies specific locations for new strategic housing and employment and changes to transport infrastructure and other supporting community facilities, as well as defining areas where development will be limited. On the issue of climate change, the JCS states, at para 4.44, *"Development that aims to secure sustainable communities is designed to minimise its impact on the environment and so combat climate change. A realistic and serious response to meeting climate change objectives must be made through the JCS direction on policies. Larger scale developments, including Sustainable Urban Extensions (SUEs), provide the opportunity to secure exemplary standards of design, renewable or low carbon energy generation and through the location of development reduce the need to travel. All development proposals will need to fully consider climate change adaption to meet the vision of sustainable development"*.

5.7 The provision of infrastructure is identified as a key requirement of the JCS, para 4.445 states *"Historically the provision of infrastructure within West Northamptonshire has failed to keep pace with and fully support a growing population. Elements of the existing infrastructure in the area are already at or close to capacity"*.

5.8 The spatial vision of the JCS includes *"The area will be a national example of low environmental impact development in response to climate change and high biodiversity and habitat protection"*. To ensure that the vision is achieved, 16

spatial objectives have been set by the plan, 4 objectives are very pertinent to this development, these are:-

- 5.9 Objective 1 - Climate Change To minimise demand for resources and mitigate and adapt to climate change, by: • Promoting sustainable design and construction in all new development; • Ensuring strategic development allocations are located and designed so as to be resilient to future climate change and risk of flooding; • Encouraging renewable energy production in appropriate locations; and • Ensuring new development promotes the use of sustainable travel modes.
- 5.10 Objective 2 - Infrastructure and Development To protect and enhance existing local services and to ensure social, physical and green infrastructure is adequately provided to meet the needs of people and business in a timely and sustainable manner in response to regeneration and new development in West Northamptonshire.
- 5.11 Objective 9 - Specialist Business Development To support and develop opportunities for specialist employment clusters and business development focused on a low carbon economy.
- 5.12 Objective 13 - Rural Diversification and Employment To support rural diversification and rural employment opportunities, in particular those related to agriculture, horticulture and forestry.
- 5.13 Key policies pertinent to the development proposal comprise: -
- 5.14 POLICY SA - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

WHEN CONSIDERING DEVELOPMENT PROPOSALS THE RELEVANT COUNCIL WILL TAKE A POSITIVE APPROACH THAT REFLECTS THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT CONTAINED IN THE NATIONAL PLANNING POLICY FRAMEWORK. IT WILL ALWAYS WORK PROACTIVELY WITH APPLICANTS JOINTLY TO FIND SOLUTIONS WHICH MEAN THAT PROPOSALS FOR SUSTAINABLE DEVELOPMENT WILL BE APPROVED AND TO SECURE DEVELOPMENT THAT IMPROVES THE ECONOMIC, SOCIAL AND ENVIRONMENTAL CONDITIONS IN THE AREA. PLANNING APPLICATIONS THAT ACCORD WITH THE POLICIES IN THIS LOCAL PLAN (AND, WHERE RELEVANT, WITH POLICIES IN OTHER LOCAL PLANS AND NEIGHBOURHOOD PLANS) WILL BE APPROVED WITHOUT DELAY, UNLESS MATERIAL CONSIDERATIONS INDICATE OTHERWISE. WHERE THERE ARE NO

POLICIES RELEVANT TO THE APPLICATION OR RELEVANT POLICIES ARE OUT OF DATE AT THE TIME OF MAKING THE DECISION THEN THE APPROPRIATE COUNCIL WILL GRANT PERMISSION UNLESS MATERIAL CONSIDERATIONS INDICATE OTHERWISE - TAKING INTO ACCOUNT WHETHER: • ANY ADVERSE IMPACTS OF GRANTING PERMISSION WOULD SIGNIFICANTLY AND DEMONSTRABLY OUTWEIGH THE BENEFITS, WHEN ASSESSED AGAINST THE POLICIES IN THE NATIONAL PLANNING POLICY FRAMEWORK TAKEN AS A WHOLE; OR • SPECIFIC POLICIES IN THAT FRAMEWORK INDICATE THAT DEVELOPMENT SHOULD BE RESTRICTED.

5.15 POLICY S10 – SUSTAINABLE DEVELOPMENT PRINCIPLES DEVELOPMENT WILL

: a) ACHIEVE THE HIGHEST STANDARDS OF SUSTAINABLE DESIGN INCORPORATING SAFETY AND SECURITY CONSIDERATIONS AND A STRONG SENSE OF PLACE; b) BE DESIGNED TO IMPROVE ENVIRONMENTAL PERFORMANCE, ENERGY EFFICIENCY AND ADAPT TO CHANGES OF USE AND A CHANGING CLIMATE OVER ITS LIFETIME; c) MAKE USE OF SUSTAINABLY SOURCED MATERIALS; d) MINIMISE RESOURCE DEMAND AND THE GENERATION OF WASTE AND MAXIMISE OPPORTUNITIES FOR REUSE AND RECYCLING; e) BE LOCATED WHERE SERVICES AND FACILITIES CAN BE EASILY ACCESSED BY WALKING, CYCLING OR PUBLIC TRANSPORT; f) MAXIMISE USE OF SOLAR GAIN, PASSIVE HEATING AND COOLING, NATURAL LIGHT AND VENTILATION USING SITE LAYOUT AND BUILDING DESIGN; g) MAXIMISE THE GENERATION OF ITS ENERGY NEEDS FROM DECENTRALISED AND RENEWABLE OR LOW CARBON SOURCES; h) MAXIMISE WATER EFFICIENCY AND PROMOTE SUSTAINABLE DRAINAGE; i) PROTECT, CONSERVE AND ENHANCE THE NATURAL AND BUILT ENVIRONMENT AND HERITAGE ASSETS AND THEIR SETTINGS; j) PROMOTE THE CREATION OF GREEN INFRASTRUCTURE NETWORKS, ENHANCE BIODIVERSITY AND REDUCE THE FRAGMENTATION OF HABITATS; AND k) MINIMISE POLLUTION FROM NOISE, AIR AND RUN OFF.

5.16 Policy S11 specifically deals with Low Carbon and Renewable energy. The pre-amble to the policy states, at para 5.105, *"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"*. Paragraph 5.106 goes on to state *"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"*.

5.17 Policy S11 states (inter alia): -

MAJOR DEVELOPMENT AND SUSTAINABLE URBAN EXTENSIONS SHOULD CONTRIBUTE TO REDUCTIONS IN CARBON EMISSIONS AND ADAPT TO THE EFFECTS OF CLIMATE CHANGE THROUGH THE SUSTAINABLE DEVELOPMENT PRINCIPLES (POLICY S10), SO AS TO MINIMISE ENERGY USING SUSTAINABLE DESIGN AND CONSTRUCTION, MAXIMISE ENERGY EFFICIENCY AND THE PROVISION OF LOW CARBON AND RENEWABLE ENERGY, INCLUDING WHERE FEASIBLE AND APPROPRIATE, THROUGH PROVISION OF DECENTRALISED ENERGY.

PROPOSALS SHOULD BE SENSITIVELY LOCATED AND DESIGNED TO MINIMISE POTENTIAL ADVERSE IMPACTS ON PEOPLE, THE NATURAL ENVIRONMENT, BIODIVERSITY, HISTORIC ASSETS AND SHOULD MITIGATE POLLUTION. IN ADDITION, THE LOCATION OF WIND ENERGY PROPOSALS SHOULD HAVE NO SIGNIFICANT ADVERSE IMPACT ON AMENITY, LANDSCAPE CHARACTER AND ACCESS AND PROVIDE FOR THE REMOVAL OF THE FACILITIES AND REINSTATEMENT AT THE END OF OPERATIONS.

5.18 **Policy BN2** is concerned with biodiversity. The pre-amble to the policy states how new development must take into account existing biodiversity resources on individual sites and contribute to the links between them. The policy states: -

DEVELOPMENT THAT WILL MAINTAIN AND ENHANCE EXISTING DESIGNATIONS AND ASSETS OR DELIVER A NET GAIN IN BIODIVERSITY WILL BE SUPPORTED. DEVELOPMENT THAT HAS THE POTENTIAL TO HARM SITES OF ECOLOGICAL IMPORTANCE WILL BE SUBJECT TO AN ECOLOGICAL ASSESSMENT AND REQUIRED TO DEMONSTRATE:

- THE METHODS USED TO CONSERVE BIODIVERSITY IN ITS DESIGN AND 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

DEVELOPMENT MANAGEMENT DECISIONS WILL REFLECT THE HIERARCHY OF BIODIVERSITY AND GEODIVERSITY DESIGNATIONS ATTACHING APPROPRIATE WEIGHT TO THE STATUS OF THE SITE WHICH WOULD BE AFFECTED. IN CASES WHERE IT CAN BE SHOWN THAT THERE IS NO REASONABLE ALTERNATIVE TO DEVELOPMENT THAT IS LIKELY TO PREJUDICE THE INTEGRITY OF AN EXISTING WILDLIFE SITE OR PROTECTED HABITAT APPROPRIATE MITIGATION MEASURES INCLUDING COMPENSATION WILL BE EXPECTED IN PROPORTION TO THE ASSET THAT WILL BE LOST. WHERE MITIGATION OR COMPENSATION CAN NOT BE AGREED WITH THE RELEVANT AUTHORITY DEVELOPMENT WILL NOT BE PERMITTED.

5.20 The historic environment is considered by Policy BN5 and states

DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS AND THEIR SETTINGS AND LANDSCAPES WILL BE CONSERVED AND ENHANCED IN RECOGNITION OF THEIR INDIVIDUAL AND CUMULATIVE SIGNIFICANCE AND CONTRIBUTION TO WEST NORTHAMPTONSHIRE'S LOCAL DISTINCTIVENESS AND SENSE OF PLACE. IN ENVIRONMENTS WHERE VALUED HERITAGE ASSETS ARE AT RISK, THE ASSET AND ITS SETTING WILL BE APPROPRIATELY CONSERVED AND MANAGED

IN ORDER TO SECURE AND ENHANCE THE SIGNIFICANCE OF THE AREA'S HERITAGE ASSETS AND THEIR SETTINGS AND LANDSCAPES, DEVELOPMENT IN AREAS OF LANDSCAPE SENSITIVITY AND/ OR KNOWN HISTORIC OR HERITAGE SIGNIFICANCE WILL BE REQUIRED TO:

1. SUSTAIN AND ENHANCE THE HERITAGE AND LANDSCAPE FEATURES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA INCLUDING:
 - a) CONSERVATION AREAS;
 - b)

SIGNIFICANT HISTORIC LANDSCAPES INCLUDING HISTORIC PARKLAND, BATTLEFIELDS AND RIDGE AND FURROW; c) THE SKYLINE AND LANDSCAPE SETTINGS OF TOWNS AND VILLAGES; d) SITES OF KNOWN OR POTENTIAL HERITAGE OR HISTORIC SIGNIFICANCE; e) LOCALLY AND NATIONALLY IMPORTANT BUILDINGS, STRUCTURES AND MONUMENTS 2. DEMONSTRATE AN APPRECIATION AND UNDERSTANDING OF THE IMPACT OF DEVELOPMENT ON SURROUNDING HERITAGE ASSETS AND THEIR SETTING IN ORDER TO MINIMISE HARM TO THESE ASSETS; WHERE LOSS OF HISTORIC FEATURES OR ARCHAEOLOGICAL REMAINS IS UNAVOIDABLE AND JUSTIFIED, PROVISION SHOULD BE MADE FOR RECORDING AND THE PRODUCTION OF A SUITABLE ARCHIVE AND REPORT 3. BE SYMPATHETIC TO LOCALLY DISTINCTIVE LANDSCAPE FEATURES, DESIGN STYLES AND MATERIALS IN ORDER TO CONTRIBUTE TO A SENSE OF PLACE THE RETENTION AND SENSITIVE RE-USE OF DISUSED OR UNDERUSED HERITAGE ASSETS AND STRUCTURES IS ENCOURAGED IN ORDER TO RETAIN AND REFLECT THE DISTINCTIVENESS OF THE ENVIRONMENT, CONTRIBUTE TO THE SENSE OF PLACE AND PROMOTE THE SUSTAINABLE AND PRUDENT USE OF NATURAL RESOURCES. PROPOSALS TO SUSTAIN AND ENHANCE THE AREA'S UNDERSTANDING OF HERITAGE ASSETS, FOR TOURISM AND HISTORIC INTEREST AS PART OF CULTURAL, LEISURE AND GREEN NETWORKS WILL BE SUPPORTED.

