



Bubney Solar Farm

PLANNING STATEMENT

On Behalf Of Renewable Connections Developments Limited



MARCH 2021 | HS/JE | P20-1083



BUBNEY SOLAR FARM

PLANNING STATEMENT

BUBNEY FARM, GRINDLEY BROOK, WHITCHURCH, SHROPSHIRE, SY13 4QH

ON BEHALF OF RENEWABLE CONNECTIONS DEVELOPMENTS LTD

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

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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 Renewable Connections Developments Ltd ("the applicant"). Planning permission is sought for the construction and operation of a renewable energy scheme comprising ground mounted photovoltaic (PV) arrays with ancillary equipment on agricultural land at Bubney Farm, Grindley Brook, Whitchurch, Shropshire, SY13 4GH.
- 1.2 A site location plan is provided at Appendix 1.
- 1.3 The main element of the proposal is the construction, operation, maintenance and decommissioning of a ground mounted solar park with a maximum export capacity of up to 30MW (megawatts).
- 1.4 The proposal would provide a clean, renewable and sustainable form of electricity and will also make a valuable contribution to the generation of electricity at a local level. The scheme would add to Shropshire 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.
- 1.5 The issues relevant to the assessment of the application proposal are set out in this Statement. The remainder of this Statement is structured as follows:
 - Section 2: Background
 - Section 3: Site and Surrounds
 - Section 4: The Proposal
 - Section 5: Planning Policy Context
 - Section 6: Planning Assessment
 - Section 7: Conclusions

Supporting Documentation

- 1.6 The application proposal is supported by the following documentation:
 - Completed Application Form and Certificates
 - Planning Application Drawings

- **Covering Letter,** prepared by Pegasus Group.
- Design and Access Statement, prepared by Pegasus Group
- Planning Statement, [this statement] prepared by Pegasus Group
- Consultation Report, prepared by Pegasus Group
- Construction Traffic Management Plan, prepared by Pegasus Group
- Landscape and Visual Impact Assessment, prepared by Pegasus Group
- Arboricultural Survey, Impact Assessment and Protection Plan, prepared by Barton Hyett Associates
- Flood Risk Assessment and Drainage Strategy, prepared by Clive Onions Ltd
- Construction Traffic Management Plan, prepared by Pegasus Group
- Agricultural Land Classification Survey to be submitted under separate cover
- Heritage Assessment, prepared by Pegasus Group
- **Ecological Impact Assessment**, prepared by Clarkson and Woods
- **Noise Assessment,** prepared by Ion Acoustics

Regulatory Considerations

1.7 The EIA Regulations contain two development schedules (Schedule 1 development and Schedule 2 development). Schedule 1 contains a list of development where EIA is mandatory and Schedule 2 contains a list of development, coupled with development thresholds, where EIA may be considered. The Local Planning Authority must screen every planning application falling under the Schedule 2 development thresholds to determine whether or not EIA is required. Schedule 2 contains a list of development descriptions (categories) and applicable thresholds and criteria for the purpose of classifying development as Schedule 2 development. There is no category which specifically refers to ground mounted solar. Category 3(a) refers to (inter alia) industrial installations for the production of electricity whereby the need for an EIA should be considered if the development footprint exceeds 0.5 hectares.

1.8 Given the land take, a formal Environmental Impact Assessment Screening Opinion Request was submitted to the Local Planning Authority on 7 August 2020. Shropshire Council issued their screening opinion on 22nd September 2020 which confirmed that the proposed development is non-EIA development. A copy of the Council's EIA screening opinion is provided at Appendix 4 of this report.

Pre-Application Advice

- A pre-application advice request was submitted to Shropshire Council on 23rd June 2020. The pre-application was validated under case reference number PREAPP/20/00242.
- 1.10 The pre-application advice was received from Shropshire Council on 24th September 2020. The council considered the development to be acceptable in principle, however, acknowledged that due to the nature, scale and location of the proposed development, there is the potential to have an adverse impact upon the local area and land users. It was acknowledged that the development of greenfield land and use of best and most versatile agricultural land were of particular concern, and would need to be fully addressed in order to gain officer support. The advice emphasised that detailed assessments were needed to be undertaken and submitted as part of any future planning application to understand any potential impacts, and to identify what level of protection, mitigation and enhancement of identified assets may be appropriate. It was also identified that the sustainability and other benefits of the scheme should be described as part of any planning application so that these can be weighed against any identified harm.
- 1.11 A copy of the Council's Pre-application Advice is provided at Appendix 3.

2. NEED FOR DEVLOPMENT

- 2.1 There is an explicit need for the deployment of solar farms and other renewable energy generation, which is driven by a plethora of government legislation at both a local and national level in the UK.
- 2.2 This section of the statement provides a summary of the background of renewable energy generation in the UK as well as the context of both local and national energy legislation and policies that set out the commitments both local and national government have made towards tackling climate change. This section demonstrates how the rapid deployment of renewable energy technologies across the UK, and solar technologies in particular, is key to achieving these targets.

Background and Renewable Energy in the UK

- 2.3 The background to the drive to increase the use of renewable sources of energy has its roots in the recognition that the burning of fossil fuels has an adverse effect on the climate of the world as a whole and that global measures are required to deal with it. The extensive use of fossil fuels that accompanied the industrialisation of the world's economy has released large volumes of CO2 back into the atmosphere. The accumulation of greenhouse gases in the upper atmosphere reduces the planet's ability to reflect solar radiation back into space, resulting in a gradual increase in mean global air temperature.
- 2.4 The scientific evidence on climate change is summarised in 'Climate Change Explained' first published on 23 October 2014 by the Department of Energy and Climate Change. To summarise, it states that there is clear evidence to show that climate change is happening. Measurements show that the average temperature at the Earth's surface has risen by about 0.8°C over the last century. 13 of the 14 warmest years on record have occurred in the 21st century and in the last 30 years each decade has been hotter than the previous one. This change in temperature hasn't been the same everywhere; the increase has been greater over land than over the oceans and has been particularly fast in the Arctic.
- 2.5 The UK is already affected by rising temperatures. The average temperature in Britain is now 1 Degree Celsius higher than it was 100 years ago and 0.5 Degree Celsius higher than it was in the 1970s.
- 2.6 Although it is clear that the climate is warming in the long-term, temperatures aren't expected to rise every single year. Natural fluctuations will still cause

unusually cold years and seasons. Along with warming at the Earth's surface, many other changes in the climate are occurring:

- warming oceans;
- melting polar ice and glaciers;
- rising sea levels; and
- more extreme weather events.
- 2.7 Rising levels of carbon dioxide and other gases, such as methane, in the atmosphere create a 'greenhouse effect', trapping the Sun's energy and causing the Earth, and in particular the oceans, to warm. Heating of the oceans accounts for over nine tenths of the trapped energy. Scientists have known about this greenhouse effect since the 19th Century.
- 2.8 The higher the amounts of greenhouse gases in the atmosphere, the warmer the Earth becomes. Recent climate change is happening largely as a result of this warming, with smaller contributions from natural influences like variations in the Sun's output.
- 2.9 Carbon dioxide levels have increased by more than 40% since before the industrial revolution. Other greenhouse gases have increased by similarly large amounts. All the evidence shows that this increase in greenhouse gases is almost entirely due to human activity. The main contribution to this is the burning of fossil fuels for energy.
- 2.10 About 43% of the carbon dioxide produced goes into the atmosphere, and the rest is absorbed by plants and the oceans. Deforestation reduces the number of trees absorbing carbon dioxide and releases the carbon contained in those trees.
- 2.11 The Government advises that if action is now taken to radically reduce greenhouse gas emissions, there's a good chance that we can limit average global temperature rises to 2 Degree Celsius. By taking action now we could:-
 - Avoid burdening future generations with greater impacts and costs of climate change;

- Enable economies to cope better by mitigating environmental risks and improving energy efficiency there will be wider benefits to health, energy security and biodiversity; and
- Benefit economically because if we delay acting on emissions, it will only mean more radical intervention in the future at greater cost.
- 2.12 It is also recognised that taking action now can also help to achieve long-term, sustainable economic growth from a low-carbon economy.
- 2.13 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. The UK is part of an international effort to combat climate change. The UK is a party to the United Nations Framework Convention on Climate Change (UNFCCC) and as such has signed up to international climate change obligations, such as the Kyoto Protocol and the Paris Agreement.

National and Local Legislative Context

Committee on Climate Change

- 2.14 The UK Committee on Climate Change advises the government on progress on tackling climate change.
- 2.15 In May 2019, the Committee on Climate Change published its Net Zero report which responded to a request from the Governments of the UK, Wales and Scotland, asking the Committee to reassess the UK's long-term emissions targets.
- 2.16 The paper identifies how: -
 - Current policy is insufficient for even the existing targets and a net zero target would not be credible unless policy is ramped up significantly.
 - Delivery must progress with far greater urgency.
 - The supply of low-carbon power must continue to expand rapidly, and increasingly, from around 2030, some conventional power plants may need to run for only part of the year. While many options no longer need subsidies, Government intervention may still be needed, for example by backing long-term contracts aligned to expected wholesale prices. Policy

and regulatory frameworks should also encourage flexibility (e.g. demand response, storage and interconnection).

- The Energy White Paper planned for 2019 should aim to support a quadrupling of low-carbon power generation by 2050.
- Consistently strong deployment of low-carbon generation will be needed in order to quadruple low-carbon supply by 2050.
- 2.17 The explicit need to introduce a step change in how the country deals with climate change has been recognised by the Government who, on 1 May 2019, declared an Environmental and Climate Change Emergency following the finding of the Intergovernmental 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.

Climate Change Act 2008

2.18 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 legislation was signed into law in late June 2019, following approval by the House of Commons and the House of Lords.

UK Renewable Energy Policy

- 2.19 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.
- 2.20 This subsection goes on to summarise the following relevant provisions:

Energy Act (November 2012)

- 2.21 By way of background, the Energy Bill was introduced by the Coalition Government in November 2012 and aimed to "power low-carbon economic growth for the UK". The Secretary of State for Energy and Climate Change confirmed the introduction of the Energy Bill to the House of Commons alongside the Annual Energy Statement. The Bill sought to establish a legislative framework for delivering secure, affordable and low carbon energy throughout Great Britain. At its core is the need to ensure that, as old power plants are taken off line, the UK remains able to generate enough energy to meet its needs even if demand increases. Doing this while also decarbonising requires significant investment in new infrastructure to be brought forward. The Bill was duly progressed through Parliament and received the Royal Assent on 18 December 2013.
- 2.22 With regard to setting a decarbonization target, the Act allows the Secretary of State to set or amend a decarbonisation target range, being a target range for the level of carbon intensity of the electricity generation sector. The earliest that a decarbonisation target range could be set for is 2030, and the decision of whether to exercise that power would be taken in 2016, after the Committee on Climate Change has provided advice on the Fifth Carbon Budget.
- 2.23 In the meantime, the objectives of the Electricity Market Reform (EMR) to which the Secretary of State will have regard when carrying out the key EMR functions are:
 - the carbon reduction targets as set out in the climate change act 2008, which include a 34% reduction by 2020 and 100% reduction by 2050;

- to ensure a security of energy supply (including through diversification of energy mix);
- the cost to consumers; and
- the legally binding EU targets for 15% of UK energy to be supplied from renewable sources by 2020.

UK Renewable Energy Strategy

2.24 The 'UK Renewable Energy Strategy' was published in July 2009 by DECC, identifying how to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change. This strategy would also meet the UK's European obligations and legally binding targets to ensure that 20% of our energy comes from renewable sources by 2020.

Energy Security Strategy

- 2.25 This document was published in November 2012 and provides a detailed and open assessment of the UK's current energy security, outlines work already underway to safeguard our energy security, and sets out the policy which the Government is putting in place to ensure that our energy supplies remain secure.
- 2.26 Whilst the document identified that total UK energy demand 'is predicted to fall by 7 per cent between 2011 and 2020'; it also recognises that demand for 'electricity is likely to increase by at least 30 per cent and potentially by 100 per cent as much of our heating and transportation becomes electrified'.
- 2.27 One of the key goals of the Energy Security Strategy is to decarbonise electricity supply which will help reduce UK reliance on international fossil fuel. The UK Government recognises that increasing the amount of energy UK gets from low-carbon technologies will help make sure the UK has a secure supply of energy.

Clean Growth Strategy

2.28 The Clean Growth Strategy, published in October 2017, provides the Government's latest position on solar farms and 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.

2.29 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. Moreover, page 99 specifically states how the 'Government want to see more people investing in solar without government support'.

Government Announcements

2.30 On 18th November 2020, the Government announced a ten point plan for a green industrial revolution which will create and support up to 250,000 British jobs to work towards the UK being carbon net zero by 2050.

Shropshire Council and Climate Change Emergency

2.31 At a local level, Shropshire Council declared a climate change emergency in May 2019 whereby the Council committed to reduce its own emissions to net zero by 2030. Shropshire Council is now one of nearly 200 UK local authorities to have declared a climate emergency. In December 2020, the Council adopted a new Corporate Climate Change Strategy and Action Plan which outlines a strategy to reduce Shropshire Council's corporate carbon footprint and promote adaption measures to increase the resilience of the Council's services. Whilst this sets out a road map for how the council as an organisation will reduce their carbon footprint this does not set out a strategy for the county as a whole.

Net-Zero Opportunities for the Power Sector

- 2.32 The National Infrastructure Commission (NIC), 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.
- 2.33 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 with between 129 237 GW (gigawatts)

of renewable energy capacity 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.
- 2.34 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).
- 2.35 When considering the above figures and applying them to the number of local authorities across the UK, this would mean that there is an additional 107.6 GW of solar capacity required across the 382 local authorities across England, Scotland, Wales and Northern Ireland required to meet the NIC's upper figure for solar.
- 2.36 It is therefore reasonable to surmise that every local planning authority, where appropriate developable land allows, should be delivering a significant amount of renewable energy capacity, considering a mixture of landscapes and terrain.

Impact of Brexit and UK Energy and Climate Change Policy

- 2.37 'Brexit' is also a material consideration for energy and climate change. The salient points are: -
 - Brexit has the potential to impact the UK's civil nuclear industry, including nuclear supply of electricity.
 - The UK has left the EU internal energy market (IEM). The IEM allowed harmonised, tariff-free trading of gas and electricity across Europe (through interconnectors), helping toward 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.

2.38 Leaving the IEM has meant that the way in which energy is traded has changed. This includes some delay in international trading, creating uncertainty, which seems to be pushing cost up.

Digest of United Kingdom Energy Statistics (July 2020)

- 2.39 This Digest, also referred to as DUKES, is an essential source of energy information providing figures on the UK's overall energy performance, production and consumption. The digest is published annually and the latest edition was published in July 2020. The salient points of the report are: -
 - In 2018, fossil fuel remained the dominant source of energy supply, accounting for 78.3 per cent.
 - In 2019, 12.3 per cent of total energy consumption came from renewable sources; up from 11.2 per cent in 2018. On a RED basis, renewable electricity represented 35 per cent of total electricity generation; renewable heat 7.9 per cent of overall heat; and renewables in transport, 8.8 per cent.
 - Imports and exports in 2019 were both down; overall net imports decreased and accounted for 35.2 per cent of UK consumption of energy products.
 - Solar photovoltaic generation grew by just 1.4 per cent to 12.9 TWh in 2019. Generation was boosted by an increase in average sunlight hours, with just 0.3 GW of capacity being added during the year, the lowest annual increase since 2011.
 - During 2019, 12.3 per cent of final energy consumption was from renewable sources, an increase of 1.1 percentage points on 2018. The UK has exceeded its four interim targets (the fourth was 10.2 averaged over 2017 and 2018, and the UK achieved 10.6 per cent). The final target is 15.0 per cent and will be reported in early 2022.
- 2.40 In terms of the synopsis of the above, DUKES identify how 35.2% of the UK energy requirements is reliant on imports. This is a material consideration when balancing the security of energy supplies following BREXIT.

International Legislative Context

- 2.41 This section summarises the following relevant provisions:-
 - 1992 United Nations Framework Convention on Climate Change;
 - 1997 Kyoto Protocol on Climate Change;
 - 2009 Copenhagen Accord;
 - United Nations Climate Change Conference, Durban, 2011; and
 - Warsaw Conference of the Parties 19 (COP19).

United Nations Framework Convention on Climate Change

2.42 This convention acknowledged the need to protect the global climate. It was opened for signature at the 'Earth Summit' that met in Rio de Janeiro in June 1992, coming into force in March 1994. Recognising that human-induced changes to the atmosphere are affecting the climate, it set out to ensure that atmospheric concentrations of greenhouse gases are stabilised at a safe level.

The Kyoto Protocol

2.43 The Kyoto Protocol to the United Nations Framework Convention on Climate Change (United Nations, 1997) was ratified by the UK in 2002. It sets obligatory targets for committed Annex I countries (including the UK) to take measures aimed at reducing greenhouse gas emissions, such as carbon dioxide (CO2), by an average of 5 % against 1990 levels over the five year period 2008 - 2012. Under the Kyoto Protocol, the UK's commitment is for a reduction in greenhouse gas emissions of 12.5 % from 1990 levels by 2012.

Copenhagen Accord

- 2.44 The Copenhagen Accord, agreed by leaders representing 49 countries, marks a significant step forward, with countries agreeing to limit global temperature increases to no more than 2°C and making substantial commitments to support developing countries to take action. As a party to the Copenhagen Accord, the United Kingdom has agreed a range of proclamations and objectives, including that:
 - climate change is `one of the greatest challenges of our time', which must be combated `urgently';

- the ultimate objective is to stabilise greenhouse gas concentration in the atmosphere 'at a level that would prevent dangerous anthropogenic interference with the climate system';
- any increase in global temperature should be 'below 2 degrees Celsius';
- 'deep cuts' in emissions are required;
- emissions should peak 'as soon as possible'; and
- lower emissions are 'indispensable to sustainable development'.

United Nations Climate Change Conference, Durban, 2011

2.45 The Durban conference considered how to cut emissions to limit global temperature rise to below two degrees to avoid dangerous climate change. Over 120 countries formed a coalition behind the EU's proposal of a 'road map' to a global legally binding agreement, to be put in place by 2015, to curb emissions. The talks resulted in a decision to adopt the second commitment period of the Kyoto Protocol. The conference also agreed to establish a green climate fund to assist poorer countries to make the transition to a low carbon economy.

Warsaw COP19

2.46 At the UN Climate Change Conference in Warsaw 2013, governments took further essential decisions to stay on track towards securing a universal climate change agreement in 2015. The objective of the 2015 agreement is twofold: Firstly, to bind nations together into an effective global effort to reduce emissions rapidly enough to chart humanity's longer-term path out of the danger zone of climate change, while building adaptation capacity; Secondly, to stimulate faster and broader action now.

3. SITE AND SURROUNDS

- 3.1 The site is located on land within Bubney Farm, Grindley Brook, Whitchurch, SY13 4QJ. The site is located within the boundary of Shropshire Council administrative area.
- 3.2 The proposed 30MW solar PV development is situated within open countryside within a site which extends to c. 60 hectares. To the south, the site effectively shares a common boundary with a water works station and two residential properties, beyond these is the A525 Wrexham Road. To the north of the site is the farmstead, beyond which is the settlement of Grindley Brook. The site is bounded by agricultural fields beyond which is the Llangollen/Shropshire canal; woodland belts; and then the A41/A49 Whitchurch Bypass which is administrative with Cheshire East Council. The west boundary is defined by a linear woodland belt which also forms the administrative boundary between Shropshire and Wrexham Council and the boundary between England Wales, beyond which is a registered park and garden.
- 3.3 The site is served by an existing farm access track leading from the A41 at Grindley Brook. This is the main access point for the farmstead and is considered to be appropriate for agricultural vehicles and therefore HGVs.
- 3.4 The main site is located within gently undulating arable farmland with levels set at 92AOD along the southern boundary, 90AOD along the western boundary and 90AOD along the northern boundary. Within the site localised levels fall to 85AOD whilst it appears that the land falls towards the east, with the eastern boundary set at 80AOD. The Historical Park and Garden to the west of the site has a similar topography, averaging at 85AOD and as such it is anticipated that the existing woodland belt provides adequate visual screening.
- 3.5 The site plan below shows the location of the site. A grid connection route is proposed to the north east to connect the proposed solar PV development to the existing Whitchurch substation located on the A41. This includes a simple cable route through the fields along the track and onto the A41.

Sensitive Human Receptors

3.6 The site is located between the settlements of Whitchurch (circa 1.72km) (east) and Wrexham (circa 17km) (North West). To the south, the site effectively shares a common boundary with a water works station and two residential properties,

beyond these is the A525 Wrexham Road. To the north of the site is the farmstead, beyond which is the settlement of Grindley Brook. The site is bounded by agricultural fields beyond which is the Llangollen/Shropshire canal; woodland belts; and then the A41/A49 Whitchurch Bypass which is administrative with Cheshire East Council. The west boundary is defined by a linear woodland belt which also forms the administrative boundary between Shropshire and Wrexham Council, beyond which is a registered park and garden.

- 3.7 The site is located within the surroundings of the following residential properties:
 - Properties 17, 18 and 20 located on the farm track access on the A41 Chester Road to the north;
 - Properties on Grindley Brook Lock to the north east;
 - Canal Cottage to the east;
 - Hadley Farm and Rising Sun Cottages near the sewerage treatment works to the south; and
 - Hall Green House and Wolvesacre Hall to the west of the site.
- 3.8 In general terms, the proposed solar PV development would be visible to varying degrees between Bubney Farm to the north, Bridleway 0234/92/1 to the east, the sewerage treatment works to the south, and woodland at Bubney Moor to the west of the site. Close proximity views would be visible from the PROW crossing the site. Medium proximity views would be visible from Bubney Farm to the north, Canal Cottages to the east, and the Rising Sun Cottage near the sewerage treatment works to the south of the site. Long distance views would be limited although partially visible from public footpath 0234/88/1 following the farm track to Bubney Farm to the north east and limited points along Llangollen Canal towpath. These visual effects can be mitigation through provision of new native hedgerows or reinforcements along the site boundaries.

Heritage Assets

- 3.9 Based on currently available information, archaeology is not anticipated to pose an overriding constraint to development. The 1891 Ordnance Survey map labels one of the plantations as 'Gorse Covert' and identifies several clay pits and former quarry in the fields surrounding Bubney Farm but none within the site itself.
- 3.10 The site likely comprised moorland/heathland and farmland during the medieval and later periods. There is likely to be buried evidence of historic agricultural

activity across the site, though furrows and former field boundaries would not typically be considered heritage assets.

- 3.11 Turning to built heritage, there are no designated heritage assets are recorded within the site. There are however 31 Listed Buildings, a Registered Historic Park and Garden, and one Scheduled Monument located within a 1km radius of the site.
- 3.12 16 Grade II Listed Buildings are directly associated with the early 18th Century Grade II* Listed Century Country House and Grade II Registered designated landscape of Iscoyd Park, c.550m west of the site. The Grade II Listed Lock House lies c.780m north-east of the site; the other Listed Buildings are located in the western and southern parts of the study area. The Scheduled Monument comprises the moat of the (now-demolished) medieval manor of Wolvesacre Hall, located a short distance to the north of Iscoyd Park, c.310m west of the site.
- 3.13 Only the Grade II* Listed Building and Grade II Registered Historic Park and Garden of Iscoyd Park are considered to be potentially sensitive to the proposed development. The country house was built in the early 18th Century but extended and modified in the mid and late 18th Century and in the early 19th Century by successive owners. The designation of Grade II* is for: **"Its special architectural interest as an especially fine and well-preserved mid C18 country house with earlier origins, its historic character enhanced by a group of well-preserved C18 and C19 service buildings."**
- 3.14 As a Grade II* Listed Building, Iscoyd Park is a designated heritage asset of the highest significance. Its significance is largely derived from its special architectural and historic interest as embodied by its physical form and fabric. The setting contributes to its significance, albeit to a lesser degree.
- 3.15 As a Grade II Registered Historic Park and Garden, Iscoyd Park is a designated heritage asset of less than the highest of less than the highest significance. Its significance is largely derived from its special historic interest. The setting contributes to its significance, albeit to a lesser degree.
- 3.16 Neither Iscoyd Park mansion and Park nor any other designated heritage asset is anticipated to represent a constraint to the proposed development at this stage.

Environmental Designations

- 3.17 There are no statutory environmental designations, as defined by the EIA regulations located within the site. At a local level, the site is surrounded by areas of high biodiversity value and connective corridors as defined by Shropshire Council. The site is located within the surroundings of the following environmental designations to the west of the site as shown below: -
 - Access Land at Bubney Moor and Hall Green;
 - Special Landscape Area at Wolvesacre Hall, Iscoyd Park and Kiln Green;
 - Iscoyd Park Registered Park and Garden;
 - Scheduled Monument, Grade II and II* Listed Buildings located near Wolvesacre Hall and Iscoyd Park;
 - A belt of Ancient Woodland separates the site from the historical park and garden.
- 3.18 The Environmental Designations Plan is provided as enclosure 1 and is shown below for ease of reference.



3.19 The site is located within the surroundings of the following published Landscape Character Areas (LCAs): -

- Natural England, Shropshire, Cheshire and Staffordshire Plain (NCA 61); and
- Shropshire Council, Principle Timbered Farmlands (LCT

Agricultural Land Classification

- 3.20 Where possible, the development on agricultural land should steer towards areas of poorer quality agricultural land where this is available, except where this would be inconsistent with other policy and sustainability considerations. During the 1960's and 1970's MAFF produced a series of maps to show the provisional ALC grade of agricultural land over the whole of England and Wales at a scale of 1:250,000. These provisional ALC maps are suitable for strategic land use planning, i.e. they appropriate for land areas greater than c. 200 acres.
- 3.21 The provisional MAFF ALC map indicates that the quality of agricultural land is Grade 2. As such the site may comprise best and most versatile agricultural land. National guidance with regard to use of BMV land is in short supply whilst lower quality land prevails. This is not the case for Shropshire where the provisional ALC maps identifies significant pockets of Grade 2 land (see illustration below). This itself sets out the compelling evidence to justify how the strategic site selection is appropriate in terms of agricultural land when assessing the availability of higher and poor quality land within the district.



Landscape Designations

The site is not located within any statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty or local plan Special Landscape Area. The proposed solar PV development would be designed to appear physically and visually separated from the Special Landscape Area to the west and the Llangollen Canal to the east of the site.

Access

3.22 The site is served by an existing farm access track leading from the A41 at Grindley Brook. This is the main access point for the farmstead and is considered to be appropriate for agricultural vehicles and therefore HGVs.

Public Rights of Way

- 3.23 There are various ProW traversing the site. PRoW 0234/85/1 which connects Whitchurch to Iscoyd Park and Garden is promoted as a circular walk. This constraint has been taken into consideration and appropriate offset will be provided into the layout design for this development site.
- 3.24 The site is located within the surroundings of the following highways and PRoW:
 - A41 Chester Road to the north and east;
 - A525 Wrexham Road to the south;
 - Public footpath 0234/85/1, 83/1 and 82/1 extending east-to-west across the northern part of the site;
 - Bridleway 0234/86/1 and 90/1 crossing the site from the north east to the south west between Grindley Brook and Bubney Moor; and
 - Bridleway 0234/92/1 and the Shropshire Way/Sandstone Trail extending along the Llangollen Canal to the east of the site.

Hydrology

3.25 The site is located within flood zone 1, an area least at risk of flooding:-



3.26 The extent of flood risk of surface water is set out below. Appropriate design and mitigation measures will be required for surface water: -



Pegasus Group

4. DEVELOPMENT PROPOSAL

- 4.1 The main element of the proposal is the construction, operation, maintenance and decommissioning of a ground mounted solar park with a maximum export capacity of up to 30 MW (megawatts). Full details of the proposed layout are provided at Appendix 2.
- 4.2 An operational lifespan of 40 years would be sought.
- 4.3 The point of connection to the electrical grid will be at the Whitchurch Substation located 900m to the north east of the site on the opposite side of the A41.

Solar Farm and Supporting Equipment

- 4.4 The Proposed Development comprises the construction and operation of a solar PV farm with associated infrastructure. The Proposed Development includes the construction and operation of the following equipment:
 - Arrays of solar PV panels;
 - Approximately 10 containerised inverters;
 - DNO substation and Customer Switchgear;
 - Internal Access Tracks;
 - Perimeter Fence and Access Gates; and
 - CCTV Cameras.

Main Components

Ground mounted tracker solar arrays

- 4.5 The design principles of the solar modules are: -
 - The total solar output will not exceed 30MW.
 - All modules will be fixed to mounting framework running north-south direction. The panels will pivot from a central point tilting from east to west to follow the path of the sun.
 - PV modules would be dark blue, grey or black in colour.

- PV module frame would be constructed of anodized aluminium alloy.
- The maximum top height of the solar panels fixed onto the framework would be 2.4m.
- The minimum standard height of the lowest part of the solar modules fixed onto the framework will be approximately 0.5m.
- Internal access track of permeable construction.
- Typical minimum distance between edge of panels and perimeter fencing would be 3m.
- A galvanised steel post mounting system will support the PV module frame which in turn supports the PV modules.
- Biodiversity would be promoted within the arrays.
- 4.6 The solar PV modules would convert solar irradiance into direct current (DC) electricity. The proposed PV panels will be bifacial such that they will collect light both on the front and the rear sides of the panel as it captures sunlight reflected from the grass surface under the solar framework. Depending on site conditions, bifacial yield-gain can reach +30 percent compared to traditional systems.
- 4.7 A typical solar PV module consists of a layer of silicon cells, an anodised aluminium frame, a glass casing, and various wiring to allow current to flow from the silicon cells. Silicon is a non-metal with conductive properties that allow it to absorb and convert sunlight into electricity. When light interacts with a silicon cell, it causes electrons to be set into motion, which initiates a flow of electric current.
- 4.8 The photovoltaic modules would be mounted on single axis tracking system. The racks will be laid out in multiple parallel rows running north to south across the various field enclosures. The proposed mounting system would tilt the panels to follow the path of the sun during daylight hours.
- 4.9 The distance between the arrays would respond to topography but would typically be around 3.2 metres. Land between and beneath the panels would be used for biodiversity enhancements and seasonal sheep grazing.

- 4.10 The top north edges of the panels would be c. 2.4 metres above ground level and the lower edges of the panels would be approximately 0.5 metres above ground level.
- 4.11 The mounting system will be supported at intervals by single mounted posts set approximately 3.5m apart. The posts will be driven into the ground with a small plant rig by impaction to a depth of around 2m and this will be guided by localised ground conditions.



Illustration: PV array cross section

4.12 The insulated DC cables from the solar modules will be routed in channels fixed on the underside of the framework. The DC string cables will run along the entire underside of each row. The electrical cabling from each array will be concealed through shallow trenches linking the modules to the inverters and then to the main substation. The cable trench will typically be between 0.5m to 1.1m in depth and around 0.5m wide. The cable trench may also carry earthing and communications cables and will be backfilled with fine sands and excavated materials to the original ground level.

<u>Inverters</u>

4.13 The proposed inverters will comprise containerised units or small cabin type structures, as shown in pink on the submitted Proposed Site Layout (DWG no. PLE-01). The proposed inverters will measure approximately 6.1m long, 2.4m wide and 2.9m high and each unit will be sited upon concrete plinth.

- 4.14 The proposed inverters will convert the direct current (DC) generated by the proposed solar arrays into alternating current (AC). Within the proposed inverter cabins will also be transformer units which will in turn convert the low voltage AC output from the inverters into high voltage output which is suitable for export to the local distribution network.
- 4.15 Indicative elevations and dimensions of the proposed inverter cabins and associated and associated infrastructure are provided with the application drawings provided at Appendix 2.

District Network Operator Substation and Customer Switchgear

- 4.16 A Customer Switchgear will be constructed close to the entrance into the north east of the site (as shown in blue on the Proposed Site Layout), which will measure approximately 10m long, 4m wide and 3m high. A District Network Operator (DNO) substation will also be constructed in close proximity to the site entrance and Customer Switchgear outside the proposed compound fencing in the north east of the site, which will measure 6m long, 8m wide and 4.1m high (as illustrated in grey on the Proposed Site Layout).
- 4.17 Both the Customer Switchgear and DNO Substation will be supported on concrete pads with 300mm thick permeable granular base (with 30% voids). They will receive electricity directly from the proposed inverter cabins before transferring into the local distribution network.