5.21 Policy BN7 considers flood risk and states (inter alia): -

DEVELOPMENT PROPOSALS WILL COMPLY WITH FLOOD RISK ASSESSMENT AND MANAGEMENT REQUIREMENTS SET OUT IN THE NATIONAL PLANNING POLICY FRAMEWORK AND PLANNING PRACTICE GUIDANCE AND THE WEST NORTHAMPTONSHIRE STRATEGIC FLOOD RISK ASSESSMENTS TO ADDRESS CURRENT AND FUTURE FLOOD RISKS WITH APPROPRIATE CLIMATE CHANGE ALLOWANCES. A SEQUENTIAL APPROACH WILL BE APPLIED TO ALL PROPOSALS FOR DEVELOPMENT IN ORDER TO DIRECT DEVELOPMENT TO AREAS AT THE LOWEST PROBABILITY OF FLOODING UNLESS IT HAS MET THE REQUIREMENTS OF THE SEQUENTIAL TEST AND THE EXCEPTION TEST AS SET OUT WITHIN TABLE 6. ALL NEW DEVELOPMENT, INCLUDING REGENERATION PROPOSALS, WILL NEED TO DEMONSTRATE THAT THERE IS NO INCREASED RISK OF FLOODING TO EXISTING PROPERTIES, AND PROPOSED DEVELOPMENT IS (OR CAN BE) SAFE AND SHALL SEEK TO IMPROVE EXISTING FLOOD RISK MANAGEMENT. ALL PROPOSALS FOR DEVELOPMENT OF 1 HECTARE OR ABOVE

IN FLOOD ZONE 1 AND FOR DEVELOPMENT IN 2, 3A OR 3B MUST BE ACCOMPANIED BY A FLOOD RISK ASSESSMENT THAT SETS OUT THE MITIGATION MEASURES FOR THE SITE AND AGREED WITH THE RELEVANT AUTHORITY. A FLOOD RISK ASSESSMENT MUST ALSO ACCOMPANY PROPOSALS WHERE IT MAY BE SUBJECT TO OTHER SOURCES, AND FORMS, OF FLOODING OR WHERE OTHER BODIES HAVE INDICATED THAT THERE MAY BE DRAINAGE PROBLEMS. IN ORDER TO MEET THE EXCEPTION TEST DEVELOPMENT MUST: 1) DEMONSTRATE THAT THE DEVELOPMENT PROVIDES WIDER SUSTAINABILITY BENEFITS TO THE COMMUNITY THAT OUTWEIGH THE FLOOD RISK; 2) BE LOCATED ON PREVIOUSLY DEVELOPED LAND; AND 3) BE ACCOMPANIED BY A SITE SPECIFIC FLOOD RISK ASSESSMENT THAT DEMONSTRATES THAT THE DEVELOPMENT WILL BE SAFE FOR ITS LIFETIME WITHOUT INCREASING FLOOD RISK ELSEWHERE AND WHERE POSSIBLE, REDUCE FLOOD RISK OVERALL WHERE FLOOD RISK MANAGEMENT REQUIRES THE USE OF SUSTAINABLE DRAINAGE SYSTEMS TO MANAGE SURFACE WATER RUN OFF, THESE SHOULD: a) SEPARATE SURFACE WATER FROM FOUL AND COMBINED SEWERS; b) BE ACCOMPANIED BY A LONG TERM MANAGEMENT AND MAINTENANCE PLAN; AND c) PROTECT AND ENHANCE WATER QUALITY.

Settlements and Countryside Local Plan (Part 2) for the former Daventry District 2011-2029

5.22 The Part 2 Local Plan (2011-2029) follows on from the adoption of the West Northamptonshire Joint Core Strategy (WNJCS) in December 2014. Building on the WNJCS, it has been prepared to help further guide planning decisions in the area and forms part of the Development Plan for the District with the WNJCS and made neighbourhood development plans. This plan, the Part 2 Settlements and Countryside Local Plan for Daventry District 2011-2029, was adopted at a meeting of the Full Council on 20th February 2020.

5.23 **Policy ENV9** is concerned with renewable energy and low carbon development. Its states:

A. Proposals for renewable energy development 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 an 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. 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. Where district heating schemes are proposed, and it is reasonably practical, all properties will be expected to be connected to them.

5.24 The pre-amble to the policy, at paragraph 9.6.02 states "The move to a low carbon future can be achieved through planning for new development in locations which reduce greenhouse gas emissions and also support for energy efficiency improvements to existing buildings. To help mitigate the impacts of climate change, there needs to be a reduction in carbon emissions and an increase in the use of renewable resources. However policy is clear that the need for renewable or low carbon energy does not automatically override local environmental issues, with a key area to consider being the cumulative impacts of renewables such as wind turbines".

5.25 Policy ENV1 considers the landscape and states: -

A. The Council will support proposals that maintain the distinctive character and quality of the District's landscapes, as defined in the Daventry District Landscape Character Assessment 2017. In doing so, it will take into consideration the cumulative impact of development proposals on the quality of the landscape. B. Where appropriate, applicants will be expected to demonstrate that their proposal:

. Respects the local distinctiveness and historic character of the particular landscape character area in which it is located; and ii. Respects existing patterns of development and distinctive features that make a positive contribution to the character, history or setting of a settlement or area such as key buildings, village skylines and ridgelines; and iii. Avoids creating hard developed edges to the open countryside; and iv. Avoids physical and visual coalescence between settlements; and v. Enhances and restores landscape

features where the opportunity arises; and vi. Incorporates mitigation measures to integrate development into its surroundings and enhance or restore the local landscape. C. Development proposals should include, where appropriate to their scale, use and location, an assessment of the likely visual impacts on the local landscape and the site's immediate and wider setting. This will include the landscape capacity of the site's immediate and wider setting to accommodate the development in accordance with the Daventry District Landscape Character Assessment and the Council's Landscape Assessment Toolkit. Applications for major developments and where the Council identifies that a proposal would have an adverse impact on the landscape, may require a full landscape and visual impact assessment, which should be submitted as part of the planning application. D. 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.

E. Provision should be made for the long term management and maintenance (minimum of five years) of new landscape proposals to ensure their establishment. F. The identification of local landscape designations in neighbourhood development plans will be supported.

5.29 Policy ENV4 relates to green infrastructure and states:

The Council will protect, enhance and restore the District's green infrastructure assets in order to create a comprehensive network that contributes to the full range of ecosystem services including quality of life, biodiversity, sustainable transport and climate change mitigation by: i. Working with partners, including neighbouring authorities and the Local Nature Partnership, to plan for green infrastructure at a landscape scale. In particular, proposals will be supported that would contribute to the aims and objectives of the Nene Valley Nature Improvement Area project on habitat restoration, creation and connectivity; ii. Supporting proposals that protect, enhance and restore the existing green infrastructure network of sub-regional and local corridors identified in the WNJCS. Proposals will be expected to demonstrate how they would achieve this and in the case of new green infrastructure, how they would link into the existing networks; iii. Strategic development sites should be masterplanned as a whole to show

the location of new on-site strategic green infrastructure and how it relates to the wider network. Proposals should not lead to fragmentation of a green infrastructure link; iv. Supporting proposals that avoid fragmentation of green links and that would reconnect existing gaps in provision; v. Supporting proposals that protect, connect and extend the local green links and network of green infrastructure within and around Daventry town and that limit any loss to that necessary to accommodate infrastructure improvements required to deliver allocated sites, subject to such loss being mitigated to achieve a net enhancement in green infrastructure provision; and vi. Supporting the recognition of important green infrastructure including designation within neighbourhood development plans.

5.31 Policy ENV5 deals with biodiversity and states:

A. 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. The level of protection should be proportionate to the site's designation status, the contribution it makes to the ecological network and take account of considerations set out below:

- Sites of national importance Sites of Special Scientific Interest (SSSI) are of national importance and development affecting them will be expected to avoid causing adverse effects, unless, in exceptional circumstances, it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its wider contribution to the biodiversity network.

- Sites of local importance Development affecting sites of local importance for biodiversity and geodiversity including Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs) and Local Geological Sites (LGeS), will be expected to avoid causing adverse effects unless it can be demonstrated that the benefits of development outweigh the harm and where measures to mitigate the harm can be put in place. Development that would result in the loss or deterioration of such sites or habitats that are irreplaceable will not be supported unless the need for and benefits of the development in that location clearly outweigh the loss.
- Undesignated sites Development affecting sites that are not formally designated but which make a positive contribution to biodiversity will be required to take into account their current or potential role in the District's wider biodiversity

network. B. All proposals likely to affect biodiversity will be expected to assess their impact through an ecological assessment and include details of mitigation or compensation, where harm will be caused. The level of detail of the assessment will be proportionate to the significance of the asset and the scale of the proposal. If significant harm cannot firstly be avoided, adequately mitigated or as a last resort, compensated for, or should a proposal lead to the loss or deterioration of irreplaceable habitats, then development will not be permitted. C. Proposals should seek to achieve a net gain for biodiversity, including the creation and management of new habitats, strengthening existing networks of habitats, avoiding the fragmentation of habitats and links and addressing the Northamptonshire Biodiversity Action Plan local priorities for habitats and species. D. Proposals should comply with the principles set out in the Biodiversity Supplementary Planning Document for Daventry District to ensure that biodiversity and the impact of development on biodiversity is given appropriate consideration.

5.32 Policy ENV7 sets out the Part 2 policies on the historic environment and states: -

A. Proposals affecting the historic environment must demonstrate a clear understanding of any potential impact on the significance of heritage assets and their setting; any description of significance and the contribution of setting should be proportionate to the asset's importance. As a minimum the Northamptonshire Historic Environment Record should be consulted. B. In decision making, great weight should be given to the conservation of heritage assets irrespective of the level of harm. The more important the asset, the greater the weight will be. C. Any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to substantial harm to or total loss of a designated heritage asset, or less than substantial harm to a designated heritage asset will be judged against the tests in the NPPF.

D. The Council will seek to sustain and enhance the historic environment of the District by supporting: i. High quality proposals that respond positively to their context by reinforcing local distinctiveness including street pattern, siting, form, scale, mass, use, materials and architectural features. Proposals should have regard to other design policies and supplementary planning documents that have been adopted by the Council; ii. Proposals that make a positive contribution to, or which better reveal the significance of designated heritage assets; iii.