<u>Security</u>

- 4.18 To secure the Proposed Development, stock proof perimeter fencing (mesh with wooden posts or similar) is proposed around the parcels of arrays proposed within the separate field enclosures. The proposed perimeter fencing will be installed at a height of approximately 2m along the outer edges of the separate parcels of arrays in order to restrict access with wooden supporting posts placed at intervals of c. 3.5m.
- 4.19 The distance between the proposed fencing and the existing field boundaries would vary across the site and at its minimum distance this would be c. 10m. The buffer area would be used for ecological enhancement measures and the trimming and maintenance of existing and proposed vegetation.

- 4.20 In addition to fencing, it is proposed that pole mounted CCTV security cameras would be mounted on poles c. 3m in height and positioned at intervals along the inside face edge of the fencing (between the fence and the arrays) and facing into the development only to protect privacy.
- 4.21 Badger friendly/small mammal access points will be prescribed at various locations along any fencing to allow the passage of badgers across the site.
- 4.22 Details of the proposed cameras and fencing are shown on the Proposed Site Layout in addition to the specific Security Fence and CCTV Standard Details drawing submitted with the planning application and also provided at Appendix 2.
- 4.23 A 6m wide access gates will be installed at the access point to each separate parcel of arrays within the field enclosures for maintenance access. The design of the proposed gates will be of a similar appearance and colour as the fencing. Details of the proposed access gates are provided on the Access Gate Elevation submitted in support of this application and provided at Appendix 2.

Access

- 4.24 The proposed central point of access to the site will be taken via the existing main Bubney Farm access road from the A41 to the north east of the site. The existing farm access from the A41 comprises a priority junction which serves an access road which routes into the main farm and towards the site which is currently used by a range of agricultural vehicles and HGVs accessing Bubney Farm. The existing access road is therefore considered appropriate to be used on a temporary basis by HGVs associated with the construction of the proposed development.
- 4.25 From the existing farm access road, vehicles accessing the site will utilise an existing farm track, which is currently used by agricultural vehicles to farm land south of Bubney Farm, to gain access into the north eastern corner of the main solar compound. From the main site entrance at the north east corner of the proposed solar compound, new internal access tracks are proposed to provide access to link the individual parcels of PV arrays to the main site access. Once operational, the internal access tracks within the site compound will mostly utilised for routine maintenance.
- 4.26 Temporary signage will be erected in the vicinity of the site and the priority junction on the A41 during the construction phase to indicate that heavy construction vehicles are turning.

Construction

- 4.27 During the construction phase, one main temporary construction compound will serve the proposed development located off the main site entrance (as illustrated in orange on the Proposed Site Layout), thus reducing the distance delivery vehicles will need to travel after reaching the site's entrance. This would also be required for decommissioning.
- 4.28 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
 - Wheel washing facilities.
- 4.29 The construction phase is expected to take around 6 months. Construction activities will be carried out Monday to Friday 0800-1700 and between 0800 and 1330 on Saturdays. Should work be required to be undertaken outside these times, this would be agreed in writing in advance with the Council.
- 4.30 Deliveries to the construction compound will be outside of the traditional weekday peak hours at all accesses. Deliveries will therefore only be made between the hours of 1000-1600 and 1800-2000 Monday to Friday, with Saturday deliveries between 1000-1300.
- 4.31 A maximum of up to 50 construction workers are forecast to be on site during peak times during the construction period. A temporary car parking area and minibus area will be provided on the site within a contractor's compound. It is envisaged that parking will be contained within the site and no unnecessary parking will occur on the local highway network.

- 4.32 It is expected that there will be a maximum of around 494 deliveries (or 988 twoway movements) over the course of the 6 month construction period which would equate to approximately 3 deliveries (or 6 two-way movements) per day (assuming a 6 day working week).
- 4.33 If ground conditions dictate, wheel washing facilities will be provided at the contractor's compound. This will ensure no mud or loose material is transferred onto the local highway network.

Biodiversity

- 4.34 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: -
 - Retain and protect existing habitats of local value within and adjacent to the Site during construction and operation, specifically hedgerows, woodland, trees and watercourses.
 - Identify protected or notable species that may be present and potentially affected by the proposed development, and incorporate suitable avoidance, protection and mitigation measures to ensure their continued favourable conservation status;
 - Provide habitat and landscape enhancements though new planting and creation of connected habitat linked to the wider area, using native species appropriate to the locality;
 - Provide opportunities for wider species diversity through planting and seeding, including hedgerow creation and infilling and creation of a diverse meadow/butterfly grassland; and,
 - Providing additional nesting and refuge/overwintering habitat for wildlife such as reptiles invertebrates and small mammals with habitat piles/hibernacula, as well as barn owl, bat and bird boxes as appropriate.
- 4.35 Habitat creation and ongoing management practices are proposed that will enhance the operational Site for biodiversity. The design and long-term management of the land seeks to maintain and improve functionality through protecting and enhancing potentially valuable wildlife corridors through strengthening the hedgerow network within and around the site. Habitat enhancement measures include new native

species hedgerow planting and gapping up of existing hedgerows, creation of extensive grassland areas to replace arable land, species diverse meadow grassland, and swale creation.

- 4.36 These, combined with an associated reduction in intensive agricultural management practices such as chemical spray applications and ploughing, will provide dispersal, breeding, foraging and overwintering habitat for a variety of wildlife including invertebrates, birds, small mammals, amphibians and reptiles if present. The grassland creation will include a wildflower meadow, butterfly wildflower meadow and field margins sown with species rich seed mixes. The extensive areas of continuous new grassland habitat under and around the solar panels, linked to the wildflower meadows and species-rich field margins and habitats in the wider area, will provide improved connectivity and opportunities for a range of wildlife to forage, shelter and freely disperse across the Site. In addition, the strengthened hedgerow network will also benefit habitat linkages in the local landscape.
- 4.37 The main body of the site beneath the solar arrays will be sown with Cotswolds Solar Park Long term Grazing mixture (or similar). Field margins, along buffer strips between the perimeter fence and hedgerows, will be sown with Germinal mix WFG8 Hedgerows and Shaded Areas Grassland mix (or similar). These margin area will be subject to very low intensity, intermittent management to encourage a range of invertebrates and other wildlife to benefit from the species variety and structural diversity that will develop in the sward. An area on the west of the site will be retained for the creation of new grassland meadow planting which will be sown with Emorsgate (or similar) EM3 Special General Purpose Meadow Mixture to provide suitable grassland habitat for bird nesting on the site. A swale will also be created which will provide small-scale habitat variability through being seasonally wet. These areas provide additional opportunities for amphibians and invertebrates, which in turn will contribute to foraging resources for birds and small mammals.

Operation

- 4.38 An operational lifespan of 40 years is sought.
- 4.39 During the operational phase, the activities on site would amount to the maintenance and servicing of plant and equipment, and vegetation management.

The solar panels will also need to be periodically cleaned to ensure efficient running of the system.

4.40 It is anticipated that under normal circumstances, no more than one vehicle would need to access the site per month, and most visits to the site would be undertaken by an operative in a van or 4x4 type vehicle, except in instances where repairs or replacements are required.

Decommission

- 4.41 The solar farm would be operational for up to 40 years. After the 40-year operational period, the solar farm would be decommissioned.
- 4.42 When the proposed solar farm is decommissioned, the solar panels and other infrastructure will be removed and the site restored. Due to the limited quantity of foundations, hard surfacing and heavy infrastructure, combined with the fact that the majority of the site will be retained as grassland, the land will be easier to restore than more intrusive development with more significant foundations.
- 4.43 The restoration process is intended to ensure that the site is restored to the same quality as existing, and it is anticipated that this can be secured by the Council through the use of a suitably worded planning condition.

Renewable Energy and Carbon Displacement

- 4.44 The solar park would generate clean renewable energy for the equivalent of up to 9,090 homes a year. The anticipated CO_2 displacement would be up to 12,900 tonnes per annum¹.
- 4.45 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 make a meaningful contribution to the Council's 2030 carbon-neutral target. It would also assist in meeting national targets.
- 4.46 In addition, the proposal would make a valuable contribution to offsetting greenhouse gas emissions and help tackle climate change. These are important wider environmental benefits that should be given significant weight in the overall planning balance. The scheme would accord with the National Planning Policy

¹ For every 5MW installed, a solar farm will power 1,515 homes for a year and save 2,150 tonnes of CO₂ (source: <u>http://www.solar-trade.org.uk/solarFarms.cfm</u>)

Framework and the thrust of various Acts, Directives and Statements issued in respect of renewable energy.

5. PLANNING POLICY 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 others². In other words, there will be dominant policies which guide the development proposal.
- 5.3 Government's Planning Practice Guidance on Determining Planning applications (last updated 1 September 2015) sets out what may be a material consideration. Paragraph 8 of the guidance states "A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations".

² 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.

- 5.4 The components of the Development Plan pertinent to the site and development proposal comprises: -
 - Shropshire Core Strategy LDF (Adopted March 2011)
 - Site Allocations and Management of Development Plan (Adopted December 2015)

Shropshire Council Core Strategy and Site Allocations and Management of Development Plan

- 5.5 The Core Strategy was adopted by the Shropshire District Council in March 2011 and sets out the local planning policy framework to deliver sustainable growth within the region up to 2026. The Site Allocations and Management of Development Plan (hereafter referred to as 'SAMDev Plan') was adopted in 2015 and sets out proposals for the use of land and policies to guide future development in order to help to deliver the Vision and Objectives of the Core Strategy.
- 5.6 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, applications for planning permission should be determined in accordance with the Development Plan unless other material conditions indicate otherwise. The vision for Shropshire, which is described in the SCS and detailed within the Core Strategy, is of "A flourishing Shropshire". In order to deliver this vision, the SCS sets out three priorities. Of particular relevance, Priority 2: "**Responding to climate and enhancing our natural and built environment**" states that the following actions will be realised.
 - Shropshire will be recognised as a leader in responding to climate change;
 - Working with communities to prepare for and adapt to the uses that climate change may bring and ensure the rich varied environment is valued, protect and enhanced;
 - Natural resources, waste and water will be managed efficiently and we will adapt our needs to meet the changing demands of the climate

5.7 Strategic objective 9 states: -

"Promote a low carbon Shropshire, delivering development which mitigates, and adapts to, the effect of climate change, including flood risk by promoting more responsible transport and travel

choices, mor efficient use of energy and resources, the generation of energy from renewable sources, and effective and sustainable waste management."

- 5.8 The key policies pertinent to the development proposals are: -
 - Policy CS 5 Countryside and Greenbelt;
 - Policy CS6 Sustainable design and development principles;
 - Policy CS8 Facilities, Services and Infrastructure Provision;
 - Policy CS17 Environmental Networks;
 - Policy CS18 Sustainable Water Management;
 - SAMDev Plan Policy MD2 Sustainable Design
 - SAMDev Plan Policy MD8 Infrastructure Provision
 - SAMDev Plan Policy MD12 Natural Environment
 - SAMDev Plan PolicyMD13 Historic Environment
- 5.9 Full extracts of the relevant policies within the Development Plan are included at Appendix 5.

MATERIAL CONSIDERATION

National Planning Policy Framework 2019 (3rd Edition)

- 5.10 The revision to the Framework, which came into force on February 2019, has affected both its contents and structure whereby the document is now set into 17 topic-based chapters. Overall, for the NPPF 3rd edition, the over-arching presumption in favour of sustainable development remains. Material for this application is how Government has placed a greater emphasis on the delivery of infrastructure, including energy and how this is integral towards fulfilling the economic arm of achieving sustainable development³.
- 5.11 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

³ See NPPF 3rd edition paragraph 6 which introduces how the recommendations of the National Infrastructure Committee may be material when deciding applications, and Paragraph 8(a).
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".

- 5.12 The requirement to promote EU obligations and statutory requirements is particularly relevant in relation to the UK's binding EU obligations as set out in legislation whereby the UK's target is to generate 15% of energy from renewable sources by 2020 and this cannot be achieved without appropriate development such as that proposed at Higher Stockbridge.
- 5.13 **Paragraph 8** of the Framework identifies how the planning system has three overarching objectives towards achieving sustainable development.
- 5.14 The revised 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.

- 5.15 **Paragraph 9** 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"*.
- 5.16 **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.
- 5.17 The identification and delivery of energy schemes is therefore acknowledged by the NPPF 3rd edition as one of the strategic policies that contributes towards achieving the presumption on favour of sustainable development.
- 5.18 **Paragraph 80** 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".

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

- 5.19 **Paragraph 83**, 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.
- 5.20 **Section 14** of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. **Paragraph 150** 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 colocating potential heat customers and suppliers.

- 5.21 **Paragraph 154** 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.
- 5.22 Section 15 of the NPPF relates to conservation and enhancement of the natural environment. **Paragraph 170** 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.
- 5.23 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.

Planning Practice Guidance (PPG)

- 5.24 Government's Planning Practice Guidance is a web-based resource providing that provides planning guidance on various planning policy and development management topics. The key topics relevant to this application proposal are:
 - Renewable and Low Carbon Energy; and
 - Climate Change;

Renewable and Low Carbon Energy

- 5.25 This guidance reaffirms Government's commitment towards increasing the amount of renewable energy and low carbon technologies within the UK.
- 5.26 **Paragraph 007** of the guidance considers the role of criteria based polices in planning for renewable energy and states: -

Policies based on clear criteria can be useful when they are expressed positively (i.e. that proposals will be accepted where the impact is or can be made acceptable). In thinking about criteria the National Policy Statements published by the Department of Energy and Climate Change provide a useful starting point. These set out the impacts particular technologies can give rise to and how these should be addressed. In shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that: the need for renewable or low carbon energy does not automatically override environmental protections; cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases; local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas; 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; proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration; protecting local amenity is an

important consideration which should be given proper weight in planning decisions.

5.27 **Paragraph 013** of the guidance sets out the planning considerations that relate to large scale ground-mounted solar photovoltaic farms. It states: -

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include:

encouraging the effective use of land by focussing large scale solar farms on previously developed 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 – 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.

5.28 Importantly, the guidance acknowledges the appropriate use of agricultural land for renewable energy provided it allows for continued agricultural use and/or encourages biodiversity improvements around arrays; and, the use of the agricultural land has been demonstrated as necessary. The guidance also identifies how ground mounted solar schemes are temporary structures whereby 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.

Practical Guidance on Climate Change

- 5.29 Government's Practical Guidance on Climate Change identifies how addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin in both plan-making and decision-taking. Paragraph 3 sets out examples of mitigating climate change by reducing emissions, these include (i) Providing renewable and low carbon energy technologies and (ii) providing opportunities for decentralised energy. The proposal would achieve both.
- 5.30 Paragraph 5 of the guidance identifies how impacts of climate change needs to be taken into account in a realistic way. It goes on to state that local planning authorities should consider identifying no or low cost responses to climate change that also deliver other benefits. In this instance the proposals is landowner and

developer led; and as such there is no financial costs associated with the delivery of this response to climate change for the Local Planning Authority. Furthermore, the development proposal would deliver other climate change benefits such as biodiversity and hydrological enhancements.

- 5.31 Other Guidance
- 5.32 The National Policy Statements (NPSs) provide the planning policy framework for examining and determining Nationally Significant Infrastructure Projects (NSIPs). Whilst the proposed development fall below the threshold of a NSIP (50MW installed capacity) and thus the NPSs are not directly relevant, they do form a material consideration in the determination of the planning application.
- 5.33 The Following NPSs are considered to be relevant to the development proposals:
 - EN-1 Overarching NPS for Energy;
 - EN-3 NPS for Renewable Energy Infrastructure; and
 - EN-5 NPS for Electricity Networks Infrastructure;
- 5.34 Section 2 of this report and sets out the other legislative background and guidance supporting the delivery of standalone renewable energy schemes. The documents discussed in Section 2 of this report form key components of central and local Government's policy and commitments to renewable and low carbon energy and should be considered material to the determination of this scheme.

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;
 - Restoration.
- 6.3 Each issue is discussed in turn below.

Need for Development

- 1.2 As set out in section 2 of this report, 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.
- 6.4 The Clean Growth Strategy, published in October 2017, provides the Government's latest position on solar parks and 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 modelled by this development proposal. The Government places significant emphasis on securing increased investment across the energy systems whilst minimising, as much as possible, the public costs for securing such investments and makes multiple references to how they are seeking the delivery of solar without subsidy. The application proposal would contribute towards this requirement.
- 6.5 The impact of Brexit on UK energy and climate change policy is material consideration.