Proposals that would conserve designated assets identified as being at risk. The Council will seek to proactively engage with owners of such assets to find solutions that will safeguard and secure the future of the asset, including where appropriate, their viable adaptation and re-use compatible with their character and significance; iv. Proposals affecting conservation areas that would sustain or enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area. Proposals that respond positively to the opportunity to enhance neutral or detracting elements of a conservation area, as identified through conservation area appraisals and management plans, will particularly be supported; v. Proposals that sustain or enhance key views of heritage assets and key views into and out of conservation areas identified in conservation area appraisals, landscape characterisation, neighbourhood development plans and village design statements; vi. Proposals that sustain or enhance traditional shopfronts, including the restoration of historic features and the sympathetic use of high quality fascia and projecting signs; vii. Proposals that are sympathetic to non-designated heritage assets (identified through a conservation area appraisal or other method) and their setting including their retention and re-use. In doing so, the impact of the scale of any harm or loss on the significance of the assets will be taken into consideration.

MATERIAL CONSIDERATION

National Planning Policy Framework

- 5.33 The 4th edition of the NPPF was published in July 2021 and includes minor clarifications to the revised document that was updated in February 2019.
- 5.34 Overall, for the NPPF 4th edition, the over-arching presumption in favour of sustainable development remains. Material to this application is the Government's greater emphasis on the delivery of infrastructure, including energy and how this is integral towards fulfilling the economic arm of achieving sustainable development.
- 5.35 The Framework is clear that planning decisions must be made in accordance with Planning Law. Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the Local Plan, unless material considerations indicate otherwise. Paragraph 2 continues that:-

"Planning policies and decisions must also reflect relevant international obligations and statutory requirements".

5.36 **Paragraph 8** of the Framework identifies how the planning system has three overarching objectives towards achieving sustainable development. The NPPF stated how these objectives are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. Paragraph 8(a) 'an economic objective' has been strengthened and the NPPF now makes it clearer how ***"identifying and coordinating provision of infrastructure"*** is integral towards fulfilling the economic arm of achieving sustainable development. The three overarching objectives are listed as:-

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.37 **Paragraph 10** advises how these overarching objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework. **Paragraph 10** states *"So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development**".*

5.38 **Paragraph 15** of the Framework sets out how the planning system should be genuinely plan-led. It goes on to state how succinct and up-to-date plans should provide a positive vision for the future of each and provide a framework for

assessing the economic, social and environmental priorities. **Paragraph 16** sets out how plans should be prepared with the objective of contributing to the achievement of sustainable development. **Paragraph 20** identifies how, in line with the presumption on favour of sustainable development, plans should make sufficient provision for the provision of infrastructure and energy.

5.39 The identification and delivery of energy schemes is therefore acknowledged as one of the strategic policies that contributes towards achieving the presumption on favour of sustainable development.

5.40 **Paragraph 81** confirms the Government's commitment to supporting sustainable economic growth and states (inter alia)

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future".

5.41 The application proposal specifically counter and addresses the weakness in the security of electricity supply.

5.42 **Paragraph 84**, supporting a prosperous rural economy, is also pertinent as the Development Plan identifies the site as being located in open countryside, it states how planning decisions should enable the sustainable growth of all types of businesses in the rural areas.

5.43 **Section 14** of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. **Paragraph 155** of the NPPF sets out the planning policy perspective with regards to increasing the use and supply of renewable and low carbon energy. Through the paragraph, Government requires the decision maker to:-

a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);

b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

5.44 **Paragraph 158** sets out that in determining renewable energy applications local planning authorities should approve the application if its impacts are (or can be made) acceptable and that applicant should not be required to demonstrate the overall need for renewable projects.

5.45 Section 15 of the NPPF relates to conservation and enhancement of the natural environment. **Paragraph 174** highlights that new development should be prevented from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. It identifies how decisions should provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

5.46 Overall, the Framework confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so.

National Policy Statements

5.47 The Planning Act 2008 identifies how certain planning applications for energy infrastructure must be decided in accordance to any relevant National Policy Statement. Whilst the proposal falls below the NSIP threshold it may still be a material consideration¹⁰.

National Policy Statement for Energy (EN-1) dated July 2011

5.48 The National Policy Statement for Energy (EN-1) sets out the national policy for energy infrastructure, which encompasses renewable energy schemes generating

¹⁰ NPPF, paragraph 5

more than 50MW. EN-1 is part of a suite of national policy statements issued by the Secretary of State for Energy and Climate Change and ratified by Parliament.

5.49 It has effect in combination with the relevant technology specific NPS, National Policy for Renewable Energy Infrastructure (EN-3), and together they provide the primary basis for decisions made by the Examining Authority.

5.50 EN-1 is divided into five parts.

5.51 **Part 1** sets out the background to the policy document. **Paragraph 1.71** identify how all energy NPSs have been subject to an Appraisal of Sustainability ["AoS"], as required by the Planning Act 2008. The key points from the AoS for EN-1, as set out at **paragraph 1.7.2**, are: -

- The energy NPSs should speed up the transition to a low carbon economy and thus help realise UK climate change commitments sooner than continuation under the current planning system.
- The energy NPSs are likely to contribute positively towards improving the vitality and competitiveness of the UK energy market by providing greater clarity for developers which should improve the UK's security of supply and, less directly, have a positive effects for the health and well-being in the medium to longer term through helping to secure affordable supplies of energy and minimizing fuel poverty, positive medium and long term effects are also likely for equalities;

5.52 **Part 2 of EN-1** sets out the Government policy on energy and energy development infrastructure. It confirms the following;

- Government is committed to meeting its legally binding target to see greenhouse gas emissions be at least 80% by 2050, compared to 1990 levels¹¹;
- the need to effect a transition to a low carbon economy so as to reduce greenhouse gas emissions; and

¹¹ UK is now working towards a 2050 net zero target

- the importance of maintaining secure and reliable energy supplies as older fossil fuel generating plant closes as the UK moves towards a low carbon economy

5.53 Government's wider objective for energy infrastructure includes contributing to sustainable development and ensuring that energy infrastructure is safe.

5.54 **Paragraph 2.2.27** of the EN-1 goes on to state

"Sustainable development is relevant not just in terms of addressing climate change, but because the way energy infrastructure is deployed affects the well-being of society and the economy."

5.55 **Part 3 of EN-1** defines and sets out the need that exists for nationally significant energy infrastructure. With regards to decision making, paragraph 3.1.1. of EN1-1, states that

"the UK needs all the types of energy infrastructure covered in this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions."

5.56 **Paragraph 3.1.2 states**

"It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies".

5.57 It then goes on to identify how applications should therefore be assessed on the basis that the Government has already demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described in the EN-1.

5.58 In terms of the planning balance, **paragraph 3.1.4 of EN-1** states

"The [determining authority] should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008".

5.59 **Section 3.3 of the EN-1** discusses the need for new nationally significant electricity infrastructure projects. The key reasons why Government believes there is an urgent need for new electricity NSIPs are identified as: -

- Meeting the energy security and carbon reduction objectives;
- Need to replace closing electricity generating capacity;
- The need for more electricity capacity to support an increased supply from renewables.
- Future increases in electricity demand; and
- The urgency of the need for new electricity capacity.

5.60 **Part 3.4 of EN-1** specifically discusses the role of renewable energy and states; -

The UK has committed to sourcing 15% of its total energy (across the sectors of transport, electricity and heat) from renewable sources by 2020 and new projects need to continue to come forward urgently to ensure that we meet this target. Projections suggest that by 2020 about 30% or more of our electricity generation – both centralised and small-scale – could come from renewable sources, compared to 6.7% in 2009. The Committee on Climate Change in Phase 1 of its advice to Government in September 2010 agreed that the UK 2020 target was appropriate, and should not be increased. Phase 2 was published in May 2011 and provided recommendations on the post 2020 ambition for renewables in the UK, and possible pathways to maximise their contribution to the 2050 carbon reduction targets.

Large scale deployment of renewables will help the UK to tackle climate change, reducing the UK's emissions of carbon dioxide by over 750 million tonnes by 2030. It will also deliver up to half a million jobs by 2020 in the renewables sector...

5.61 With regards to the urgency for renewables, **paragraph 3.4.5** explains that in order to largely decarbonize the power sector by 2030, it is necessary to bring forward new renewable electricity generation projects as soon as possible. It goes on to state

"The need for new renewable electricity generation projects is therefore urgent".

5.62 **Paragraph 4.1.4** of EN-1 states how in considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the determining authority should take into account: -

- Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and
- Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.

5.63 **Part 4.4** deal with alternatives. **Paragraph 4.4.1** states

"From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option".

5.64 On the issue of design for energy infrastructure, **paragraph 4.5.1** of the EN-1 identifies how (inter alia):

"Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area".

5.65 The Government places significant emphasis on securing increased investment across the energy systems whilst minimising, as much as possible, the public costs for securing such investments and makes multiple references to investing in solar without government support. The assessment is highly supportive of low carbon energy and advises that the crucial first step to reducing carbon emissions is to enable an increasing deployment of renewables. The Government believes that a suitable mix of renewable energy is required, but highlights that solar energy is an effective low cost option in the production of energy and with its use in the longer run consumers would pay the same in real terms for their energy as today.

6. PLANNING ASSESSMENT

6.1 This section of the Statement contains a detailed analysis of the application proposal against the relevant material and planning policy considerations. These considerations have been derived from an understanding of the site and its surrounds and the policy analysis of the previous section and the legislative background set out in the Section 2.

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

- Need for Development
- Sustainable Development
- Principle of the Development
- Site Selection
- Restoration

6.3 Each issue is discussed in turn below.

Need for Development

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

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

6.6 The impact of Brexit on UK energy and climate change policy is subject to the outcome of the Brexit negotiations. The possible consequences vary based on

whether the outcome is a full Brexit deal, a sector-specific deal, or in the case of no Brexit deal.

- 6.7 The United Kingdom is currently a full member of the European Union Internal Energy Market (IEM). The IEM allows harmonised, tariff-free trading of gas and electricity across Europe (through interconnectors), leading to lower prices and greater security of supply. As wholesale gas and electricity prices in the UK are generally higher than elsewhere in Europe, interconnection has caused a reduction in wholesale prices, and hence consumer prices in the UK.
- 6.8 Leaving the IEM has the potential to impact the trade of energy through interconnectors. The Government's Briefing Paper on Energy, Climate Change and Brexit identifies how one potential impact of leaving the IEM is an increase in the cost of energy imports and this in turn would be passed on to UK's householders and businesses. In terms of energy security, it notes how the interest of the United Kingdom should be to **increase the flexibility and resilience of the grid, especially with increasing intermittent renewables**. The development proposal would contribute towards the objectives set out in the briefing note.

Sustainable Development

- 6.9 Turning to sustainable development, paragraph 8 of the Framework confirms there are three dimensions to sustainable development, these are economic, social and environmental gains. Paragraph 8 advises that in order to achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system. It also makes clear how provision of infrastructure, such as this renewable energy project, is integral towards fulfilling the economic arm of sustainable development.
- 6.10 The development will provide employment and business opportunities for component suppliers / installers and those involved in grid connection, transport and logistics. Where possible, local businesses will be contracted for relevant parts of the scope of works over the period of construction (labour and materials such as hardcore etc), operation and maintenance. There will be additional induced impacts during the construction period with any incoming construction workers (engineers, project managers etc) spending their wages at a local level (restaurants, retail stores etc) and using local accommodation. Research published in 2014 by the Centre for Economic & Business Research (Cebr) on solar powered

growth in the UK¹² highlighted analysis by the Solar Trade Association on the cost of solar energy. The analysis estimated that by 2016, the capital investment cost of building one megawatt of solar power for a large-scale development would be around £800,000. Assuming this price is broadly similar in 2019, when applied to the Proposed Development this equates to a capital cost of around £10 million. The development would also support long term jobs relating to site operation, site security and ongoing management and maintenance. The development therefore fulfils an important economic role.