- 6.6 The National Infrastructure Commission ('NIC'), official advisor to the Government on infrastructure, has recommended that in order to meet the 2050 target the energy generation mix is up to around 90% renewables, including 56–121 GW of solar. To achieve the upper bracket of this target 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. This would mean that there is an additional 107.6 GW of solar capacity required across the 382 local authorities across England, Scotland, Wales and Northern Ireland required to meet the NIC's upper figure for solar. This would essentially mean that each local authority across the UK would need to deploy over 9 solar farms of the same size of the proposed development in order to meet this target.
- 6.7 Shropshire Council declared a climate change emergency in May 2019 whereby the Council committed to reduce its own emissions to net zero by 2030. It is established that to achieve these targets, significant investment in proven renewable technologies is required to decarbonise the energy sector. It is therefore considered that there is a clearly demonstrable need both locally and nationally for the delivery of decentralised renewable energy schemes and solar development in particular, such as that proposed, if both national and local net-zero targets are to be met.
- 6.8 Notwithstanding the clear demonstrable need for renewable energy development, and in particular solar PV development such as that proposed, the Planning Practice Guidance confirms that planning applications for solar farms are not required to demonstrate a need.

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.
- 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 UK⁴ 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 £40 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 and proposed grassland meadow planting will benefit a range of foraging and nesting 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.

⁴ 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.

- 6.13 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.
- 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 Shropshire Council. Core Policy CS6 of the adopted Shropshire Core Strategy (2011)
- 6.16 Policy MD8 'Infrastructure Provision' from the adopted Site Allocations and Management of Development Plan (2015) sets out how the council will take a positive stance on development proposals that seek to mitigate and adapt to climate change and development contributes towards its vision of achieving carbon neutral by 2030. In setting a net-zero target, one critical delivery requirement is the recognised need to continue to expand rapidly the supply of low-carbon power. Renewables only accounted for 12.3% of the total UK energy consumption in 2019 and this provides clear evidence how the rapid provision of low-carbon energy should be given significant weight in the planning balance.
- 6.17 The applicant duly acknowledges that the site is located outside of designated settlement boundaries. Whilst Core Policy CS5 sets out that new development will be strictly controlled to protect the countryside and Green Belt, the policy gives explicit support to proposals for the development of essential infrastructure or utility infrastructure within rural areas where they cannot be accommodated within settlements. Policy MD8 'Infrastructure Provision' of the Site Allocations and Management of Development Plan (2015) provides further support for the development of essential and utility infrastructure, including explicit support for renewable energy infrastructure, providing its contribution towards national priorities and locally identified requirements demonstrably outweigh the potential for any adverse impacts. The proposed development should therefore be supported by the provisions of the Local Plan provided it can be demonstrated that the benefits of the proposals clearly outweigh any perceived adverse impacts.

- 6.18 In accordance with Policy MD8, when assessing applications for renewable energy development, the council will give particular consideration to the potential for adverse impacts on the following:
 - Residential and other sensitive neighbouring land uses;
 - Visual amenity;
 - Landscape character and sensitivity, including impacts on sensitive skylines;
 - Natural and heritage assets, including the Shropshire Hills AONB;
 - The visitor and tourism economy;
 - Noise, air quality, dust, odour and vibration;
 - Water quality and resources;
 - Impacts from traffic and transport during the construction and operation of the infrastructure development;
- 6.19 Taking the criteria of Policy DM19 into account, which is the principle planning policy for renewable energy development, the remaining part of this section will be organised into the following subtitles in order to demonstrate full compliance with Policy DM19:
 - Highway Considerations
 - Landscape Considerations
 - Ecology and Wildlife
 - The Historic Environment
 - Residential Amenity
 - Best and Most Versatile Agricultural Land
 - Flood Risk and Drainage
 - Restoration

Highways Considerations

- 6.20 Once Operational, it is anticipated that the site will operate predominately by remote access and only visited on an occasional basis for management and maintenance purposes, typically in a small van or 4x4 type vehicle. Whilst the contractor's compound will have been removed, space will remain within the site for such a vehicle to turn around to ensure that reversing will not occur onto the adjacent highway.
- 6.21 The local highway network generally serves local residential, commercial and agricultural land uses, it is not subject to any weight restrictions and suitable to accommodate all types of vehicles including maximum articulated delivery vehicles.
- 6.22 The A41 (Chester Road) runs to the north east of the site, running in a north-west to south-east direction. The A41 is a main arterial road extending north westwards from Whitchurch towards Chester and is suitable for use by larger vehicles such as HGVs.
- 6.23 It is proposed that vehicle access to the solar farm will be achieved via the existing priority junction on the A41 to the north east of the site and associated access road currently used as the primary vehicular access for Bubney Farm. The existing farm access road and access junction on the A41 is currently used by a variety of agricultural vehicles and HGVs that serve the farm and so are considered to be suitable to accommodate the temporary construction traffic and HGV movements associated with the proposed development. From the existing farm access road, vehicles will access the proposed solar farm via an existing farm track currently utilised by agricultural vehicles that extends southwards from the farm access road towards the north east of the main PV compound. All construction and operational vehicles will be able to enter and exit the site in a forward gear.
- 6.24 The A41 in the location of the existing junction with the farm access road is subject to a speed limit of 40mph. Visibility at the existing junction looking right out of the junction onto the A41 measures 2.4 x 120m which is commensurate with a 40mph speed limit, however looking left out of the junction the maximum achievable visibility splay is 2.4 x 62m. A Construction and Traffic Management Plan (CTMP) has been prepared by Pegasus to support the planning application and provides a swept path analysis for a 15.4 articulated lorry, the largest HGV associated with this development, turning both left and right into and exiting the junction. With the proposed traffic management measurements, the swept path analysis

demonstrates that the existing access can safely accommodate both the proposed construction and operational traffic.

- 6.25 During the temporary construction period HGVs are anticipated to access the site from the M5 and M6. The designated routes for all traffic associated with the construction is via the Chester Road (A41) A41 and M54 is accessing from the south and via the A41, A55 and M56 from the north. These routes will ensure, as far as practicable, that construction vehicles associated with the site will not pass through the centre of any villages or small towns. There are no signed weight or height restrictions on the route, and no road closures will be required.
- 6.26 During the construction of the proposed development, it is expected that there will be a maximum of around 6 two-way movements per day by large vehicles at the site (i.e. 3 arrivals and 3 departures) over a 6-month period. There will also be construction workers arriving at the site first thing in the morning and departing in the evening, although the numbers involved are forecast to be relatively low on a day-to-day basis. The level of traffic during the temporary 6-month construction phase is not considered to be material and it will not have a detrimental impact on the safety or operation of the local or strategic highway network.

Landscape and Visual Considerations

- 6.27 The site is not located within any statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty or local plan Special Landscape Area.
- 6.28 The planning application is supported by a Landscape and Visual Impact Assessment (LVIA) and detailed landscaping proposals to identify and assess the significance of and the effects of change resulting from development on both the landscape as an environmental resource in its own rights and on people's views and visual amenity and mitigate any harmful impacts where appropriate.
- 6.29 The site is located within gently undulating farmland between 85 and 95m AOD and is sub-divided into approximately 7 no. medium-to-large scale fields defined by farm tracks, hedgerows, trees and dew ponds. The Llangollen Canal is located approximately 320 metres to the east and Iscoyd Park, which is designated as a Registered Park and Garden (RPG) and a Special Landscape Area (SLA), is approximately 50 metres to the west. Iscoyd Park is separated by an area of existing woodland at Bubney Moor which follows the course of the Redbrook tributary.

- 6.30 The proposals would appear set within the undulating landform with partial visual enclosure provided by the framework of hedgerows and trees. The proposals would provide opportunities to enhance green infrastructure and deliver a biodiversity net gain (BNG) through hedgerow reinforcements, wildflower meadows, bird and bat boxes.
- 6.31 The proposed solar modules would be located in rows or strings to represent a coherent and uniform layout. The maintenance access routes would utilise the existing farm tracks, gates and hedgerow gaps as far as possible. The proposed solar panels would be set back from the hedgerow boundaries to allow for perimeter security (deer) fencing, CCTV coverage, and proposed native tree and shrub planting along the existing hedgerows.
- 6.32 A public footpath extends east-to-west across the northern part of the site between Wolvesacre Hall to connect into the Llangollen Canal towpath at Danson's Bridge. A bridleway also crosses from the site from the north-east to the south-west partly following the farm track near Bubney Farm through arable fields between Grindley Brook and Bubney Moor before following the boundary of Iscoyd Park through woodland. The proposed development seeks to retain the existing Public Rights of Way and introduce new hedgerow planting along the borders of these footpaths to screen the proposed PV Panels from views along the PROWs.
- 6.33 The existing woodlands, hedgerows and trees on the site boundaries contribute to the physical and visual enclosure of the proposals within the site. The existing vegetation would be managed to increase the density, height and visual screening in the long term. In particular, additional hedgerow reinforcements and tree planting would be provided to the east, south and west of the site as shown on the submitted landscaping proposals. The proposals would result in a net gain of native trees and shrubs resulting a low magnitude of change and a moderate (beneficial) effect in the long term.
- 6.34 In general terms, the proposals would be visible to varying degrees between Bubney Farm and the A41 to the north, limited sections of the Llangollen Canal and Danson's Bridge to the east, the A525 Wrexham Road, Redbrook and the rising ground at Belton Farm to the south, Bubney Moor, Iscoyd Park, Wolvesacre Hall and Sandholes to the east. The proposals would inevitably effect the character and appearance of the PROW passing through the site itself.

- 6.35 Partial views of the proposals would be visible form the Llangollen Canal and the Sandstone Way, particularly from Danson's Bridge to the east of the site. However, the proposals would be set back from the canal towpath by approximately 300 metres beyond intervening hedgerows. Limited views of the upper solar modules would be perceptible through hedgerows in the winter months although due to the direction of travel, this is not considered to affect the overall experience when walking along the canal towpath.
- 6.36 The proposals would also be partially visible from peripheral areas of Iscoyd Park and Wolvesacre Hall within the Registered Park and Garden (RPG) and Special Landscape Area (SLA) to the west of the site. The majority of the proposals would be screened by the existing woodland at Bubney Moor to the west with the exception of the northern most field and a number of points on the outer boundary of the estate. Further hedgerow planting is proposed to increase the density of tree cover along the western boundary to mitigate these effects although a minor residual effect is anticipated.
- 6.37 Due to the location of woodland following the stream at Red Brook and Bubney Moor to the west of the site, views of the proposed solar arrays would generally be screened from Iscoyd House and Wolvesacre Hall. These residential properties are set back from the woodland boundary by approximately 140m and 230m respectively. Views of the solar arrays would generally be screened from the properties themselves although would be partially visible through the trees at close proximity to the woodland edge in the winter months.
- 6.38 Overall, the proposals have been designed to include suitable mitigation measures and offset distances to protect the character and appearance of the Llangollen Canal to the east and the Special Landscape Area (SLA) at Iscoyd Park to the west of the site. The proposals would be designed and mitigated to meet the requirements of paragraphs 127, 170a and 171 of the NPPF; policy CS6 of the Shropshire LDF Adopted Core Strategy (March 2011) and policies MD2 and MD12 of the adopted Site Allocations and Management of Development Plan.

Ecology and Wildlife

6.39 This planning application is accompanied by an Ecological Assessment prepared by Clarkson & Woods Ltd, which has been informed by a number of technical surveys conducted on site.

- 6.40 The site is not located within any statutory or non-statutory designated site for nature conservation.
- 6.41 The nearest statutory environmental designation to the site is the Greenfields Local Nature Reserve (LNR) approximately 1km to the east. Although there are sites of international/National importance within 2km of the site, they are considered to be outside the zone of influence due to the distance and intervening land uses separating the site from any designations.
- 6.42 In terms of non-statutory designations, the site is located approximately 70m from Bubney Moor Local Wildlife Site (LWS) which is situated to the west of the site on the opposite side of Red Brook.
- 6.43 The Ecological Assessment confirms that the habitat within the site is predominately comprised of comprised arable fields planted predominately with maize with some ryegrass with separating field margins which are narrow and comprised of species poor, gappy and isolated hedgerows. Mature trees were also identified both in the hedgerow network and within the fields. Ponds were identified on OS maps but were no longer functioning as ponds as they had been ploughed and cropped. To the south and west of the Site was a slope down to a river which comprised woodland, acid grassland and patches of gorse and bracken scrub.
- 6.44 The assessment provides a summary of the ecological constraints and opportunities associated with the proposed development.
- 6.45 The cessation of intensive farming is often an inherent beneficial ecological impact of solar farm developments, resulting in more diverse grassland swards and associated invertebrates with their predatory species across a range of wildlife. The development may therefore have beneficial effects for a wide range of species.
- 6.46 The main impacts on ecological and biodiversity features within the site would occur during the construction phase, few operational effects are likely. As such, a Construction Environmental Management Plan (CEMP) will be prepared for the Site which will cover protection of ecological features as well as environmental protection during the construction period. It is considered that should the council be minded to approve the application, this can be secured through an appropriately worded planning condition.
- 6.47 The Ecological Assessment has been informed by a Phase 1 detailed walkover survey conducted within the Survey Site in October 2020. The results of the survey

and ecological assessment identify that the habitats within the Site are generally of low ecological value.

- 6.48 The mature trees and hedgerow will be protected through appropriate fencing during construction and the hedgerows retained and protected with deer fencing on the periphery of the Site and stock-proof fencing for internal hedgerows.
- 6.49 A buffer of at least 8m will be allowed for all hedgerows between the security fencing and hedgerow itself. A small amount of hedgerow will require removal for site access, however, this will be mitigated through the planting of a large amount of new hedgerow habitat within the Site.
- 6.50 High value habitat was identified off-site on the southern and western boundary; this comprised a river valley with a slope of acid grassland, scrub and woodland copse as well as a wooded river. This habitat will be protected through allowing a buffer of at least 10m and via prescriptions set out within the CEMP to prevent run-off, silt deposition and accidental spills.
- 6.51 Hedgerows will be infilled using locally appropriate UK grown species and the arable fields seeded with a native, UK sourced meadow mix including non-vigorous grasses and wildflowers.
- 6.52 Badger setts were identified on the boundary of the Site and a 10m buffer will be established around both identified setts. This will be appropriately fenced during construction work. A pre-construction badger survey will also be conducted to ensure no new setts have been excavated.
- 6.53 As stated above, several ponds were identified from OS maps and aerial photos, however, upon inspection these were no longer functioning as ponds. They had been ploughed and cropped or turned into agricultural lagoons. Although there are historic records of great crested newts on the Site, the Site no longer supports any suitable breeding habitat. As a precaution, a pre-construction spring visit will be conducted by a suitably licensed ecologist in order to assess the "ponds". Should any be holding water and suitable for breeding great crested newts, an eDNA survey will be undertaken. Should a positive result be identified, the works will either continue under a non-licensed Risk Avoidance Method Statement, or the Natural England District Licensing Scheme will be utilised (depending on the location of the positive record). The Site will comprise a significant enhancement for great crested newts, as the ponds will be protected and deepened and a diverse grassland established within the fields.

- 6.54 The Site offered low suitability for nesting birds, with the hedgerows and trees being the most optimal habitat. The arable fields were intensively managed with slurry/digestate spreading, ploughing and seeding in the spring when ground nesting birds such as lapwing would be establishing nesting sites. The Site also offered very little suitability for wintering birds as the maize crop offers no spilt chaff and subsequent to harvest, the fields comprised bare ground with no other plant species.
- 6.55 Overall, it is anticipated that the Proposed Development will have no significant adverse impacts on any ecological or biodiversity features of value and will deliver a significant biodiversity net gain. The proposed development is therefore considered to be in line with the provisions of Planning Policy CS17 as it will create an enhancement for local wildlife through creation of a more diverse meadow habitat, enhancement of ponds and planting of hedgerow.

The Historic Environment

- 6.56 As identified earlier in this report, whilst there are no designated heritage assets within the site, there are a number of designated heritage assets located within the vicinity of the site identified as potentially being susceptible to impact from the proposed development as a result from changes to their setting. These heritage assets include 31no. Listed Buildings (Historic England & Cadw), 1no. Registered Historic Park and Garden (Cadw) and 1no. Scheduled Monument.
- 6.57 Of the 31 Listed Buildings, 16 Grade II Listed Buildings are directly associated with the 18th century Grade II* Listed House and Grade II Registered Historic Park and Garden c. 550m to the west of the site. The Grade II Listed Lock House lies c.780m north-east of the site; whilst the other Listed Buildings are located towards the west and south parts of the site.
- 6.58 The Scheduled Monument comprises the moat of a medieval manorial site that preceded the now-demolished 18th-century farmhouse known as Wolvesacre Hall, located a short distance to the north of Iscoyd Park, c.310m west of the site.
- 6.59 The supporting Heritage Assessment considers the potential non-physical effects of the proposed development upon the significance of susceptible heritage assets within the Site environs. Non-physical effects are those that derive from changes to the setting of heritage assets as a result of new development.