- 6.11 Social gain would be provided through the generation of local electricity that will be connected directly to the local grid; the proposal would reduce reliance upon overseas energy sources. The energy production would help to meet the national and local need for energy and therefore the development would fulfil an important social role.
- 6.12 Turning to environmental gains these would be secured through carbon reduction and local biodiversity enhancements. The proposed development would help support the transition to a low carbon future and produce a significant amount of renewable energy. The introduction of seasonal sheep grazing together with appropriate management to facilitate the development of a diverse grassland beneath the array would benefit a range of native wildlife for a 40 year period, such as:- Invertebrates (butterflies, moths, beetles, crickets, grasshoppers, worms etc.); Small mammals (voles, shrews and mice); Larger mammals (brown hares and badgers); Amphibians; Birds (invertebrates and seeds within the wildflower meadow will benefit a range of foraging birds and the increase in small mammals will benefit hunting raptors); and Bats (the increase in invertebrates will provide enhanced foraging opportunities for bats and the solar panels may act as navigational structures for foraging bats). The proposal would therefore deliver on the environmental arm of sustainable development.
- 6.13 Reflecting on the above, the proposal duly delivers economic, social and environmental benefits and accords with the requirements of paragraph 8 of the Framework and is considered to constitute sustainable development.

¹² *Solar powered growth in the UK – the macroeconomic benefits for the UK of investment in solar PV: Cebr (report for the Solar Trade Association), September 2014.*

6.14 In applying the Framework's presumption in favour of sustainable development, and the test at paragraph 11 in particular with regards to decision taking, it is clear that the application proposal should be approved without delay.

Principle of Development

6.15 The applicant duly acknowledges that the development site is located in open countryside within the administrative area of West Northamptonshire Council. The JCS and Local Plan Policy ENV9 sets out how the Council will take a positive stance on renewable energy development providing that they do not adversely affect the existing ecology, residential amenity, heritage assets or the public enjoyment of the open countryside.

6.16 Policy RA6 sets out appropriate development in the open countryside, it lists; *essential investment in infrastructure including utilities'* and development for agriculture, one assumes that farm diversification could be included in this as well. Policy RA6 is considered to support the proposed development as it now recognised as an essential infrastructure commodity, particularly as the drive for cleaner energy sources becomes more established and accepted.

6.17 The site is not located within any sensitive areas as defined by the EIA regulations and as such by virtue of its siting, the proposal has taken into account the need to protect the valuable landscape and ecological resources provided within the surrounding countryside, whilst providing for the sensitive exportation of renewable energy sources in accordance with the policies set out in the NPPF. The local and national 2030 targets provide significant weight in favour of the development proposal as significant acceleration of low carbon and renewables will be required to meet this target. It is considered the wider environmental benefits associated with the increased generation of renewable energy greatly outweighs any perceived adverse impacts the development may have on the surrounding countryside. The landscape character will be assessed elsewhere in this Statement. As such, the requirements of Policy RA6 are met.

6.18 Policy RA6 of the Development Plan identifies how the provision of renewable energy in the countryside is acceptable in principle. Policy ENV9 states that renewable proposal would be supported provided that they do not have an adverse impact on: -

i. Form, character and setting of an 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.

6.19 Each issue is discussed in turn below.

Form, character and setting of an existing settlement

6.20 The site is located away from any dense setting of residential properties, generally limiting significant visual impact locally on residential amenity.

6.21 The immediate surrounding area is agricultural and the nearest large scale development relates to the large industrial estate located approximately 1.2km to the north east accommodating warehouse style units and associated infrastructure. For these reasons the development would not result in an adverse impact on the form, character and setting of any existing settlement.

Biodiversity and ecology

6.22 Ecological considerations are fully considered within the accompanying Ecological Report prepared by Clarkson & Woods Ecological Consultants. The salient points are set out below.

6.23 The Site comprises four fields with an arable ley surrounded by species rich and species poor hedgerows. Rains Brook lies to the south west of the Site and the B4038 (Rugby Road) on the north eastern boundary.

6.24 The proposed development will result in adverse impacts upon a number of ecological features should no mitigation be put in place. The mitigation hierarchy has been followed, with avoidance of impacts considered first, then mitigation, then compensation. Enhancements have also been set out to ensure the plans are in line with local and national planning policy.

6.25 Hedgerows containing mature trees and a river have been identified. These habitats will be protected during construction works using security fencing or temporary

fencing installed prior to construction starting. Hedgerows will be managed to be tall and bushy under a LEMP and gaps infilled.

- 6.26 The Site comprises moderate habitat for bats, particularly the field boundaries and riparian habitat associated with Rains Brook adjacent to the Site. Although research into how bats are affected by solar panels is lacking, they will continue to use boundary features and the more diverse grassland may offer enhanced foraging opportunities. Enhancements in the form of bat boxes are proposed.
- 6.27 Great crested newts have been identified within 250m of the Site and it is assumed that they are present in the pond which could not be accessed to survey. In order to mitigate potential impacts on GCN, the area within the east of the Site which lies within 250m of confirmed/possible breeding ponds will be subject to certain restrictions during construction; either by restricting the timing of works or by working under a specific methodology.
- 6.28 A total of 8 skylark territories were identified within the Site and these are likely to be displaced or lost. A small area is proposed to be managed for ground nesting birds which will allow for up to 2 pairs within the Site. Yellowhammer and reed bunting also use the hedgerows on Site; the hedgerows will be retained and enhanced. The more diverse grassland is likely to offer an enhanced foraging resource for these and other species both during the summer and winter months. There is a residual negative effect associated with the loss of skylark nesting opportunities, however, the Site will be enhanced for other species.
- 6.29 Several species of butterfly was noted during the site visits, including the notable small heath. There will be temporary loss of habitat for this species during construction, however, the site will be enhanced through seeding of any bare patches with foodplants for the larvae and wildflowers for the adults.
- 6.30 A Construction Ecological Management Plan (CEcMP) will be prepared for the Site to protect habitats and species during construction; most of the impacts identified were during this phase of the development. A Landscape Ecological Management Plan (LEMP) will also be prepared which will set out enhancements such as the management and seeding of the grassland within the Site to increase its diversity.
- 6.31 Overall it is considered that the cessation of intensive grazing within the fields and subsequent establishment of a more diverse grassland within the array will benefit local biodiversity. Post construction, the creation of new habitats will result in a

net positive benefit to certain local wildlife. With implementation of the proposed mitigation and enhancement measures, the development would be considered in line with Policy ENV5.

Landscape and Visual Impacts

- 6.32 The landscape and visual considerations are fully addressed within the accompanying Landscape and Visual Impact Assessment. The salient points are summarised below.
- 6.33 The site lies within an area of relatively flat, agricultural landscape, characterised by the Oxford Canal, within the broadly flat 'Broad Unwooded Vale' and 'Rugby Vale'. Hedgerows are generally low and woodland scarce, with riparian vegetation along the Oxford Canal and Rains Brook. The topography, as the 'vale' landscape would suggest, is broadly flat, sloping broadly to the southeast around Kilsby and northwest around Hillmorton.
- 6.34 The development would not result in the permanent loss of agricultural land. Agricultural activities are expected to coincide with the soil modules, such as sheep grazing, and following cessation of use, the land will be returned to full agricultural use. The effect of the proposed development on the 'vale' character would be minor. The cumulative effect of the approved solar development at Land off Crick Road, Yelvertoft, would also be minor.
- 6.35 It is concluded that the Proposed Development would have limited harm on the existing positive landscape elements associated with the Application Site including, topography, land use/ground cover, trees, and hedgerows. The existing landform of the Application Site would remain largely unchanged except possibly at a localised level during the construction and decommissioning period.
- 6.36 The Proposed Development would not require the loss of significant trees, groups or hedgerow. Hedgerow loss would be limited to facilitate construction works which may cause adverse effects. Proposals include infill of boundary hedgerows, which would reinforce and enhance landscape elements.
- 6.37 Opportunities to enhance the local distinctiveness, character and biodiversity of the area have been introduced as part of the proposed mitigation measures and are outlined within the LEMP which accompanies the application. These will allow for the infill planting of hedgerow with local native species and implementation and management of existing hedgerows and grassland beneath the panels.

- 6.38 Whilst the panels would be visible in the immediate vicinity of the site, it is not considered that their introduction into this landscape would have unacceptable adverse landscape and visual impact to a degree that planning balance would not favour a positive decision. The site and surrounding land is mostly flat which prevents far reaching views.
- 6.39 Overall, it is considered that the development proposal could be successfully accommodated within the existing landscape pattern and could be assimilated into the surrounding landscape without causing any long-term harm to the landscape character, visual amenity, or existing landscape attributes of the area.

Residential amenity

- 6.40 The site is located away from any dense setting of residential properties, generally limiting significant visual impact locally on residential amenity. Residents of Croft Farm, along Rugby Road, may experience a significant effect due to the direct nature of views. Potential mitigation of views from elevated areas northwest of the Site (edge of Hillmorton) may be less effective during winter months when vegetation is out of leaf increasing visibility due to the topography of the site and elevation of views resulting in a moderate effect on high sensitivity receptors, however over time with maturing proposed mitigation and management of hedgerow H6 up to 5m, this effect may be reduced further.
- 6.41 The photovoltaic panels are made up of silicon based photovoltaic cells that are encased in a glass covering. Glass does not have a true specular reflection but does reflect a certain magnitude of light. Reflection of sunlight from photovoltaic panels is unwanted by the operator. This is because the greater the amount of light which can be captured at the photovoltaic cell, the greater the amount of electricity that can be produced. The manufacturers of the panels therefore use anti-reflective coating in the glass that changes the reflectivity from specular distribution to diffuse distribution and is sometimes referred to as 'stipple glass'.
- 6.42 Therefore, as light falls onto the photovoltaic panels, most of the sunlight is transmitted to the photovoltaic cell beneath the glass with only a small amount reflected back in a multiple of angles and magnitudes. The result is an object that is perceived to have very little glare. The Federal Aviation Administration (FAA) Technical Guidance for Evaluation Selected Solar Technologies at Airports, November 2012 indicates that the reflective light can be as little as 2% of the incident sunlight:- *"Once the amount of sunlight is known, reflectivity from solar*

projects will vary based on the type of solar power system and its materials and design. Solar PV employs glass panels that are designed to maximise absorption and minimise reflection to increase electricity production efficiency. To limit reflection, solar PV panels are constructed with dark, light-absorption materials and covered with anti-reflective coating. Today's panels reflect as little as 2% of the incoming sunlight depending on the angle of the sun and assuming use of anti-reflective coating."

- 6.43 Once operational, the proposal will have no significant impacts in terms of noise, vibrations, overshadowing or any other emissions including air quality. Whilst the inverter and substation equipment may emit low frequency noise this is highly localised and would certainly not be audible at the boundaries of the wider site against the backdrop of existing activities surrounding site. No emissions are associated with the panels and therefore no impact will result.

The enjoyment of the open countryside including public rights of way.

- 6.44 There are no public rights away traversing or cutting through the site. Oxford Canal Walk long-distance footpath is closest, adjacent to the canal. Effects on users of footpaths in the wider area such as Barby Nortoft footpath NN/EW/8, looking west, Barby bridleway NN/EC/5 looking north east, and Kilsby footpath NN/EW/7, looking north would generally be negligible.
- 6.45 The Oxford Canal towpath (long distance footpath – Oxford Canal Walk) runs along the northern edge of the Canal with occasional scrubby bushes visible on either side. There is a partial view of the Site, however most of it is screened by intervening vegetation. Implementation of mitigation (management of hedgerows) would result in a moderate to negligible effect, dependent on where along the path the viewer is.
- 6.46 For the reasons summarised above it is considered that the application proposal duly conforms with the requirements of Policy ENV9: -

Historic Environment

- 6.47 The application submission is supported by an Archaeology and Built Heritage Assessment. With regards to archaeological resource, records do not indicate that there is any widespread activity within the proximity of the site during any earlier prehistoric period. There is therefore low amount of potential for any archaeological resource within the site dating to any of these periods.

- 6.48 Substantial amounts of Iron Age and Romano-British have been recorded approximately 900m north of the proposed development site, likely relating to a settlement in the area during these periods. There is limited potential that the recorded activity during these periods extends into the proposed development site. The potential for Iron Age or Roman archaeology within the site is low.
- 6.49 The area surrounding the site appears to have been primarily agricultural in nature throughout the early medieval, medieval, post-medieval and modern periods. Whilst ridge and furrow earthworks have been recorded within the site's vicinity, there do not appear to be any such standing earthworks within the site. There is some potential for subsurface remains relating to the site's historic agricultural usage, but these are unlikely to be of heritage significance. The potential for significant early medieval, medieval, post-medieval or modern remains within the site is low. Turning to setting assessment, the site is in the near proximity to a portion of the Oxford Canal which forms part of the Grand Union Canal Conservation Area. The site's present agricultural usage is not considered to form part of the canal's setting which contributes towards its heritage significance. The proposed solar development within the site would largely be screened from the conservation area and would only be anticipated from a short length of the canal's towpath. The proposed development would therefore not be anticipated to result in any harm to the heritage significance of the Grand Union Canal Conservation Area.
- 6.50 For the reasons summarised above, it is considered that the development proposal conforms with the requirements of Policies ENV7 and BN5 of the Development Plan.

Agricultural Land

- 6.51 The planning application submission is supported by a detailed Agricultural Land Classification Report prepared by Askew land and Soils Ltd. The site survey has been undertaken and the results found the site to comprise subgrade 3b agricultural land. Accordingly, the site does not comprise best and most versatile agricultural land. Appropriate weighting should be given to the soil quality as poorer quality land has been used in preference to higher quality land as required by paragraph 13 of the Renewable and Low carbon Energy PPG.
- 6.52 With reference to the Framework, the development accords with footnote 53 which seeks that areas of poorer quality land should be used in preference to those of a higher quality. The use of poorer quality land was also a material consideration with regards to the site selection process.

6.53 MAFF provisional, pre-1988 ALC information indicates Daventry District has a high proportion of agricultural land in Grade 3 (not differentiated between Subgrade 3a and Subgrade 3b), i.e. 90.7% compared with 48.2% in England as a whole. From MAFF post-1988 ALC information, MAFF determined that there is a mix of Grade 2, Subgrade 3a, Subgrade 3b and Grade 4 to the east of Rugby and to north of the Site. The Subgrade 3b at the site is some of the poorest quality land in the area.

Flood Risk and Drainage

6.54 A Flood Risk Assessment and Drainage Strategy supports the application submission. The salient points are discussed below.

6.55 The layout has been considered carefully and in detail and the following design criteria have been set to inform the location of the arrays and containerised equipment:

- All development is excluded from the areas shown to be at risk of 1 in 100 year surface water flooding.
- All development is at least 8m from the Main River top of bank.
- All development is more than 5m from ditches, and usually much more due to the orthogonal array layout. This will allow for inspection and maintenance of ditches and hedges by the Operator.
- All equipment such as transformers, will be outside the main areas shown to be at risk of 1 in 1000 surface water flooding.
- No land will be raised in areas shown to be at risk of surface water flooding.

6.56 The change from farming to solar farm will improve soil quality and reduce the occasions when runoff occurs, the rate of runoff and therefore the risk of flooding downstream. The solar panel equipment is resilient to wet weather, and is designed to operate in all predicted weathers, subject to normal maintenance. The material from which the panels, supporting structure, cabling and transformers is all durable and will not cause any level of pollution in the ground. The removal of intense grazing and compaction of the soil by animals and farming machinery will be significantly reduced, resulting in improved soil conditions adding to the overall betterment of hydrological performance. The flourishing grassland will also prevent silt runoff, and the elimination of animal

associated waste (from feed and waste) will improve water quality entering the environment. The proposed solar farm therefore brings significant betterment in terms of management of runoff.

- 6.57 As a precautionary measure, especially during the construction stage, it is proposed to install ridge and furrow swales to encourage attenuation and infiltration, evaporation and evapotranspiration to further reduce the rate and volume of runoff entering the watercourse from the site.
- 6.58 Overall, the site will therefore be safe for people and property, and in conclusion the proposed change of use will provide a real contribution to soil characteristics and biodiversity, and reduce downstream flood risk bringing overall benefits to the environment and complying with the guidance given in the NPPF and Development Plan policies ENV11 and BN7.

Site Selection

- 6.59 The NPPF states how local planning authorities should identify suitable areas for renewable energy in development plans; it further states that substantial commercial development outside these areas should demonstrate that the proposed location meets the criteria used in identifying the suitable areas. Considering the Council has not identified any sites for renewable energy it is up to developers to come forward with appropriate schemes in appropriate locations, such as this one. Notwithstanding the above, the NPPF also states at paragraph 148 that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure.
- 6.60 The extant Development Plan pertinent to the development site does not identify any suitable areas for solar development; accordingly, the site selection is guided by the development control considerations laid out through the general development control policies; National Planning Policy Guidance; and the operational needs and requirements of the development proposal; these are guided by: -
- A suitable location to benefit from sunlight intensity levels - the site should be relatively flat (or south facing) and free of any buildings or landscape features that could cause overshadowing;
 - A suitable location with access to the grid which has capacity;

- A suitable location which is served / can be served by appropriate highway infrastructure;
- Encouraging the effective use of land, where a proposal involves Greenfield land, the use of land has been shown to be necessary and poorer quality land has been used in preference to higher quality land;
- A site with minimal environmental constraints;
- A suitable site of the right size, shape and orientation that can accommodate a 13MW solar scheme; and
- A suitable site which is available for the duration of the proposed scheme.

6.61 Reflecting on the above the site is deemed appropriate and has favourably emerged through the site selection process since:-

Sunlight intensity levels

6.62 The site is well located geographically for solar gain and is relatively flat and is free of any buildings or landscape features that could cause overshadowing.

Grid connection

6.63 Proximity of a nearby point of connection which has capacity is essential.

6.64 The point of connection to the electricity grid is an existing underground 33kv cable located near the junction between Crick Road and Moors Lane around two kilometres to the north. A separate planning application will be lodged for the cable route since it straddles the administrative boundary of two separate local planning authorities. The grid offer accepted can only be used for the Rainsbrook Solar Farm and cannot be transferred to any other site, as this would be deemed by the DNO as a significant alteration to the original application.

Good road access

6.65 The existing access is already used by the farm agricultural vehicles and HGV in the form of delivery lorries. This proposal is in keeping with the existing vehicles that use the junction and it is not considered that there will be a material increase in traffic for the short duration of construction.

Effective use of land

6.66 In terms of locational requirements, the scheme can only be accommodated in the open countryside as large scale ground mounted solar arrays have specific land take requirements.

Minimal environmental constraints

6.67 The Development Plan Part 2, at paragraph 9.3.04, identifies how the District contains a number of biodiversity rich sites. These range from nationally important Sites of Special Scientific Interest (SSSI) to locally important sites, including Local Nature Reserves (LNRs), Local Wildlife Sites (LWSs), local geological sites (LGeS), Pocket Parks, Protected Wildflower Verges and country parks. Within the District, SSSIs and LNRs benefit from statutory protection, the remaining sites are local designations and have less protection. Certain species of plants, birds and animals are protected under separate legislation. Biodiversity is not confined to designated sites but is present in both urban and rural areas on other open space designations, hedgerows, trees, water bodies and buildings providing wildlife habitats. West Northamptonshire Council's administrative area therefore benefits from an attractive and naturally diverse landscape and as a consequence a proportion of the countryside is afforded with environmental designations. The necessity of avoiding these areas restricts the suitability of sites.

6.68 The application site is not located within any sensitive areas as defined by the EIA regulations and as such by virtue of its siting, the proposal has taken into account the need to protect the valuable landscape and ecological resources provided within the surrounding countryside, whilst providing for the sensitive exportation of renewable energy sources in accordance with the policies set out in the NPPF. In terms of land quality, as stated elsewhere in this statement, at Subgrade 3b at the site is some of the poorest quality land in the area. In the context of the NPPF, the proposal would not result in the significant development of BMV agricultural land, and given the timescale of the scheme, the proposal would also not result in the irreversible loss of the best and most versatile agricultural land on the site.

Land take requirements

6.69 The site is of an appropriate size that can accommodate a circa 13MW solar farm.

Availability

6.70 The site is available for the lifetime of the proposed scheme (designed operational lifespan of the solar park is up to 40 years). Mitigation measures would be introduced to compensate against possible adverse impacts.

Restoration

6.71 The proposal is for a temporary structure with a modelled operational lifespan of up to 40 years. Following cessation of energy generation at the site, and as part of the contractual obligations with the landowner, all panels, security fence and inverters will be decommissioned and all plant and machinery will be removed from site.

7. CONCLUSION AND PLANNING BALANCE

- 7.1 The application proposal is for the construction, operation and decommissioning of ground mounted solar panels. The solar energy produced equates to the annual energy consumption of approximately of 4000 homes a year. The anticipated CO₂ displacement is circa 5590 tonnes per annum. There can be no question but that the positive environmental benefits of this should carry significant weight.
- 7.2 The development is clearly in accordance with the Government's policies on meeting the challenge of climate change. The Framework and National Policy Statement for Energy (EN-1) sets out the starting point for decision making, this being the presumption in favour. The presumption means that the determining authority should grant permission for development unless specific and relevant policies indicate that the consent should be refused. Under the NPPF one of the core principles is the need to support the transition to a low carbon future in a changing climate; and to encourage the use of renewable resources. The Proposed Development does both of those things. Planning is also acknowledged to play a key role in securing reductions in greenhouse gas emissions and in supporting the delivery of renewable and low carbon energy. The proposal contributes towards this. The NPPF states that applications for renewable energy should be approved if the impacts are acceptable. Here, whilst there are impacts created by the application proposal they are acceptable in nature. Accordingly, in this case the NPPF favours approval. Paragraph 1.1.1 of consultation draft EN-3, notes how the guidance identifies how electricity generation from renewables is now an essential element of the transition to low carbon economy. Paragraph 2.48.9 of consultation draft EN-3 makes specific reference to how the point of connection is an important consideration for the site selection for ground mount solar schemes.
- 7.3 Planning Policy Guidance on renewable energy explains the importance of increasing energy from renewable technologies *"will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses"*. The application proposal contributes to meeting those objectives.
- 7.4 Reflecting on the planning balance and turning to sustainable development, it is widely understood in planning that there are three dimensions to sustainable development, these are economic, social and environmental gains. National Policy advises that in order to achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the

planning system. The application proposal would contribute towards all of these requirements. Social gain would be provided through the generation of local electricity that will be connected directly to the local grid; the proposal would reduce reliance upon overseas energy sources. The energy production would help to meet the national and local need for energy and therefore the development would fulfil an important social role. Turning to environmental gains these would be secured through carbon reduction and local biodiversity enhancements. The development would help support the transition to a low carbon future and produce a significant amount of renewable energy. The introduction of seasonal sheep grazing together with appropriate management to facilitate the development of a diverse grassland beneath the array would benefit a range of native wildlife for a 40 year period. The application proposal therefore delivers on the environmental arm of sustainable development. Furthermore, within the consultation draft EN-1, health has been introduced under the general assessment principles and reference is made to paragraph 4.3.1 which identifies that access to energy is clearly beneficial to society and health as a whole.