- 6.60 The Heritage Assessment gives particular attention to the Grade II* Listed Building and Grade II Registered Historic Park and Garden of Iscoyd Park to the west of the site. It was established, from a review of archival material including estate maps dating from the 1780s and tithe maps dating from the 1830s, that the site was under separate ownership to Iscoyd Park during these periods. It did not physically constitute part of the designed landscape and there is no suggestion that views towards the site were ever intended from any part of the park, including the mount located at its north-western corner and the 'Dodd's Rough' plantation located to its north-east (which was in existence by 1838 but part of the landholding of Wolvesacre Hall, not Iscoyd).
- 6.61 Filtered visibility of the site from the house and the parkland (primarily from Dodd's Rough) makes a very small contribution to the historic significance of the assets through setting, as part of land beyond the estate to which there were filtered, most likely incidental, views. The proposed development is anticipated to cause very minor harm, at most, to the assets' historic significance.
- 6.62 The supporting Heritage Assessment also gives due consideration to the Scheduled Monument of Wolvesacre Hall Moat. It was established that the site makes a very small contribution to its significance through setting and it is anticipated that any glimpses of the proposed development through the trees at Dodd's Rough during the winter months would cause, at most, very minor harm to its significance.
- 6.63 The statement concludes that whilst the proposed development is considered to form part of the setting of some of the above heritage assets, any impact on the setting of these heritage assets is anticipated to be limited and at the lowermost end of the spectrum to their heritage significance. It has thus been determined, that even where there may be intervisibility or covisibility between the identified assets and the proposed development, this will not result in any significant harm upon their overall heritage significance.
- 6.64 In terms of Archaeological significance, no heritage assets or 'monuments' are recorded within the site by Shropshire HER. Although Bronze Age burial mounds and Roman finds are known in the wider landscape, there is currently no indication of the presence of buried archaeological remains of later prehistoric or Roman activity within the site.
- 6.65 During the historic periods it is likely that the site comprised moorland and/or farmland with small woodlands, as shown on the first available mapping dated

1837. Historic agricultural remains such as furrows and ditches of former field boundaries would not typically be considered heritage assets. There is potential for buried footings and occupational debris of the two cottages that occupied the northeastern part of the site from at least 1837 until the 1970s. Any such remains would be of historic interest and could be considered non-designated heritage assets, however, would be considered to be of low significance.

6.66 Overall, it is therefore considered that the proposed development is in accordance with the obligations of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, Section 16 of the NPPF and the heritage provisions of Policy MD8 of the adopted Site Allocations and Management of Development Plan (2015).

Residential Amenity

- 6.67 The nature of the Proposed Development is such that it is not likely to cause any form of pollution during its operational stage as there are no significant noise sources, increase in traffic would be low and it would not be illuminated at night. The Proposed Development includes no plans to divert or close any PRoW. Appropriate offset and new planting are proposed where the existing PRoWs, as defined on the council's definitive map, traverse the application site. Appropriate landscaping strategy has been proposed to enhance existing field boundaries and to create new rows of hedgerow planting to provide enhanced natural screening of the site when viewed from nearby dwellings that are not financially associated with the development.
- 6.68 It is also notable that the Applicant has carried out a comprehensive and meaningful pre-application consultation exercise (as detailed in the supporting Consultation Report) in respect of the Proposed Development, primarily focused on the local community. The Applicant has listened to the views expressed by the local community and has made a number of changes and additions to the Proposed Development as a result. These include:
 - Widening the PRoW and bridlepath offset;
 - Proposed screening along the PRoW and bridlepath;
 - Proposed screening around the boundary of the site; and,
 - Inclusion of existing and future vehicle movements at Bubney Farm as a result of the temporary change of use of agricultural land.

Best and Most Versatile Agricultural Land

- 6.69 National policy requires development on agricultural land to steer towards areas of poorer quality agricultural land where this is available, except where this would be inconsistent with other policy and sustainability considerations.
- 6.70 As set out in Section 3 of this report, the provisional MAFF ALC mapping suggests that the quality of agricultural land is Grade 2. As such the site may comprise best and most versatile agricultural land. National guidance with regard to agricultural land is based on the national position whereby BMV land is in short supply whilst lower quality land prevails. This is not the case for Shropshire where the provisional ALC maps identifies significant pockets of Grade 2 land and undifferentiated grade 3 land (which could comprise BMV land). Accordingly, the availability of lower grade land within the locality is very limited and not available to accommodate the development proposal. The supporting alternatives site search report provides justification that the development is appropriate located. The applicant is in the process of carrying out additional site-specific soil analysis and it is expected that the analysis would be submitted to the Council during the determination period.
- 6.71 Notwithstanding the above, the proposed development comprises permission for a Solar PV park which differs from built development in that the permission is temporary, easily reversed and agricultural production can be maintained (though constrained) during the operational life of the solar park. The proposed development therefore does not result in the loss of agricultural land resource or the degradation of its ALC grade. The land can remain in agricultural production, grazing sheep, while providing an additional diversified income to the farm business. At the end of the temporary consent, decommissioning returns the land back to its prior agricultural function with no loss of extent or capability.
- 6.72 Further to this, the presence of the solar PV modules on the land over the course of the operation lifespan of the development will deliver benefits to the arable land within the site through an extended fallow period. Cultivation promotes rapid breakdown of organic matter, reducing the soil organic matter content to a lower equilibrium. A change of management with no cultivation under the solar PV will enable a return towards a higher equilibrium of soil organic matter. Benefits of this change will be land that is more fertile, easier to cultivate and will permits more rapid infiltration of rainfall once the development has been decommissioned and the site returned to agricultural use.

6.73 In light of the above, the proposed development is found to be acceptable and in accordance with the provisions of policy 42 of the adopted Core Strategy and paragraph 170(b) of the NPPF (2019).

Flood Risk and Drainage

- 6.74 According to the Environment Agency (EA) Flood Map for Planning the site is in Flood Zone 1 at low risk of flooding. Most of the site is also shown to be at very low risk of surface water flooding, with some small areas of ponding and streaming at low to high risk of surface water flooding, according to the EA Surface Water Flooding Map.
- 6.75 As the application site is greater than 1ha in size, the application is supported by detailed Flood Risk Assessment and Drainage Strategy. The supporting Flood Risk Assessment demonstrates that the proposed development will not add any significant areas of impermeable paving. Surface water runoff will drain partially to ground, as existing, and overland flows collected via new swale systems to slow run-off and improve water quality.
- 6.76 Overall, the proposal will bring significant benefit to the management of surface water, a reduction in run off rate and frequency leaving the site and improvement in water quality entering the environment. The proposal therefore delivers overall betterment and complies with the guidance given in the NPPF and creates a haven for wildlife and is therefore considered to be consistent with the provisions of Policy 67 of the adopted Core Strategy.

Restoration

- 6.77 The proposal is for a temporary development with a modelled operational lifespan of 40 years.
- 6.78 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 the site. The extant use of the site will be restored thereafter.

7. CONCLUSION

- 7.1 The proposal is for the construction and operation of ground mounted solar farm and associated infrastructure.
- 7.2 The principle of renewable energy, such as solar power, is supported by local and national planning policy. Furthermore, the Council has declared a climate emergency and the UK Government has committed to meeting a legally binding target of net-zero carbon emissions by 2050. There is therefore a significant and demonstrable national and local need for the Proposed Development, as set out in Section 2 and Section 6 of this document.
- 7.3 Under the NPPF, one of the core principles is the need to support the transition to a low carbon future in a changing climate; and to encourage the use of renewable resources. 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 NPPF says that applications for renewable energy should be approved if the impacts are acceptable. Although there are visual and heritage setting impacts, these are not considered to be unacceptable. Accordingly, in this case the NPPF favours approval.
- 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.
- 7.5 The proposed development has been shown to achieve the main objectives of sustainable development (environmental, social and economic) without causing undue detriment to any of these matters. As the NPPF at paragraph 14 directs, in circumstances where the application complies with the Development Plan, the application should be approved without delay.
- 7.6 The environmental and technical reports that form part of the planning application submission demonstrate that there would be no unacceptable environmental impacts, and there are a number of added benefits, including habitat creation and biodiversity net-gains. Overall, the proposals are entirely suitable to the site and its surrounds; consistent with Planning Policy and all relevant material planning

considerations; and will achieve a high-quality design as envisaged by the applicant and as required by the Local Planning Authority.

- 7.7 The selected site is appropriate in that it can accommodate the proposed solar park without significantly affecting the landscape character of the wider countryside or the amenities of residents in the vicinity. The temporary and reversible nature of the development, 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 benefits and sustainability credentials associated with the increased production of energy from renewable sources represents a significant case in favour of the development proposals.
- 7.8 These factors, when combined with the significant need for renewable energy, mean that the planning balance (and, in particular, when considered in the context of the tests under Section 38(6) Planning and Compulsory Purchase Act 2004) is weighted significantly in favour of the Proposed Development.
- 7.9 Overall, the proposals are entirely suitable to the site and its surrounds; consistent with Planning Policy and all relevant material planning considerations; and will achieve a high-quality design as envisaged by the applicant and as required by the Local Planning Authority.
- 7.10 The Applicant therefore respectfully requests that planning permission is granted for the Proposed Development.



APPENDIX 1

SITE LOCATION PLAN



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| evision | Date | Revision Notes | Drawn | Inspected |
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APPENDIX 2

PLANNING APPLICATION DRAWINGS



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Status: FOR PLANNING

Project:

Bubney Solar Farm





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Project: Bubney Solar Farm

FOR PLANNING

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NOTES:

-The colour of the cabins and components on site will be painted RAL 6005 Moss Green, or to the LPA preference.

-Cameras to either be placed inside fenceline or mounted on directly onto fence posts. To be confirmed in the final EPC contract.

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3rd Floor, 141 – 145 Curtain Road, London, EC2A 38X Tel: +44 (0)20 7749 2400 enquifies@renewableconnectbms.co.uk www.renewableconnectbms.co.uk/

Drawing Title: Security Fence and CCTV Standard Details

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NOTES:

Dimensions will vary, dependant on manufactures selected at the detailed design stage. Measurements are indicative only.
For the insurability of the solar park are security cameras and motion detection may be required.



FOR PLANNING

Project

Bubney Solar Farm



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Bubney Solar Farm



Access Track Cross Section

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NOTES:

NB: DNO Substation dimensions will vary, dependant on manufactures selected at the detailed design stage. Measurements are indicative only.









NOTES:

NB: Customer Substation dimensions will vary, dependant on manufactures selected at the detailed design stage. Measurements are indicative only.





APPENDIX 3

COUNCIL'S PRE-APPLICATION ADVICE



Renewable Connections Developments Ltd.Date:24th September 2020c/o Stacey HartreyPegasus Planning Group Ltd.Our Ref:PREAPP/20/00242First Floor, South Wing, Equinox NorthGreat Park RoadYour Ref:Your Ref:BristolBS32 4QLYour Ref:Your Ref:Your Ref:

Dear Ms Hartrey,

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING REFERENCE PREAPP/20/00242

DEVELOPMENT PROPOSED: Construction, operation, maintenance and decommissioning of a renewable energy scheme comprising a ground mounted solar park with a maximum export capacity of up to 30MW

LOCATION: Bubney Farm, Grindley Brook, Whitchurch SY13 4QJ

I refer to your request for pre-application advice in respect of the above proposed development. I have consulted with the relevant consultees within the Council. Further to this, and to the site meeting held on 20th August 2020, Officer advice in relation to the proposed development is as follows.

1. Summary of proposed development

- Construction, operation, maintenance and decommissioning of ground mounted solar farm
- Option for battery storage
- Maximum export capacity of 30MW
- Life space of up to 40 years
- Bifacial panels fixed onto single tracker mounting systems
- Maximum height above ground level of 3 metres
- Other development to include transformer boxes, inverter stations, security fencing and other associated infrastructure
- Site area approximately 60 hectares

2. Supporting Information

The documents supporting the Screening Opinion request comprise:

- Letter from Pegasus Group dated 22nd June 2020
- Pre-application planning statement;
- Site location plan;

- Pre-application landscape and visual statement
- Heritage note;

3. Site location and designations

The site is located within the open countryside and the principal use is agriculture. The site is not allocated for development and does not fall within a settlement or development boundary. The site lies close to the border with Wrexham County Borough Council. This neighbouring planning authority would be consulted on any planning application for this development, and you are advised to make contact with them to seek pre-application advice on any particular issues that may be relevant.

4. Relevant planning history

There is no relevant planning history in relation to the site itself.

5. Planning policy and principle; general considerations

Planning applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Shropshire includes the Core Strategy and the Site Allocations and Management of Development (SAMDev) Plan.

Whilst national and Development Plan policy supports the increase in the amount of energy provided by renewable means it also requires that this should be provided where the environmental impact is acceptable. National planning guidance states that the need for renewable or low carbon energy does not automatically override environmental protections; cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity; impacts from large scale solar farms can be as great in predominantly flat landscapes as in hilly areas; great care should be taken to ensure heritage assets are conserved; and protecting local amenity is an important consideration (NPPG: Paragraph: 007 Reference ID: 5-007-20140306; revision date: 06 03 2014).

6. Siting and design

Relevant Development Plan policies include:

- Core Strategy policy CS5 (Countryside and Green Belt), which strictly controls development in the countryside, and states that development on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits;
- Core Strategy policy CS6 (Sustainable Design and Development Principles), which requires that development protects, restores, conserves and enhances the natural, built and historic environment; it requires that development is appropriate in scale, density, pattern and design; contributes to the health and wellbeing of communities, including by achieving local standards for provision and quality of open space; development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development, and respond to the challenge of climate change;
- Core Strategy policy CS17 (Environmental Networks), which requires that development protects and enhances the diversity, high quality and local character of Shropshire's historic environment;
- SAMDev Plan policy MD2 (Sustainable Design), which requires that development protects, conserves and enhances the historic context and character of heritage assets, their significance and setting; and enhances, incorporates or recreates

natural assets; incorporates sustainable drainage techniques, and design and construction; considers landscaping; ensures there is sufficient existing infrastructure capacity.

National planning guidance provides advice in relation to large scale ground-mounted solar photovoltaic farms. It advises that the particular factors that local planning authorities need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any
 agricultural land has been shown to be necessary and poorer quality land has
 been used in preference to higher quality land; and (ii) the proposal allows for
 continued agricultural use where applicable and/or encourages biodiversity
 improvements around arrays.
- 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 <u>guidance on landscape assessment</u>) 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.

(NPPG Paragraph: 013 Reference ID: 5-013-20150327 Revision date: 27 03 2015)

Size of site and benefits of scheme

The proposed development would occupy a substantial area of greenfield land. It is understood that the planning application would be accompanied by a Landscape and Visual Impact Assessment. Advice from the Council's landscape consultant is provided below. Notwithstanding this, details of the justification for a scheme of this scale should be provided. Whilst the environmental benefits are noted and can be detailed within the planning application, any wider justification for the scale/capacity of the scheme, for example in relation to economic viability, should be explained. In addition, potential benefits in terms of sustainability should be detailed, such as economic benefits to the farmholding, wider community benefits, or biodiversity enhancements, so that these can be weighed in the planning balance.

Agricultural land and site selection

The proposed site comprises agricultural land, and the national planning guidance seeks to direct large scale solar farms to previously-developed and non-agricultural land. Your

application should be accompanied by an assessment of the site selection process that has led to this particular site being chosen in preference to brownfield or non agricultural land.

In terms of agricultural land quality, it is noted that your pre-application planning statement advises that the ALC maps identify the land as Grade 2, which is 'best and most versatile' (BMV) agricultural land. These maps will be assumed to be correct unless a more detailed assessment is submitted. As noted above, national planning guidance requires a consideration of whether the use of agricultural land is necessary, and whether poorer quality land has been used in preference to higher quality land. Para. 170 of the NPPF emphasises the importance of recognising the economic and other benefits of the best and most versatile agricultural land. Footnote 53 states that 'where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'. The proposed use of a significant amount of Grade 2 agricultural land runs contrary to the above national policy and guidance.