- 7.5 The site is appropriate in that it can accommodate the application proposal without adversely affecting the landscape character of the wider countryside or any amenities of residents in the vicinity. The temporary and reversible nature of the application proposal, together with the measures that are to be taken to enhance and encourage the ecological diversity of the site, will ensure that in the long term the site can not only be restored to its current use, but will also have been improved. The wider environmental and sustainability benefits associated with the increased production and flexibility of energy from renewable sources represents a significant case in favour of the application proposal.
- 7.6 The cessation of intensive agricultural practices within the site, would in turn allow the introduction of ecological enhancement that would benefit a range of native wildlife for the entire generation period of 40 years.
- 7.7 It is clear from the Solar PV Strategies and Clean Growth Strategies that solar PV is one of the Government's priority renewable technologies.
- 7.8 Overall, the application proposal is entirely suitable to the site and its surrounds; consistent with Planning Policy and all relevant material planning considerations; and would achieve a high-quality design as envisaged by the Applicant and as required by the Local Planning Authority.

7.9 The Applicant therefore respectfully requests that planning permission is granted for the application proposal.

APPENDIX 1 – EIA SCREENING OPINIONS

11/06/20

Mr J Nicol
Senior Planner
Pegasus Group
First Floor South wing
Equinox House
Green Park Road
Almondsbury
Bristol
BS32 4QL

Team:

Please respond to:

Direct Line:

E-mail:

Our Ref:

Your Ref:

Resources

SO/0132

JNP19-3186PL

Dear Mr Nicol

**Town and Country Planning (Environmental Impact Assessment) Regulations 2017
Regulation 6(1) Request for a screening opinion in respect of
Proposed Solar Energy Scheme on land at Burnt Thorns Farm, Kilsby Lane,
Hilmorton, Northamptonshire**

I confirm receipt of the above request by the Council on 5th May 2020 by email. The request is made under the above regulations and is made in respect of a 13MW solar farm occupying Circa 20Ha of land adjacent to Burnt Thorns Farm Rugby Road Kilsby , Northamptonshire CV21 4PN.

In considering this request I am satisfied that sufficient information has been provided to adopt an opinion in respect of the proposal.

Due to the Covid 19 crisis it has not been possible for the Council to adopt a screening opinion within the relevant period specified in Regulation 6 but is now proposing to adopt a screening opinion in this letter in accordance with the provisions of Regulation 7 and 8 of above Regulations.

The development site and surroundings

The site is described as extending to approximately 20Ha of agricultural land lying in gently undulating open countryside some 1.2km to the north west of Kilsby village and , less than 1km to the south east of the Rugby urban fringe (Hilmorton) . Approximately 1km to the north east is DIRFT (Daventry International Rail Freight Terminal) a long



established and expanding rail connected warehouse logistics facility. Also to the north at some 1.2km is Houlton a large urban extension currently under development .

The site is accessed off Rugby Road which is a minor B class road on a north west/south east alignment connecting Kilsby village to Rugby. The area is criss-crossed by a number of other minor country roads providing connection to other villages in the locality. The M45 lies some 850m to the south on a east west alignment.

The West Coast Main Rail Line (WCML) and Northampton Loop Rail line lie less than 1km to the north between the site and DIRFT.

The Grand Union Canal (a designated conservation area within Daventry District Council's area) lies less than 200m to the North West of the site.

The Rains brook stream skirts the southern edges of the site on a north west/south east alignment such that these parts of the site lie within an identified flood zone.

There are a few isolated buildings in the proximity of the site The nearest is Burnt Thorns which is former agricultural building now converted to commercial uses. Croft Farm lies opposite the site on Rugby Road . Wharf Farm lies to the north on Kilsby Lane just within Rugby Borough Council's administrative area. Other buildings and farms are further away .

The site itself is relatively flat agricultural arable land that is bounded by a number of field hedges . Generally the site lies in a wide shallow valley with land rising to the south towards Barby and to the north to the urban area of Rugby.

The proposal

The proposal is for the construction of a ground mounted solar farm with a maximum export capacity of up to 13MW (Megawatts) which would have an operational life of up to 35 years after which the site would be decommissioned. The screening letter advises that only 10% of the 20 hectare site will be covered by solar panels.

The panels would be set out in straight arrays on an east/west alignment with each panel being no higher than 3m (on its northern edge) and no lower than 0.7m along its lower (on its southern edge). The panels would be angled between 10-35 degrees. The arrays would be enclosed by a 2m high fence and protected by CCTV system as part of security measures to protect the site

The screening request advises that the proposal will include various other benefits in terms of ecology, landscape and biodiversity packages to deliver biodiversity enhancements .

An electrical connection will be made to the existing electrical network some 1km to the north in Rugby Borough Council's administrative area.

Assessment of the need for an EIA

The proposed development as described is one that falls within the definition of development set out in Column 3.(a) ("Energy Industry"), of the table to Schedule 2 of the Regulations, and is above the applicable threshold (0.5ha) set out in the table. The proposed development would not fall within Schedule 1.

Regulation 5 (5) requires a local planning authority, when adopting a screening opinion, to provide reasons for reaching its conclusion taking into the relevant selection criteria set out in Schedule 3. Where development is not judged to be EIA development to state any features of the proposed development and measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

Characteristics of the development

Schedule 3 of the Regs advises that the characteristics of development must be considered having regard to a range of matters including :

- the size and design of the whole development;
- cumulation with other existing developments and/or approved development;
- use of natural resources in particular land, soil, water and biodiversity;
- production of waste pollution;
- pollution and nuisances;
- risk of major accidents and/or disasters relevant to the development concerned including those caused by climate change, in accordance with scientific knowledge;
- the risks to human health.

The proposal is for a solar farm comprising development as described above. The size of panels as described and nature of their arrangement within a well enclosed agricultural field sitting in open countryside renders its impact on the wider landscape as quite limited. This together with likely mitigation measures would mean that it is unlikely that the development will result in any significant impact in terms of ; use of natural resources; production of waste; pollution and nuisances; risk of major accidents; or risk to human life.

The current proposal would not result in significant environmental impacts to the surrounding area nor wide ranging environmental effects which would warrant the need for an EIA by reason of the characteristics of the development.

Location of Development

Schedule 3 of the regulations advises on the need to consider the environmental sensitivity of the geographical areas likely to be affected by the development having regard to a range of consideration including; existing and approved land use; relative abundance, quality and regenerative capacity of natural resources in the area; and absorption capacity of the natural environment.

The site does not lie in an area that is environmentally sensitive in that there are no international, national or local designations in place. The development is therefore unlikely to result in significant environmental impacts on environmentally sensitive areas and does not warrant the submission of an EIA having regard to these considerations.

Types and characteristics of potential impact

Schedule 3 also requires the relevant authority to have regard to the extent of the impact; the transfrontier nature of the impact; the magnitude and complexity of the impact ; the probability of its impact ; the duration, frequency and reversibility of the impact.



Rugby Borough Council, Town Hall, Evreux Way, Rugby, CV21 2RR

TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (As Amended) SCREENING OPINION

REFERENCE: PR20/0391
APPLICANT: James Nicol First Floor, South Wing
PROPOSAL: Screening Opinion request in relation to the proposed cable for a solar energy scheme. (Cable within Rugby BC, other works within Daventry DC).
SITE: Burnt Thorns Farm, Kilsby Lane, Rugby, CV21 4PN

DATE OF RECEIPT: 05/05/2020

1. Is the application accompanied by an EIA?
NO
2. Has a previous screening opinion been made for this proposal?
NO
3. Is the development listed in Schedule 1? (see note 1 below)
NO
4. Is the development listed in Schedule 2? (see note 1 below)
YES - 3(a) Industrial installations for the production of electricity, steam and hot water.
5. Is there sufficient information to determine whether an EIA is required?
YES
6. Has an extension of time been agreed with the applicant? (see note 2 below)
NO
7. Is the development proposed in a 'sensitive area'? (see notes 2 & 3 below)
NO
- 7a.) Has Natural England or any other non-statutory body been contacted?
NO
- 7b.) When were they contacted DATE: REPLY EXPECTED BY: (Go to Q8)
8. Does it meet any of the relevant Schedule 2 thresholds/criteria? (see note 4 below)
YES - The area of the development exceeds 0.5 hectare.
9. Is the development above Planning Practice Guidance (EIA) 'indicative' thresholds/criteria?
NO
Maximum export capacity proposed is 13MW with battery storage capacity of 9.9MW so total capacity 22.9MW.

10. Is the proposal likely to have significant effects on the environment?

NO

11. Relevant reasons, justification and additional comments:

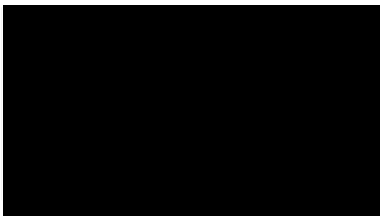
This screening opinion relates to the proposed cable which is within the administrative area of Rugby Borough Council. This is without prejudice to any screening opinion given by Daventry District Council relating to the proposed solar energy scheme.

The proposed development does not exceed the indicative thresholds contained within the Planning Practice Guidance and the cable will have limited visual impact.

An EIA development must either: be within Schedule 1 or; Schedule 2 'within a sensitive area' or above thresholds/criteria and 'likely to have significant environmental effects.'

In my view the proposed development **is not** an EIA development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

Signed:



Date: 07/05/2020

Note 1

'Schedule 1 development' means development, other than exempt development, of a description mentioned in Schedule 1 as defined in the EIA Regulations 2017.

'Schedule 2 development' is as described in Column 1 of Schedule 2 in the EIA Regulations 2017.

Note 2

Extension of time may be required if the Authority needs to seek advice from consultation bodies regarding whether the proposal is EIA development e.g. Environment Agency, Natural England.

Note 3

'Sensitive area' – as defined in Regulation 2 (1) of the EIA Regulations 2017.

Note 4

Applicable thresholds and criteria are set out in Column 2 of Schedule 2 in the EIA Regulations 2017.

Note 5

The Planning Practice Guidance provides guidance on considering whether the proposed development is likely to have significant environmental effects. Reference should be made to Schedule 3 of the EIA Regulations 2017 (Selection Criteria for Screening Schedule 2 Development) and the indicative criteria and thresholds outlined in the EIA section of the Planning Practice Guidance for individual development projects.

APPENDIX 2 – PRE-APPLICATION ADVICE



Daventry District Council

Lodge Road, Daventry, Northamptonshire NN11 4FP

Tel: 01327 871100 Fax: 01327 300011 DX21965

Website: www.daventrydc.gov.uk

Chief Executive: Ian Vincent B.A. (Hons) Arch, Dip Arch, RIBA

Pegasus Group
First Floor South Wing
Equinox North
Great Park Road
Almondsbury
Bristol
BS32 4QL

By email:
samuel.dargue@pegasusgroup.co.uk

Team:

Resources

*Please
respond to:*

Direct Line:

E-mail:

Our Ref:

Your Ref:

Date

SH/P/20/119

24 September 2020

Dear Mr Dargue

Re: 11/13 MW Solar Farm at Rainsbrook, adj Rugby Road, Kilsby

I refer to your pre-application enquiry of 21 July 2020 concerning the above. I apologise for the delay in getting my formal response out to you.

The site and surroundings

The 20 hectare proposal site comprises four adjacent agricultural fields in open countryside to the north west of Kilsby, north of Barby and south east of Rugby. The majority of the site is relatively flat and low-lying in the surrounding landscape, however the easternmost field rises up fairly significantly towards Nortoft Lane and is much more visible from the immediate surroundings than the lower lying parts of the site. The surrounding area is predominantly agricultural. The mainline railway runs parallel with the site's north eastern edge, some 600m away, and beyond this further to the north is the industrial development at DIRFT.

The longest edge of the site runs alongside Rugby Road with a native hedgerow separating the site from the public highway, although this natural screening is low and gappy in places. Native hedgerows also surround each of the four fields that make up the site and existing gaps in these hedges already facilitate vehicle access between the fields. There is an existing vehicle access and hardstanding leading onto the site off Rugby Road – this is situated roughly central along the sites northern edge.

The Oxford Canal walk is the nearest rural right of way to the site and this follows the alignment of the canal and Conservation Area – no rights of way traverse or border the proposal site itself. Rains Brook, a small tree lined watercourse, meanders around the west and southwest of the site, and Flood Zones 2 and 3 edge out from this watercourse



**INVESTORS
IN PEOPLE**

Silver

up into the lower portion of the south western most field. However the red line denoting the proposed area for the solar installation has been drawn to exclude that flood zone area, leaving the proposal site entirely in flood zone 1.

The nearest dwelling to the site is Croft Farm, directly opposite the site on the north side of Rugby Road. This dwelling is understood to have an association the farm that is putting the solar proposal forward, so it may be that the concerns that would normally be expected from neighbouring residents would not be forthcoming from this property. The next nearest dwelling is Wharf Farmhouse, a listed building within Rugby Borough some 400m north west of the site along Rugby Road.

The designated heritage assets that exist in the vicinity of the site are: grade II listed Wharf Farmhouse, some 400m north west of the site along the Rugby Road, and the Canal Conservation Area, a linear conservation area that runs NE to SW along the canal some 140m from the site's western boundary.

The planning statement refers to two local nature reserves in the vicinity – Linnell Road (2.3km) and Ashlawn Cuttings (2.5km). The Wildlife trust has also pointed out that there is a Local Wildlife Site within approximately 25m of the site.

The proposal

The proposed solar park would be expected to occupy the majority of land within all four of the fields. Long rows of solar panels would be mounted across the fields from east-to west on angled tables positioned to face south. At their highest point the panels would be up to 3m metres above ground level and the lower part of the panel would be 0.7 metres above ground level. It is proposed that sheep would graze around and beneath the panels as a means of managing the grass levels. The posts to support the arrays would be driven down to 1.5m depth and the cabling would be concealed in trenches.

A new 2.0 metre high stock-proof fence is proposed to secure the fields that accommodate the arrays and a scheme of CCTV is proposed. A package of landscape and ecological benefits are proposed together with the bolstering of hedgerow and tree planting.

The lifetime of the development is expected to be 35 years after which the modules would be decommissioned and removed from site.

It is unclear from the pre-app submission what other buildings, structures or cabinets would need to be erected to house the associated equipment and utilities that would support the solar installation. Full details of these will be needed as part of any formal application so the visual and amenity impact of these can be considered.

The connection to the grid crosses the boundary with Rugby Borough. Officers at Rugby Borough did not wish to raise any planning comments on this pre-app.

Although the pre-app form refers to a 11MW solar farm the pre-application planning statement refers to a 13MW solar farm. The advice in this letter would apply equally to whichever is the correct scale of development.

A screening opinion has been issued concluding that the proposal would not be EIA development.

Planning policy analysis

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan in this case constitutes the Settlements and Countryside Local Plan part 2 (SCLP) and the West Northamptonshire Joint Core Strategy (JCS).

SCLP Policy ENV9, Renewable Energy, sets out specific support for renewable energy development where it can be demonstrated that, with mitigation, there will be no adverse impact on:

- i) Form, character and setting of an existing settlement
- ii) Heritage assets, in particular views important to their setting
- iii) Biodiversity and ecology
- iv) Landscape, including cumulative impact with other renewable projects
- v) Residential amenity
- vi) Enjoyment of the open countryside including public rights of way

Demonstrating compliance with ENV9 (i – vi) will be the fundamental starting point in demonstrating the acceptability of your proposal. If the proposal is found to meet these requirements then I am of the opinion that this will carry more weight for a renewables scheme than any possible conflict with the spatial strategy of the development plan (referenced below).

SCLP policy ENV1 looks more specifically at Landscape and guides as to the considerations that are relevant. SCLP policy ENV5 similarly looks more specifically at Biodiversity, and I would also draw your attention to the Biodiversity SPD.

SCLP policy RA6 states that only certain specific forms of development will be supported outside confines in the open countryside. Curiously, the specific forms of allowable development do not cover renewable energy proposals, despite the very nature of renewables most often requiring a location outside confines. However, RA6 does allow for proposals that otherwise accord with R2.

JCS policy R2 relates to the rural economy and at criterion (b) it allows for small scale farm diversification that contributes to the viability of farm holdings. The proposal would not entirely accord with this policy as the solar farm proposal cannot really be said to be small scale. However it emerged during our on-site discussions that this proposal can be regarded as a farm diversification scheme as it is being pursued to improve the ongoing viability of the farm holding. It would be helpful if your formal submission could clarify a little more about this matter so that a policy hook can be found within R2 which will in turn help to satisfy RA6. To fully satisfy R2 the application will also need to demonstrate that it is of an appropriate scale for the location, that it respects environmental quality and protects the BMV agricultural land. You have said that your submission will explore further the grading of the land and put forward a justification on these grounds – I agree that this



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will be necessary. I also note that there is an intention to continue agricultural use (sheep grazing) alongside the solar proposal, and that the site would be fully restored to agricultural use after 35 years. I therefore feel that this would go some way to protecting the agricultural land, even if it was found to be graded highly in terms of BMV classification. The key point that remains then is the matter of respecting environmental quality.

JCS Policy S10, Sustainable Development Principles, sets out a number of criteria that all development should achieve, most of which relate to residential development, but criterion g) and i) are applicable to the current proposal. The proposed development would clearly help to maximise the generation of energy needs from renewable sources by virtue of its use as a solar park (criterion g), but given its countryside location and proximity to heritage assets it will be important to ensure that the proposal does not conflict with the need to protect and conserve the natural environment or heritage assets (criterion i). The same can be said in relation to JCS Policy S11, Low Carbon and Renewable Energy, which sets out that proposals should be sensitively located and designed to minimise potential adverse impacts on people, the natural environment, biodiversity, historic assets and should mitigate pollution. The same can also be said for SCLP Policy SP1 which at criterion G seeks to protect the open countryside as part of a general requirement to protect and enhance the building and natural environment and heritage assets.

There is clearly going to be some inevitable conflict with the spatial and environmental protection policies of the development plan given the open countryside location and the greenfield nature of the development proposal. However Section 38(6) of the Planning Act 2004 requires authorities to determine applications in accordance with the development plan unless material considerations indicate otherwise. Such “other material considerations” will include government policy (NPPF and NPPG) as well as DDCs own corporate commitment to reducing carbon emissions across the district.

The NPPF is generally supportive of renewable energy, and in para 154 it sets out a presumption in favour of such proposals by saying that local planning authorities should approve applications for energy development (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable.

National Planning Practice Guidance (NPPG) for renewable and low carbon energy is clear that the need to support increased renewable energy generation does not automatically override environmental protections and the planning concerns of local communities, so these issues remain relevant to be weighed in the planning balance. NPPG also sets a number of criteria which it will be important to consider in assessing any application. The relevant extract from NPPG is given below.

What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in 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:



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- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a [speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013](#) and [written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015](#).*
- *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 (see [guidance on landscape assessment](#)) 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.*

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.

It would be helpful if your submission could include a brief statement that effectively gives a short commentary response under each of the points above to show how you have addressed each of the issues outlined in NPPG.

Feedback from consultees

Moving on to more detailed comments, firstly I set out below the initial feedback of some of the organisations that will be consulted on a formal application (please note I have not received pre-application comments from the council's Landscape officer or Historic Conservation officer).



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Biodiversity – Wildlife Trust for Northamptonshire

Any application will need to be accompanied by a suitable ecological appraisal as outlined in the Biodiversity SPD. This will need to include a Local Records Centre search (the Planning Statement in paragraph 6.15 states there are no sites of ecological interest within 2km which is not correct as there is a Local Wildlife Site within approximately 25m) and the completion of any species specific surveys recommended in the initial ecological appraisal. The results of the initial ecological appraisal and any further surveys should be used to guide the proposal.

The proposal will also need to demonstrate how it could provide a net gain in biodiversity. Paragraphs 6.16-18 include a range of possibilities which could be incorporated depending on the results of the ecological surveys. Our wildlife consultee strongly recommends the use of the DEFRA biodiversity metric to guide the proposal. The post-construction management of any biodiversity features included within the proposal would be important to its ability to provide net gain.

I have attached a document from Natural England about maximising the environmental benefits of solar farms which the applicant may find helpful. This also touches on the consideration of landscape impacts.

Highways – Northamptonshire County Council

The applicant has already made reference to providing both a Transport Statement and a CMP and we would concur that these would be required.

The route for construction traffic will need to be established and this will most likely be included within the CMP. Whilst the site lies within a 7.5t amenity weight restriction, both construction traffic and any traffic required to visit the site during its operation would be exempt. This does however indicate that some roads in the area are not best suited for larger HGVs. It appears that the most appropriate route will be via the A428 at Hilmorton as this would avoid traffic going through Kilsby village. It may be that the A428/ B4038 junction may need to be tracked (swept path) for an articulated HGV, however this lies outside Northamptonshire so Warwickshire CC Highways will also need to be consulted.

The site access would need to be constructed to NCC commercial vehicle standard (attached) prior to construction works beginning. The 7.3m hard surfacing should continue into the site from the highway boundary for the length of the largest vehicle and any gates be positioned back by this same length. The access would need to be tracked with an articulated HGV to establish if any overrunning of the opposite verge may occur and therefore any localised widening of the carriageway be required. Works to install the site access (and any other localised highway works) would require the applicant entering into a minor Section 278 Agreement with the LHA.

The applicant would need to demonstrate the required visibility splays at the site access (in line with Department for Transport guidance).

The nature of the development is unlikely to have a significant impact on traffic flows once construction has finished, however this modelling should be set out within the Transport

Statement.

There are no Public Rights of Way directly affected by the proposal.

Security and Crime – Northamptonshire Police

There are many examples of similar solar installations across the county and they tend to come with a generic set of 'security measures' which are mostly of very little consequence in reducing the potential for crime and deterring criminality. Two metre high deer fence plus some CCTV cameras have not provided a deterrent on other sites which have had many thousand pounds worth of cables stolen and there is nothing in this application which would indicate otherwise. The applicant has not indicated a robust or layered approach to security in this pre application or a means of reducing the potential for criminality.