The planning application should give careful consideration to the justification of the use of BMV agricultural land, particularly in relation to the above policy and guidance. Planning permission was refused for a solar farm in Shropshire, near Sheriffhales, on the grounds that the proposal would result in the loss of Grade 2 and Grade 3a agricultural land (application ref. no. 14/03444/FUL). In detailing your site selection process, details of the agricultural land quality of other land within the applicant's ownership will be relevant. Details of other land in the area which has been considered for a solar farm and subsequently discounted may be of relevance. In addition, you may wish to provide details of the agricultural land quality in this part of the county, in particular land within a viable distance of the proposed connection point, and an indication of the potential environmental constraints which may apply to these.

It is understood that the land could continue to be used for agriculture. The planning application should indicate what this would entail. The loss of the full potential of this BMV agricultural land will be a relevant consideration. Details of any proposals to mitigate against loss of or impact on BMV should be provided, including in relation to any whole farm management plan.

Site design

Consideration should be given to minimising the intrusiveness of any site security measures, such as security fencing, lighting and CCTV cameras. This is particularly important given the presence of public rights of way through the site.

Timescale and decommissioning

The application should provide clarity in relation to the anticipated timescale for the development, and measures for the decommissioning of the site. I would advise that details should be provided as to the measures that would be put in place to ensure that robust decommissioning arrangements can be put in place to avoid any longer term issues regarding the reinstatement of the site.

7. Community involvement

I understand that you are undertaking a public consultation exercise. I would advise that the findings of this are included in your planning application, to demonstrate the extent to which issues raised by the community have been taken into consideration as part of final designs, and to detail the level of community engagement that has been achieved. Your public consultation should include communities within the Wrexham County Borough Council area.

The view of the Parish Council and the Local Member on any application submitted will potentially determine whether it would be dealt with under delegated powers or be considered by Planning Committee. The site lies within the Whitchurch Urban Parish Council area. The County Ward is Shropshire North, the Member for which is Cllr Thomas Biggins, email: <u>thomas.biggins@shropshire.gov.uk</u>

8. Consultee comments

The comments received from the Council's **specialist** teams are below:

Historic environment

Relevant Development Plan policies include:

- Core Strategy policy CS6, which requires that development protects, restores, conserves and enhances the historic environment;
- Core Strategy policy CS17, which requires that development protects and enhances the diversity, high quality and local character of Shropshire's historic environment;
- SAMDev Plan policy MD2, which requires that development protects, conserves and enhances the historic context and character of heritage assets, their significance and setting;
- SAMDev Plan policy MD13, which seeks to protect, conserve, sympathetically enhance and restore heritage assets.

The Council's Archaeology team have provided the following comments:

The proposed development site is understood to consist of an area of approximately 60ha of agricultural land, c. 3km west of Whitchurch. At present there are no records relating to the site on the Shropshire Historic Environment Record (HER). Based on historic cartographic evidence, the existing field pattern was created in the mid-19th century through the reorganisation of an earlier, later medieval – early post medieval field pattern that created through the enclosure of a tract of marsh rough grazing land. A number of plantations and areas of wet woodland persisted into the later 20th century before being cleared during agricultural improvements. Given this landuse history, it is likely that the proposed development site will always have been marginal to settlement activity from the Roman period onwards. However, given the lack of previous archaeological field work and the size of the site, the potential for remains of prehistoric date cannot be discounted. Likewise, given the topography and landscape evolution of the proposed development site, there may be deposits with palaeoenvironmental potential to be present. In overall terms, the proposed development site is therefore considered to have low - moderate archaeological potential.

Recommendation:

We understand that the Conservation Officer will provide comments on the historic built environment. We note the comments contained within the Heritage Note by Pegasus Group that has been submitted with the pre-application enquiry regarding the archaeological interest of the proposed development site. We would broadly agree with the statement contained within it that "Based on currently-available information, archaeology is not anticipated to pose a constraint to development."

However, in order to meet the requirements set out in Local Plan Policy MD13 and Paragraph 189 of the NPPF, we would advise that the Heritage Note is worked up into a full archaeological desk-based assessment for submission with any subsequent planning application. This should include a consideration of the palaeoenvironmental potential of the proposed development site.

Thereafter, and subject to the findings of the desk-based assessment, we would be minded to recommend that a phased programme of archaeological work is made a condition of any planning permission for the proposed development. This should consist of an initial field evaluation, comprising a geophysical survey of the proposed development site, a targeted trial trenching exercise and assessment of any palaeoenvironmental deposits that might be impacted by the development, followed by further mitigation as appropriate. An appropriate condition would be: -

Suggested Conditions:

No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

The Council's Conservation Officer has provided the following comments:

Thank you for the consultation on this application. It is noted that an initial Heritage note has been submitted with the pre-application information for this proposed ground mounted solar park. It provides a positive start to a full heritage assessment which will be required with any subsequent full application in line with para 189 of NPPF and MD13 SamDev.

We would expect a Heritage Assessment to be submitted and we would consider that it should assess designated and non-designated heritage assets within a 2 km radius and this should be informed by the ZTV provided in the Landscape Assessment.

The Heritage Assessment will required visuals to be provided from key locations and this will be determined by the ZTV and the topography of the 2 km radius, these should be clearly indicated on a location plan. With regard to topography it noted that the land does seem to undulate and therefore careful positioning of the array components will also be key in minimising visual impact.

As the border with Wales is very close by and there are several designated sites just over the border I would suggest that Wrexham Borough Council is consulted for their comments regarding the potential historic environment impacts, although there is a strong tree belt which shields the site to a certain extent from it.

Landscape and visual impact

Relevant Development Plan policies include:

 Core Strategy policy CS6, which requires that development respects and enhances local distinctiveness; and seeks to ensure that all development protects, restores, conserves and enhances the natural, built and historic environment; and makes the most effective use of land and safeguards natural resources;

- Core Strategy policy CS17, which requires that development protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment; and does not adversely affect the visual, or recreational values and functions of these assets, their immediate surroundings or their connecting corridors; all development should contribute to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape assets;
- SAMDev Plan policy MD2, which requires that development contributes to and respects locally distinctive or valued character and existing amenity value by enhancing, incorporating or recreating natural assets; and which considers natural and semi-natural features, landscaping character and landscaping as part of development proposals;
- SAMDev Plan policy MD12, which seeks the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration; and restricting development that would have a significant adverse effect on specified assets including landscape character unless specified criteria are met.

The comments of the Council's landscape consultant, ESP Ltd., are included as Appendix 1, summarised as follows:

The Landscape and Visual Statement concludes that the proposed solar PV development could be designed and mitigated to meet the requirements of the NPPF and the Council's Core Strategy and SAMDev in relation to landscape and visual matters. Although the content of the statement appears appropriate, demonstrating compliance with the policies referred to will be dependent on the production of an appropriately scoped and proportionately executed LVA/LVIA carried out by a chartered landscape architect in compliance with GLVIA3.

The Landscape and Visual Statement has identified a number of landscape and visual receptors that may be predicted to experience effects, and we recommend that these are agreed with the LPA prior to carrying out the LVA/LVIA. We also recommend that cumulative landscape and visual effects be included in the study.

Ecology and trees

Relevant policies include:

- Core Strategy policy CS6 (Sustainable Design and Development Principles) which requires that development protects, restores, conserves and enhances the natural environment;
- Core Strategy Policy CS17 (Environmental Networks) which seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets.
- SAMDev Plan policies MD2 and MD12 which require that developments enhance, incorporate or recreate natural assets.

The Council's <u>ecology</u> team have provided the following comments:

Ecological Impact Assessment (EcIA)

A planning application on this site must be accompanied by an Ecological Impact Assessment of the land in and surrounding the proposed development and a discussion of any potential impacts resulting from the development. An Ecological Impact Assessment should consist of:

- An Extended Phase 1 habitat survey, habitat map and target notes on any significant biodiversity or geological features.
- A desk study of historical species records and local, regional or national wildlife designated sites.
- Supplementary detailed surveys (phase 2 habitat surveys, protected or priority species or geological features as appropriate to the site).
- Evaluation of the importance of biodiversity or geological features present at a local, regional, national, international level.
- Analysis of the direct and indirect impacts of the development (during construction, working area, additional infrastructure and post construction).
- Proposed avoidance, mitigation or compensation measures, including method statements where appropriate.
- Legal implications such as the need for European Protected Species Mitigation Licences or other licences (e.g. badgers).
- Proposed biodiversity or geodiversity enhancement measures.

The Ecological Impact Assessment should be carried out by a suitably qualified and experienced ecologist with the relevant protected species licenses. The Ecological Impact Assessment should be submitted to the Local Planning Authority prior to a planning decision being made.

Great crested newts

Any ponds within 500m of a major planning application (over 10 houses, or more than 0.5 hectare, or for non-residential development more than 1000m² floor area or more than 1 hectare), or within 250m of a minor planning application should be assessed in terms of their broad suitability to support great crested newts by carrying out a Habitat Suitability Index (HSI) assessment.

If any pond is calculated as being suitable then it may be necessary to carry out a presence/absence survey for great crested newts which is made up of 4 survey visits between mid-March and mid-June with at least 2 visits between mid-April and mid-May. Three survey methods (preferably torch survey, bottle trapping and egg searching) should be used on each survey visit. If great crested newts are discovered then it may be necessary to carry out a population size class estimate which involves an additional 2 visits in the specified time period.

A recent alternative means of determining presence/absence is to take a water sample for eDNA testing between mid-April and mid-June. If great crested newt presence is confirmed then a population estimate by conventional survey (6 visits in the correct time period) will still be required.

The ecologist should make recommendations as to whether a European Protected Species Licence with respect to great crested newts would be necessary and the need for a mitigation scheme and/or precautionary method statement.

The great crested newt survey should be carried out by an experienced, licensed ecologist in line with the *Great Crested Newt Mitigation Guidelines* by Natural England (2001) and should be submitted with any necessary mitigation scheme and method statement to the Local Planning Authority in support of the planning application.

Finding an ecological consultant

A list of ecological consultants who work in Shropshire is available on request. This list is by no means exhaustive and contains information on other ways of finding a consultant. Shropshire Council cannot recommend any consultant or guarantee their work.

You should always check that the ecologist you select has the relevant protected species survey licences issued by Natural England. Without a valid survey licence, the report provided by an ecologist may not be considered adequate by the Local Planning Authority.

It is always wise to seek several quotes since prices can vary.

I am happy to be contacted by the appointed ecologist to discuss the application prior to survey work being carried out if that is helpful.

It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision (Government Circular 06/2005).

For more information about ecological survey requirements, please refer to Shropshire Council's Guidance Note 1: When is an Ecological Assessment required? <u>https://shropshire.gov.uk/media/1871/guidance-note-1-when-is-an-ecological-assessment-requiredapril-2014.pdf</u>

<u>Please note:</u> This pre-application advice does not constitute a formal decision of Shropshire Council in respect of any future planning application(s). No guarantee of a particular decision or even recommendation can be given as any application will contain additional information and will have to undergo a process of consultation which may raise new issues.

The Council's tree team have made the following comments:

The existing arboreal resource on site includes a framework of hedgerows and field trees and a linear woodland belt. The proposal has the potential to impact upon the trees and hedgerow during the establishment and long-term management of the arrays and associated structures. Any future application should include a proposal that addresses the following issues with a sustainable site layout that will not immediately, or over the longer period, degrade or deplete the tree population and hedgerows on site.

- Siting of structures with the capacity to damage the roots of the mature trees and hedgerows or isolated field trees within the site
- The route of cables linking the arrays to transformers (trenching cables through tree roots etc.)
- The juxtaposition of the solar photovoltaic array panels and the trees and hedgerows regarding their safety and efficiency due to shade and detritus
- Road construction
- Storage of materials during construction

Information required will be an arboricultural implication assessment (AIA) a tree protection plan (TPP). In addition shadow paths where exiting trees may affect efficiency of the panels and an arboricultural method statement (AMS) which shows how trenching works etc. will be carried out working in the proximity of trees / hedgerows that reflects best practise in line with BS 5837 Trees in relation to design, demolition and construction Recommendations.

The submitted landscape plan includes proposals to enhance existing green infrastructure and increase biodiversity with provision of new hedges, trees, wildflower meadows and a buffer to the woodland edge. The landscape proposal should include a long-term management strategy for the natural features on site.

<u>Drainage</u>

Relevant Development Plan policies include:

- Core Strategy Policy CS6 (Sustainable Design and Development Principles) which seeks to ensure that all development safeguards natural resources including soil and water.
- Core Strategy Policy CS18 (Sustainable Water Management) which seeks to reduce flood risk and avoid adverse impact on water quality and quantity.
- SAMDev Plan policy MD2 (Sustainable Design) which requires that development incorporates sustainable drainage techniques

The Council's drainage consultant has provided the following comments:

The technical details submitted for this Planning Application have been appraised by WSP UK Ltd, on behalf of Shropshire Council as Local Drainage Authority. All correspondence/feedback must be directed through to Shropshire Councils Development Management Team.

The development site is greater than 1 hectare, a Flood Risk Assessment (FRA) should be produced where the developer should:

- Complete a FRA using Shropshire Councils Strategic Flood Risk Assessment (SFRA) documents for guidance. The SFRAs are available on the Shropshire Council website. The criteria for a FRA are set out in National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework. Reference should also be made to the Environment Agency West Area (Midlands) Flood Risk Assessment Guidance notes.

A FRA should include, as a minimum:

- Assessment of the Fluvial flooding (from watercourses)
- Surface water flooding (from overland flows originating from both inside and outside the development site)
- Groundwater flooding
- Flooding from artificial drainage systems (from a public sewerage system, for example)
- Flooding due to infrastructure failure (from a blocked culvert, for example)
- Flood compensation storage, finished floor levels and evacuation plan should be detailed
- Proposed surface water drainage strategy

Highways and rights of way

Relevant policies include:

- Core Strategy Policy CS6 (Sustainable Design and Development Principles) which requires that development is designed to be safe and accessible to all; it also requires that proposals likely to generate significant levels of traffic are located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel are reduced;
- SAMDev Plan policy MD2 (Part 6) which requires that development proposals demonstrate that there is sufficient existing infrastructure capacity, in accordance with MD8. SAMDev Plan policy MD8 (Part 1) states that development should only take place where there is sufficient existing infrastructure capacity;

The Council's highways consultant has provided the following comments:

It is considered that the principle of the development is likely to be acceptable from a highways perspective, subject to the access, visibility and parking facilities being commensurate with the local conditions and highway safety.

No plan showing the access has been submitted however it is referred to in the Planning Statement that access will be taken from the existing farm track at Grindley Brook. This is presumably the existing access that serves Bubney Farm on the A41. Detail of this access and visibility splays should be detailed in any subsequent planning application.

The proposal is likely to generate low vehicular movements during its operational phase; the greatest potential highways impact will be during the construction phase. Therefore a short Transport Statement should be provided with any subsequent application which details the number and type of vehicle movements during the construction phase. A suitable routing plan/construction `traffic management plan should be provided. Confirmation that a Construction Traffic Management Plan will be provided is given in the Pre-App Planning Statement.

Any future planning application should provide any and all details necessary to assist with the appropriate determination from a Highways and Transport perspective. As well as, demonstrate that the proposed new vehicular access, associated visibility splays, parking and turning facilities are commensurate with the prevailing local highway conditions, in accordance with 'Manual for Streets 1 & 2'.

Subject to this highways related information being acceptable the proposal is likely to be supported by highways.

The Council's <u>Rights of Way</u> team have provided the following comments:

Applicants would need to ensure public rights of way in the vicinity of the site remain available and convenient for public use. No materials, plant, temporary structures or excavations of any kind should be placed/undertaken on or next to a right of way which could obstruct or dissuade the public from using it whilst development takes place. No changes should be made to the public right of way direction, width, surface, signing or structures without the prior approval of the Shropshire Councils Mapping & Enforcement Team. Access for construction/demolition vehicles or access during the occupation of the site, for example by maintenance vehicles should not be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Shropshire Councils Mapping & Enforcement Team. It would the responsibility of the applicants, their contractors or the occupier to put right/ make good any vehicular damage to the surface of the right of way. Any gates to be installed should be set back from the public right of way and not open outwards from the site across the public right of way.

Public rights of way through the development site should retain their character, amenity value and usability as linear corridors and be integrated with the development. Consideration should be given to providing a high-quality surface and suitable vegetation to act as a visual buffer where necessary. No improvements should be implemented to a right of way without prior approval of Shropshire Councils Mapping & Enforcement Team.

If the site is in proximity to routes used by equestrians, applicants should consider the potential impact of reflected glint or glare. For safety reasons, solar arrays should be of a type or mitigation measures should be put in place to prevent or reduce glint or glare at horse or rider eye level. Where hedges/natural vegetation is proposed, for example to shield the public from glint or glare, to coincide with new boundaries or to enhance existing boundaries, a management regime needs to be agreed with Shropshire Council as local Highway Authority to ensure that public access is not impeded when the vegetation screen is established or encroaches onto the highway.

If the line of the PRoW is to be enclosed then there should be a minimum of 10m usable width provided or the recorded width, whichever is the greater. Fencing should not have barbs, razor wire or palisade fencing within the line of the PRoW and visual amenity should be maintained.

If it is not possible to keep the Rights of Way open whilst development takes place, then a temporary diversion will need to be put into place and the applicant will need to contact the Mapping & Enforcement Team (fees apply).

9. Local List Validation Requirements

Providing that the information detailed in the above section is provided within the following list of documents, it will enable the application to be registered and validated against the Council's local list validation requirements.

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Heritage Impact Assessment
- Landscape and visual appraisal/landscape and visual impact assessment
- Agricultural land assessment
- Site selection assessment
- Ecological Impact Assessment, and great crested newt survey if necessary
- Arboricultural Impact Assessment, including tree protection plan and arboricultural method statement
- Transport Statement
- Glint and glare assessment
- Flood Risk Assessment; Surface water drainage strategy
- Landscape, Biodiversity Management, Agricultural land management strategy
- Landscaping scheme

Sustainability Checklist, available via: <u>http://shropshire.gov.uk/planning-policy/supplementary-planning-documents-spds/sustainable-design-part-1/</u>

10. National List Validation Requirements

I can also confirm the application will need to comply with National submission requirements in order to be validated and for this particular proposal I recommend that you also submit the following

✓ Completed Application Form

Where possible please submit using the online <u>Planning Portal</u> however if you wish to download and submit a paper application, please submit a total of 2 sets of all documents. Please also ensure that the **Ownership Certificate (A,B, C or D as applicable)** and the **Agricultural Land Declaration** sections are completed in all instances

✓ Location Plan

Based on an up-to-date map at an identifiable metric scale (1:1250 or 1:2500). The plan should identify sufficient roads, buildings, adjoining land etc. to ensure that location of the site is clear. The site should be edged clearly in red line and include all that is within the proposal; including any access from a highway, landscaping, parking, open areas around building etc. A blue line should be drawn around any other land owned or controlled by the applicant if close to or adjoining the site.

✓ Site Plan (existing and proposed)

Applications should normally include existing and proposed plans at a standard metric scale (1:100 or 1:200 for householder applications and 1:500 otherwise). All site plans should be numbered and versioned if the drawing is subsequently amended. All site plans should accurately show:-

- > Direction of North and an indication of scale
- The footprint of all existing buildings on site with written dimensions and distances to the site boundaries or a scale bar appropriate to the building scale. If using more than one scale on a drawing please clearly indicate so.
- > The paper size that the drawing should be printed at
- > Building, roads and footpaths on adjoining land to the site including access
- Any public Rights of Way
- > The position of all existing trees on and adjacent to the site
- > The extent and type of hard surfacing
- Boundary treatment including type and height of walls or fencing

Types of existing and proposed site plans include:-

- Block plan of site (e.g. at 1:100 or 1:200) showing site boundaries
- Existing and proposed elevations (e.g. at 1:50 or 1:100)
- Existing and proposed floor plans (e.g. at 1:50 or 1:100)
- Existing and proposed site sections and finished floor and site levels (e.g. at 1:50 or 1:100)
- Roof plans (e.g. at 1:50 or 1:100)

As all application are stored electronically and made available via the Shropshire Council website, applicants are asked to ensure that documents and drawings are of a sufficient quality and that their clarity is such that the documents can be viewed accurately after being scanned.

✓ The correct planning fee

Most applications incur a fee. The on-line Planning Portal includes a fee calculator for applicants, however you can also contact Shropshire Council Planning Validation Team for clarification on the correct fee to submit:-Email: <u>planning.validation@shropshire.gov.uk</u> Phone: 0345 678 9004

✓ Summary of application documents (major or complex schemes only)

This should not exceed 20 pages and should include an overview of the proposal and a clear description of its impacts. The aim is to introduce the scheme to parties who are not familiar with the details of the proposed development.

✓ Design and Access Statement

A written report supporting the proposed development and should include a written description and justification of the proposal, show that the proposal is based on a thoughtful design process and a sustainable approach to access. The level of detail required depends on the scale and complexity of the application, and the length of the statement varies accordingly.

For further information regarding validation requirements for Planning applications, please visit the Shropshire Council website, <u>Planning pages</u>.

When submitting your follow on application, please ensure that you clearly state the Pre-Application 'Planning Reference' number that is provided at the top of this letter.

If your proposed project requires **Building Regulations Approval** or you are unsure whether it does please contact us on **01743 258710**, email <u>buildingcontrol@shropshire.gov.uk</u> or visit our website <u>www.buildshropshire.co.uk</u> for pre-application advice and a competitive fee.

11. Conclusion

In summary, due to its nature, scale and location this proposed development has the potential to have an adverse impact upon the local area and land users. The scale of the development on greenfield land and use of best and most versatile agricultural land are particular concerns, and these issues would need to be fully addressed in order to gain officer support. The scale and siting of the development will need to be fully justified. Detailed assessments will need to be undertaken and submitted as part of the planning application in order that potential impacts can be understood, and to identify what level of protection, mitigation and enhancement of identified assets may be appropriate. The sustainability and other benefits of the scheme should be described as part of the planning application so that these can be weighed against any identified harm.

Should you wish to discuss any of the above further, please contact me.

I trust the above is helpful, but please note that it is an informal opinion based on the information you have provided at this stage. Any planning application submitted will be determined taking into account the details contained in the application; the policy of the Development Plan; Government planning policy; the outcome of any consultation with statutory or other consultees; any representations received and any other material

considerations. Any expenditure incurred in preparing plans or making the application must be entirely at your own risk.

Yours sincerely

Kelvin Hall

Kelvin Hall Principal Planning Officer Development Management team Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND



Bubney Solar Farm, Grindley Brook, Whitchurch Application PREAPP/20/00242

PRE-APPLICATION LANDSCAPE AND VISUAL STATEMENT

A review for Shropshire Council

by

ESP Ltd Creative Industries Centre Wolverhampton Science Park WV10 9TG



July 2020

Introduction

1.1 ESP Ltd were commissioned by Shropshire Council in June 2020 to carry out an assessment of a pre-application Landscape and Visual Statement prepared on behalf of Renewable Connections Ltd for a proposed 30MW capacity solar photovoltaic development on land at Bubney Farm, Grindley Brook, Whitchurch¹. The statement considers the effects of the proposed solar PV development on landscape character and visual amenity to assist with the pre- application consultations with Shropshire Council.

Quality Assessment Review Brief

2.1 Shropshire Council required technical support on the landscape and visual implications of the proposed scheme in order to inform pre-application negotiations.

2.2 The scope of this review, in accordance with the request from the Council, is to advise on landscape and visual issues that will need to be included in the planning application, and on the suitability of the pre-application Landscape and Visual Statement.

Methodology

3.1 The Landscape and Visual Statement submitted by the applicant was reviewed in detail. The Pre-application Planning Statement and Heritage Note were also reviewed as part of this exercise.

3.2 A visit to the proposal site was made on the 7 July 2020, when locations predicted to have visibility of the proposal site in the Landscape and Visual Statement were visited. A number of other locations with potential visibility of the proposal site were also visited.

Brief Description of the Proposed Development

4.1 The proposed development is estimated to occupy some 60 hectares, comprising;

- Bifacial solar panels fixed onto a single tracker mounting system with a height of some 3 m
- Arrays set within a 2.0m high stock-proof fence
- Associated infrastructure comprising transformer boxes and invertor stations

¹ Bubney Solar Farm Renewable Connections Ltd Pre-application Landscape and Visual Statement. Pegasus Group June 2020

- A grid connection route to the north east to connect the proposed solar PV development to the existing transmission lines comprising a cable route through the fields and along the A41 to the existing Whitchurch substation
- provision of new hedgerows and trees, the retention of field margins, and wildflower meadow habitats beneath the solar arrays.

Landscape and Visual Issues

5.1 The Statement sets out a landscape and visual baseline and notes that the proposal site lies within NCA61 The Shropshire, Cheshire and Staffordshire Plain and the Principal Timbered Farmlands LCT in The Shropshire Landscape Typology. It notes that effects will be felt on landscape character as a result of the proposed development, but that there will be beneficial landscape effects arising from the new hedgerows and trees, the retention of field margins, and wildflower meadow habitats beneath the solar arrays. The boundary of the Principal Timbered Farmlands LCT and the Settled Pastoral Farmlands LCT lies close to the south eastern edge of the proposal site, and the Landscape and Visual Appraisal (LVA) or Landscape and Visual Impact Assessment (LVIA) to be submitted with the planning application will need to identify and assess the effects on the characteristic elements of both LCTs, as well as the individual landscape elements of the site. Given their role in access to and appreciation of landscape, the public footpaths that cross the site should be included as landscape receptors.

5.2 The Statement includes a ZTV which has been adjusted for the screening effect of woodlands and buildings and identifies the predicted visibility of the proposed development from a number of locations, and we would agree with these as the basis for the selection of locations for visual receptors. We would particularly note that, although in the main filtered by mature hedgerows, there are a number of elevated views from the Llangollen Canal, and in particular from Danson's Bridge where footpath 0234/82/1 crosses the canal and offers a panoramic and unobstructed view over the proposal site. We also noted from our site visit the very low potential visibility of the proposal site from the adjacent road network (the A41, B5395, Higher Wych Road, A525 and unnamed minor road to the north of the site) due to topography and high roadside hedge banks, although the potential exists for glimpse views in places through field openings.

5.3 No reference is made to any effects likely to arise from the cable route from the proposal site to the existing Whitchurch substation, and these will need to be included in the LVA/LVIA.

5.4 No reference is made to the assessment of cumulative effects, and these should be included in the LVA/LVIA.

5.5 An indicative set of landscape and visual mitigation proposals are included, and subject to development in response to the findings of the LVA/LVIA, these would appear to be appropriate.

Conclusions

6.1 The Landscape and Visual Statement concludes that the proposed solar PV development could be designed and mitigated to meet the requirements of the NPPF and the Council's Core Strategy and SAMDev in relation to landscape and visual matters. Although the content of the statement appears appropriate, demonstrating compliance with the policies referred to will be dependent on the production of an appropriately scoped and proportionately executed LVA/LVIA carried out by a chartered landscape architect in compliance with GLVIA3.

6.2 The Landscape and Visual Statement has identified a number of landscape and visual receptors that may be predicted to experience effects, and we recommend that these are agreed with the LPA prior to carrying out the LVA/LVIA. We also recommend that cumulative landscape and visual effects be included in the study.



APPENDIX 4

COUNCIL'S EIA SCREENING OPINION

SCREENING OPINION



SCREENING OPINION TO DETERMINE WHETHER AN ENVIRONMENTAL IMPACT ASSESSMENT IS REQUIRED FOR A PROPOSED DEVELOPMENT

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

| Location | Land at Bubney Farm, Grindley Brook, Whitchurch |
|----------------------|--|
| | |
| Proposed Development | Proposed solar energy and battery storage scheme |
| | |
| Reference No. | 18/02255/SCR |
| | |

1. Summary of proposed development

- Construction, operation, maintenance and decommissioning of ground mounted solar farm
- Option for battery storage
- Maximum export capacity of 30MW
- Life space of up to 40 years
- Bifacial panels fixed onto single tracker mounting systems
- Maximum height above ground level of 3 metres
- Other development to include transformer boxes, inverter stations, security fencing and other associated infrastructure
- Site area approximately 60 hectares

2. Supporting Information

The documents supporting the Screening Opinion request comprise:

- Letter from Pegasus Group dated 7th August 2020;
- Site location plan;
- Environmental designations plan;
- Screened Zone of Theoretical Visibility;
- Heritage note;
- Pre-application landscape and visual statement.

3. Screening Opinion of the local planning authority

The proposed development has been considered against the selection criteria in Schedule 3 of the 2017 Regulations and also to advice contained in Planning Practice Guidance on Environmental Impact Assessment. It is not considered that the proposed development would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Therefore under Regulation 6 of the 2017 EIA Regulations, Shropshire Council hereby adopts the Screening Opinion that the proposed development is not EIA development and that *Environmental Impact Assessment is not required*.

4. Reasons for Screening Opinion

(i) Category of development

The 2017 Regulations define 'Schedule 2 development' as development of a description mentioned in Column 1 of the table in Schedule 2 where any part of the development is to be carried out in a sensitive area, or any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met.

The proposed development falls within Category 3(a) of Schedule 2 to the 2017 Regulations, i.e. industrial installations for the production of electricity, steam and hot water. The proposed development is not located in a 'sensitive area'. However the development is classed as Schedule 2 development as:

- the area of the development exceeds 0.5 hectare.

(ii) Indicative thresholds and criteria

The Annex to the Planning Practice Guidance on Environmental Impact Assessment sets out the indicative criteria and thresholds to help determine whether significant effects are likely. For Category 3(a) developments, these are where the thermal output would be more than 50MW. It states that small stations using novel forms of generation should be considered carefully, and that key issues to consider are the "level of emissions to air, arrangements for the transport of fuel and any visual impact".

The PPG states that when considering the thresholds it is important to also consider the location of the proposed development. It states that it should not be presumed that developments above the indicative thresholds should always be subject to assessment.

(iii) Selection criteria for screening Schedule 2 development

The selection criteria for screening Schedule 2 development is set out in Schedule 3 of the 2017 Regulations. These are considered below.

Characteristics of development

The site area would be approximately 60 hectares and the panels up to 3 metres high. The proposed development would occupy a significant area of land which is currently in agricultural use. However it is not anticipated that the proposed development would entail significant groundworks. It is noted that there is a solar farm to the south, at Hadley Farm, and the proposed development has the potential to generate cumulative impacts with this. It is not anticipated that the proposed development would give rise to significant effects in terms of waste production; pollution and nuisance; risk or accidents; or risks to human health.

Location of development

The site comprises agricultural land in open countryside. The proposed development would not be located within a 'sensitive area' as defined within the 2017 Regulations. Natural England has advised that the site is not located within or partly within any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site and is not likely to significantly affect the notified interest features of such sites. In addition the proposed development is not located within an Area of Outstanding Natural Beauty and is unlikely to impact upon the purposes for which these areas are designated. Natural England's advice is that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

Provisional agricultural land classification maps indicate that the land is of Grade 2 quality, and the proposed development has the potential to impact on the types of agriculture that could be undertaken on the site, albeit that grazing could occur. Based upon the advice of the County Archaeologist, archaeology is not anticipated to pose a constraint to development. It is understood that the site itself does not include any statutory or non-statutory heritage assets, and that there are none within the immediate vicinity of the site. Potential impacts upon the historic environment can be assessed through an appropriate Heritage Impact Assessment. Given the nature, scale and location of the proposed development it has the potential to have an adverse impact upon the landscape character and visual amenity of the area. These matters would need to be assessed as part of a Landscape and Visual Impact Assessment.

Type and characteristics of the potential impact

The magnitude and extent of impacts are likely to be limited and confined to the local area. Impacts are likely to be predictable, not complex and capable of being reversed. There are likely to be options for reducing and mitigating impacts.

In summary, the proposed development has the potential to have an adverse impact on the local area, due to its nature, location and scale. It is considered that potential impacts can be satisfactorily identified through the submission of an appropriate suite of supporting information to accompany any future planning application. On this point it is noted from the letter from Pegasus Group that any future application would be accompanied by the following:

- Heritage Assessments
- Ecological Survey
- Landscape and Visual Impact Assessment
- Construction Traffic Management Plan
- Flood Risk Assessment and Drainage Strategy
- Landscape and Ecological Management Plan
- Planting Plan
- Design and Access Statement

Comments received from consultees in relation to this request for a screening opinion are included in Appendix 1 below. These have not raised any particular issues that suggest that the proposed development should be classed as EIA development. Based upon the criteria as set out in Schedule 3 of the 2017 Regulations it is not considered that the proposal is EIA development.