Northamptonshire Police consider that the security measures referenced in the pre-app submission are inadequate, and they would like to see a "Site Security Document" submitted as part of the detailed planning application. This should provide more details of how many CCTV cameras are proposed, where they are to be positioned, do they just look at the entrance gates or are they situated around the perimeter of the site, do they have an infra red capability, are they monitored, at what height are they installed? Is the site visited by a guarding company to regularly inspect the fencing for signs of damage? What is the management and maintenance regime proposed? What response is proposed to any activity observed on CCTV - who responds and from where?

Planning officer's initial assessment of other issues

Landscape impact – this is my biggest concern about the proposal. On site I was comfortable that the three lower lying fields that we walked would allow for a solar development that could be well screened and not visually prominent given the lie of the land and the hedgerow screening that exists (and can be enhanced by further planting). However on reflection I realise I did not fully appreciate the sloping nature of the easternmost field nor how visible this field currently appears in its immediate surroundings. I think that a large scale solar array in this field would be visually dominant in views from Rugby Road in both directions, and in my opinion the nature of this visual dominance would detract from the rural character of the landscape in this area. I am mindful that it would be the back edges of the arrays that would be visible from Rugby Road but I am not sure if this eases or worsens my concern. I also note you have said that the tables would be 3m tall at the rear edge and I would comment that this seems possibly over-tall to me – I feel sure that previous proposals have indicated more like a 2.2m maximum height. If possible I would like to see this eastern field removed from the scheme. If it is essential that it remains part of the proposal to make the scheme stack up I would urge you to pay very close attention in your submission to how the landscape and visual impact of this section of the proposal can be minimised and made acceptable. Please refer to the requirements of SCLP policy ENV1, the Historic Landscape Character Assessment, which refers to the area as Crick Undulating Clayland, and other guidance including the Natural England note that is attached to this pre-app advice.



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Views from and impact on the Canal Conservation Area – having walked the towpath of the nearest sections of the canal I observed the natural screening provided by the canalside and riverside trees and hedges and the way that the natural lie of the land between the canal and the proposal site will help to ensure visual separation from the Conservation Area. There may be a few glimpsed views between the gaps in hedges, but I feel that these are unlikely to be prominent or distracting from the enjoyment of the Canal Conservation Area. Of course your submission will have to demonstrate this fully, but my initial feeling is that the impact on the Conservation Area is likely to be acceptable.

Impact on listed Wharf Farmhouse – having attempted to view the site from Wharf Farmhouse I am satisfied that there is sufficient visual and physical separation to ensure that the historic interest and setting of this listed building would not be adversely affected by your proposals.

Impact on nearest dwellings – the impact on the nearest dwelling (Croft Farm) would be visual only. I'm sure occupiers would prefer to overlook a green agricultural landscape rather than the rear edges of long rows of solar panels. However the planning system cannot protect private views and I cannot see that the proposal would have any direct impacts on the nearest dwellings that would be detrimental to their actual amenity (eg by overshadowing, noise, odour, traffic etc). Whilst objections may be expected I believe the wider landscape impact is the issue that would be most pivotal, not the impact on a private view. The nearest villages and town are far enough away to not be affected, except perhaps through construction traffic, but this can be addressed by a construction management plan.

Flooding - the presence of solar panels has the potential to concentrate surface water runoff in extreme events leading to overland flows and soil erosion. From dealing with previous solar farm proposals I am aware that the potential for surface water flooding, particularly in extreme events, needs to be taken into account and suitable mitigation proposals put forward as part of the FRA.

Conclusions

Clearly national planning policy and guidance contains a strong presumption in favour of solar development providing that all the relevant impacts can be made acceptable with mitigation measures.

My main concern with the proposal is the landscape and visual impact of the easternmost field and I would ideally like to see this removed from the scheme. The three other fields are lower-lying and would hence more easily lend themselves to a solar scheme that would not be visually intrusive or detrimental to the rural character of the wider landscape. Please focus on the requirements of SCLP policy ENV1 with regard to Landscape and be mindful that the in principle support for a development is dependent on your ability to satisfy the requirements of this policy, together with the other requirements of SCLP policy ENV9. These will be key to the acceptability of your proposal.

At this early stage, and without further or full details, I consider that it is likely the proposal could fit with the other elements of the development plan on issues such as biodiversity, heritage impact, highways, security, residential amenity and flooding. I hope that the



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advice in this letter will give you a steer as to what to focus on and include in your submission.

Please note that this is an officer opinion only and is not binding on the Council. Any final decision on a planning application will rest with authorised officers under the Council's delegation scheme or elected members on the Planning Committee. However, if an application is received within 12 months of this letter and there has been no material change in planning policy or site specific circumstances then the advice in this letter is unlikely to change.

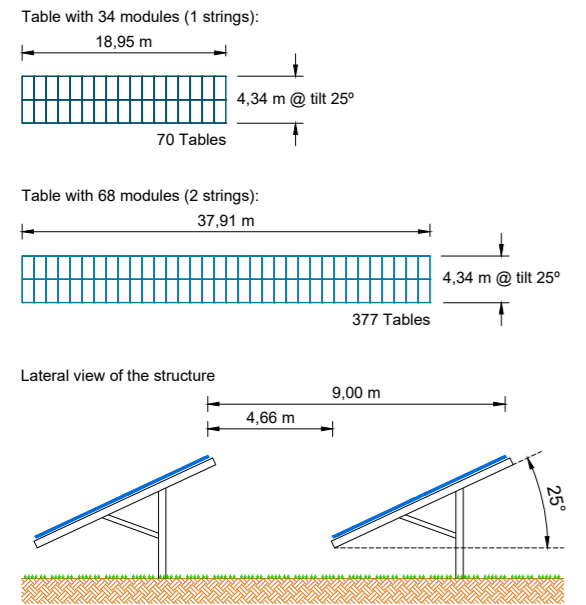
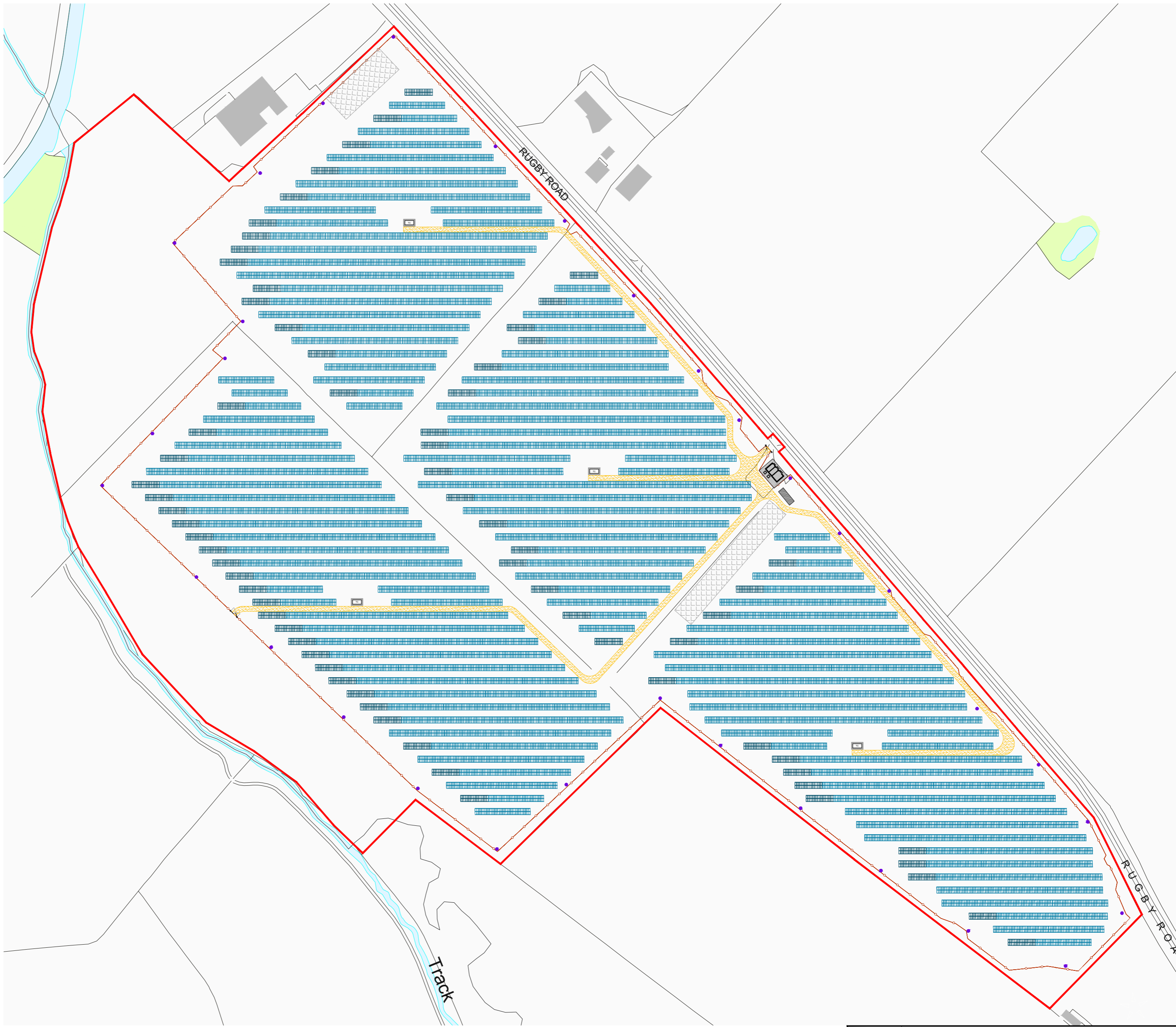
Yours sincerely



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APPENDIX 3 – PROPOSED LAYOUT PLAN



STRUCTURE	TYPE	TILT		
	Fixed	25°		
PV MODULES	TYPE	POWER	NUMBER	
	Trina Solar Vertex S35Hp	535 Wp	28 016	
STRINGS	PV MODULES PER STRING	NUMBER		
	34	824		
INVERTERS	TYPE	POWER	NUMBER	
	Sungrow SG3125HV	3 125 kVA	4	
TRANSFORMER CENTER	TYPE	POWER	NUMBER	
	Sungrow SG3125HV	3 125 kVA	4	
GEOMETRIC DATA	AZIMUTH	PITCH	PV PLANT PERIMETER	PV PLANT AREA
	0°	9.00 m	2 193 m	19.16 ha
TOTAL PEAK POWER INSTALLED:		14 988,560	kWp	
TOTAL NOMINAL POWER INSTALLED:		12 500,000	kVA	

- Key:
- Compound Area
 - CCTV Pole
 - Internal access track
 - PV Module
 - Boundary
 - Fence
 - PV Plant Entrance
 - Transformer Center
 - DNO Substation
 - Control House

VERSION	PURPOSE	DRAWN	APPROVED	DATE
05	Red line update	Abilio Paulos	Anastasios Katsaros	24.06.2021
04	Key update	Abilio Paulos	Nuno Monteiro	07.06.2021
03	Boundary update	Anastasios Katsaros	Anastasios Katsaros	25.02.2021
02	Layout update	Anastasios Katsaros	Anastasios Katsaros	08.02.2021
01	Layout update	Mário Gonçalves	Anastasios Katsaros	13.01.2021
00	Initial version	Mário Gonçalves	Anastasios Katsaros	18.12.2020

PROJECT: Rainsbrook Solar Farm		DRAWING DESIGNATION: General Layout	
SITE: Kilsby, Northamptonshire, UK		DRAWING CODE: DV_LV_101_02_05	
CLIENT: -		ISSUED BY: COE	
PROJECT N°: BUN01	STAGE: Development	SERVICE: Electrical	SCALE: 1:2000
		FORMAT: A2	



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