(iv) Proposed measures to avoid or prevent significant adverse effects

As required by regulation 5(5)(b) of the EIA regulations the local planning authority has had regard to the following measures which would avoid, or prevent what might otherwise have been, significant adverse effects on the environment:

- provision of new native hedgerows or reinforcements.

5. Other

(i) Should any details of the proposed development change, or if new information comes to light as part of the application process, then an Environmental Statement may be necessary if the development is then judged to raise significant environmental impacts. If you wish to alter any aspect of the development you are advised to contact the Local Planning Authority to discuss whether this screening opinion would remain valid for the amended development.

- (ii) This decision and the reasons for it are provided without prejudice to the outcome of any subsequent planning application.
- (iii) A copy of this screening opinion will be placed on the Public Register.

Kelvin Hall Principal Planning Officer – Development Management team 22nd September 2020

APPENDIX 1 – COMMENTS OF CONSULTEES TO SCREENING OPINION REQUEST

Natural England

See comments below.

Shropshire Council Ecology team

Ecological Impact Assessment (EcIA)

A planning application on this site must be accompanied by an Ecological Impact Assessment of the land in and surrounding the proposed development and a discussion of any potential impacts resulting from the development.

An Ecological Impact Assessment should consist of:

- An Extended Phase 1 habitat survey, habitat map and target notes on any significant biodiversity or geological features.
- A desk study of historical species records and local, regional or national wildlife designated sites.
- Supplementary detailed surveys (phase 2 habitat surveys, protected or priority species or geological features as appropriate to the site).
- Evaluation of the importance of biodiversity or geological features present at a local, regional, national, international level.
- Analysis of the direct and indirect impacts of the development (during construction, working area, additional infrastructure and post construction).
- Proposed avoidance, mitigation or compensation measures, including method statements where appropriate.
- Legal implications such as the need for European Protected Species Mitigation Licences or other licences (e.g. badgers).
- Proposed biodiversity or geodiversity enhancement measures.

The Ecological Impact Assessment should be carried out by a suitably qualified and experienced ecologist with the relevant protected species licenses. The Ecological Impact Assessment should be submitted to the Local Planning Authority prior to a planning decision being made.

Great crested newts

Any ponds within 500m of a major planning application (over 10 houses, or more than 0.5 hectare, or for non-residential development more than 1000m2 floor area or more than 1 hectare) should be assessed in terms of their broad suitability to support great crested newts by carrying out a Habitat Suitability Index (HSI) assessment.

If any pond is calculated as being suitable then it may be necessary to carry out a presence/absence survey for great crested newts which is made up of 4 survey visits between mid-March and mid-June with at least 2 visits between mid-April and mid-May. Three survey methods (preferably torch survey, bottle trapping and egg searching) should be used on each survey visit. If great crested newts are discovered then it may be necessary to carry out a population size class estimate which involves an additional 2 visits in the specified time period.

A recent alternative means of determining presence/absence is to take a water sample for eDNA testing between mid-April and mid-June. If great crested newt presence is confirmed then a population estimate by conventional survey (6 visits in the correct time period) will still be required.

The ecologist should make recommendations as to whether a European Protected Species Licence with respect to great crested newts would be necessary and the need for a mitigation scheme and/or precautionary method statement.

The great crested newt survey should be carried out by an experienced, licensed ecologist in line with the Great Crested Newt Mitigation Guidelines by Natural England (2001) and should be submitted with any necessary mitigation scheme and method statement to the Local Planning Authority in support of the planning application.

Finding an ecological consultant

A list of ecological consultants who work in Shropshire is available on request. This list is by no means exhaustive and contains information on other ways of finding a consultant. Shropshire Council cannot recommend any consultant or guarantee their work. You should always check that the ecologist you select has the relevant protected species survey licences issued by Natural England. Without a valid survey licence, the report provided by an ecologist may not be considered adequate by the Local Planning Authority. It is always wise to seek several quotes since prices can vary.

The ecology team is happy to be contacted by the appointed ecologist to discuss the application prior to survey work being carried out if that is helpful.

Historic England

No comments received.

Shropshire Council Historic Environment team

Archaeology:

The proposed development site is understood to consist of an area of approximately 60ha of agricultural land, c. 3km west of Whitchurch. At present there are no records relating to the site on the Shropshire Historic Environment Record (HER). Based on historic cartographic evidence, the existing field pattern was created in the mid-19th century through the reorganisation of an earlier, later medieval early post medieval field pattern that created through the enclosure of a tract of marsh rough grazing land. A number of plantations and areas of wet woodland persisted into the later 20th century before being cleared during agricultural improvements. Given this land-use history, it is likely that the proposed development site will always have been marginal to settlement activity from the Roman period onwards. However, given the lack of previous archaeological field work and the size of the site, the potential for remains of prehistoric date cannot be discounted. Likewise, given the topography and landscape evolution of the proposed development site, there may be deposits with palaeoenvironmental potential to be present. In overall terms, the proposed development site is therefore considered to have low moderate archaeological potential.

RECOMMENDATION:

We note the comments contained within the Heritage Note by Pegasus Group that has been submitted with the pre-application enquiry regarding the archaeological interest of the proposed development site. We would broadly agree with the statement contained within it that. Based on currently-available information, archaeology is not anticipated to pose a constraint to development.

However, if the proposed development is considered to require an EIA, it is advised that the Environmental Statement should include an chapter on the historic environment, in order to meet the requirements set out in Local Plan Policy MD13 and Paragraph 189 of the NPPF. This chapter should be informed by a full archaeological desk-based assessment for submission with any subsequent planning application. This should include a consideration of the palaeoenvironmental potential of the proposed development site.

If the scheme is not considered to require an EIA, we advise that a full archaeological desk based assessment will still need to be submitted as part of any planning application, to likewise ensure that it is compliant with the requirements set out in Local Plan Policy MD13 and Paragraph 189 of the NPPF.

Thereafter, and subject to the findings of the desk-based assessment, we would be minded to recommend that a phased programme of archaeological work is made a condition of any planning permission for the proposed development. This should consist of an initial field evaluation, comprising a geophysical survey of the proposed development site, a targeted trial trenching exercise and assessment of any palaeoenvironmental deposits that might be impacted by the development, followed by further mitigation as appropriate. An appropriate condition would be: -

Suggested Conditions:

No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

 Date:
 25 August 2020

 Our ref:
 325592

 Your ref:
 20/03218/SCR

Shropshire Council Development Services Shirehall Abbey Foregate Shrewsbury SY2 6ND



Consultations Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ

Т 0300 060 3900

BY EMAIL ONLY: planning.comments@shropshire.gov.uk

Dear Sir/Madam

Environmental Impact Assessment Screening consultation: EIA screening opinion for a solar park

Location: Bubney Farm, Grindley Brook, Whitchurch, Shropshire, SY13 4QH

Thank you for your consultation on the above dated 17 August 2020 which was received by Natural England on 17 August 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of 'environmental sensitivity'.

The proposed development <u>is not</u> located within or partly within any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site and is not likely to significantly affect the notified interest features of such sites. The proposal is <u>not</u> located within or partly within a National Park, Area of Outstanding Natural Beauty or Heritage Coast and is unlikely to impact upon the purposes for which these areas are designated or defined.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation, or

compensation measures can be put in place. Further information is included in Natural England's <u>standing advice</u> on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should still ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that this response relates only to the EIA screening consultation. Natural England may wish to provide advice should your authority consult us on any subsequent planning application. Guidance on when to consult Natural England is <u>here.</u>

Please send any new consultations, or any further information on this consultation to: <u>consultations@naturalengland.org.uk</u>.

Yours faithfully

Edwina Hinton Consultations Team



APPENDIX 5

SHROPSHIRE COUNCIL CORE STRATEGY AND SITE ALLOCATIONS AND MANAGEMENT DEVELOPMENT PLAN POLICY EXTRACTS
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Shropshire Council Core Strategy (2011)

Core Strategy Policy CS5 – Countryside and Greenbelt

New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt.

Subject to the further controls over development that apply to the Green Belt, development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to:

• Small-scale new economic development diversifying the rural economy, including farm diversification schemes;

• dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing / accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12;

- With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed. Development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where this is appropriate.

• Agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts;

• The retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;

- The conversion or replacement of suitably located buildings for small scale economic development / employment generating use;
- Sustainable rural tourism and leisure and recreation proposals which require a countryside location, in accordance with Policies CS16 and CS17;

• Required community uses and infrastructure which cannot be accommodated within settlements;

• Conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside. Proposals for conversions will be considered with regard to the principles of PPS4, giving equal priority to the following uses:

- small scale economic development/employment generating use, including live-work proposals and tourism uses;

- affordable housing to meet local need (including agricultural workers dwellings);

- other uses appropriate to a countryside location.

Open market residential conversions will only be considered where respect for the heritage asset (as also required by Policy CS17) and high standards of sustainability are achieved; a contribution to infrastructure requirements is made in accordance with Policy CS9; and, except where the buildings are listed, a financial contribution for the provision of affordable housing to be delivered off site is provided in accordance with Policy CS11. In all cases, development proposals should be consistent with the requirements of Policies CS6 and CS17.

Green Belt

Within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance in PPG2. Land within development boundaries in the settlements of Shifnal, Albrighton, Alveley, Beckbury, Claverley, and Worfield, and at the Alveley and Stanmore Industrial Estates is excluded from the Green Belt. In addition to appropriate development in these areas, limited infilling will be permitted in any other Community Hubs and Community Clusters listed in the SAMDev DPD, subject to the requirements of Policies CS4, CS6 and CS11. Also, limited local needs affordable housing on exceptions sites which accords with the requirements of Policy CS11 will be permitted in the Green Belt. Areas of safeguarded land are reserved for potential future development at Albrighton and Shifnal, while the military base and Royal Air Force Museum at Cosford is recognised as a major existing developed site within the Green Belt where limited defence related development will be permitted. The Green Belt boundary and all relevant policy areas are identified on the Proposals Map for the SAMDev DPD, which sets out the detailed approach to development in the Green Belt and any new site allocations required within the safeguarded land.

Core Strategy Policy CS6 – Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by:

• Requiring all development proposals, including changes to existing buildings, to achieve applicable national standards, or for water use, evidence based local standards as reflected in the minimum criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD;

• Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced;

And ensuring that all development:

• Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11;

• Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;

• Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities.

• Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination;

• Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;

• Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8.

Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

Core Strategy Policy CS8 – Facilities, Services and Infrastructure Provision

The development of sustainable places in Shropshire with safe and healthy communities where residents enjoy a high quality of life will be assisted by:

• Protecting and enhancing existing facilities, services and amenities that contribute to the quality of life of residents and visitors;

• Preserving and improving access to facilities and services wherever possible, including access to information and communication technologies (ICT), throughout Shropshire;

• Facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs, as outlined in the LDF Implementation Plan whether arising from new developments or existing community need, in locations that are appropriate and accessible;

• Positively encouraging infrastructure, where this has no significant adverse impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation, and working closely with network providers to ensure provision of necessary energy distribution networks.

Core Strategy Policy CS17 – Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:

• Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors;

• Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge;

• Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites;

• Secures financial contributions, in accordance with Policies CS8 and CS9, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

Core Strategy Policy CS18 – Sustainable Water Management

Developments will integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within Shropshire, including groundwater resources, and provide opportunities to enhance biodiversity, health and recreation, by ensuring that:

• Planning applications and allocations in the Site Allocations and Management of Development (SAMDev) DPD, are in accordance with the tests contained in PPS25, and have regard to the SFRAs for Shropshire;

• New development is designed to be safe, taking into account the lifetime of the development, and the need to adapt to climate change. Proposals should have regard to the design guidance provided in the SFRAs for Shropshire;

• All development within local surface water drainage areas, as identified by the Water Cycle Study, and any major development proposals, demonstrate that surface water will be managed in a sustainable and coordinated way. Proposals will be supported by either a Surface Water Management Statement or Plan, depending on the scale of the development;

• All developments, including changes to existing buildings, include appropriate sustainable drainage systems (SUDS) to manage surface water. All developments should aim to achieve a reduction in the existing runoff rate, but must not result in an increase in runoff;

• New development improves drainage by opening up existing culverts where appropriate;

• Proposals within areas of infrastructure capacity constraint, as identified by the Water Cycle Study and the Implementation Plan, and any major development, demonstrates that there is adequate water infrastructure in place to serve the development;

• New development enhances and protects water quality, including Shropshire's groundwater resources;

• New development, including changes to existing buildings, incorporate water efficiency measures, in accordance with the sustainability checklist in Policy CS6, to meet the water efficiency objectives within the Shropshire Water Cycle Study to protect water resources and reduce pressure on wastewater treatment infrastructure.

Shropshire Council Site Allocations and Management of Development Plan (2015)

SAMDev Plan Policy MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

1. Respond positively to local design aspirations, wherever possible, both in terms of visual appearance and how a place functions, as set out in Community Led Plans, Town or Village Design Statements, Neighbourhood Plans and Place Plans.

2. Contribute to and respect locally distinctive or valued character and existing amenity value by:

i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and

ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and

iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and

iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.

3. Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style.

4. Incorporate Sustainable Drainage techniques, in accordance with Policy CS18, as an integral part of design and apply the requirements of the SuDS handbook as set out in the Local Flood Risk Management Strategy.

5. Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including:

i. Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;

ii. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational

space for play, recreation, formal or informal uses including semi-natural open space;

iii. where an adverse effect on the integrity of an internationally designated wildlife site due to recreational impacts has been identified, particular consideration will be given to the need for semi-natural open space, using 30sqm per person as a starting point.

iv. ensuring that ongoing needs for access to manage open space have been provided and arrangements are in place for it to be adequately maintained in perpetuity.

6. Ensure development demonstrates there is sufficient existing infrastructure capacity, in accordance with MD8, and should wherever possible actively seek opportunities to help alleviate infrastructure constraints, as identified with the Place Plans, through appropriate design.

7. Demonstrate how good standards of sustainable design and construction have been employed as required by Core Strategy Policy CS6 and the Sustainable Design SPD.

SAMDev Plan Policy MD8 – Infrastructure Provision

Existing Infrastructure

1. Development should only take place where there is sufficient existing infrastructure capacity or where the development includes measures to address a specific capacity shortfall which it has created or which is identified in the LDF Implementation Plan or Place Plans. Where a critical infrastructure shortfall is identified, appropriate phasing will be considered in order to make development acceptable.

2. Development will be expected to demonstrate that existing operational infrastructure will be safeguarded so that its continued operation and potential expansion would not be undermined by the encroachment of incompatible uses on adjacent land.

New Strategic Infrastructure

3. Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national

priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:

i. Residential and other sensitive neighbouring land uses;

ii. Visual amenity;

iii. Landscape character and sensitivity, including impacts on sensitive skylines;

iv. Natural and heritage assets, including the Shropshire Hills AONB (Policies MD12 and MD13);

v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);

vi. Noise, air quality, dust, odour and vibration; vii. Water quality and resources;

viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;

ix. Cumulative impacts. Development proposals should clearly describe the extent and outcomes of community engagement and any community benefit package.

4. The following infrastructure specific criteria will also apply:

Renewable Energy Infrastructure

i. In the case of wind energy proposals, proposals will be assessed against national policy guidance; pending the development of new local policy as part of the proposed Plan Review;

ii. In the case of biomass, anaerobic digestion and geothermal energy proposals, particular attention will be also be paid to the potential for opportunities to recover heat and power;

iii. In the case of hydro-electric energy schemes, particular attention will also be paid to impacts on flood risk, ecology, water quality and fish stocks;

Other New Infrastructure

iv. In the case of water treatment infrastructure, particular attention will also be paid to impacts on water quality in the local river catchment and impacts on the sewerage network;

Monitoring and Decommissioning

v. Where planning permission establishes performance standards, applicants will be expected to demonstrate compliance through the submission of regular monitoring reports;

vi. Proposals for temporary infrastructure will be expected to include measures for satisfactory restoration, including progressive restoration, of the site at the earliest practicable opportunity to an agreed after-use or to a state capable of beneficial after-use;

vii. Where appropriate, a planning obligation will be sought in order to secure the after-use, long term management and maintenance of the site.

SAMDev Plan Policy MD12 – Natural Environment

In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration will be achieved by:

1. Requiring a project-level Habitats Regulations Assessment for all proposals where the Local Planning Authority identifies a likely significant effect on an internationally designated site. Permission will be refused where a HRA indicates an adverse effect on the integrity of a designated site which cannot be avoided or fully mitigated. Where mitigation can remove an adverse effect, including that identified by the HRA for the Plan or the Minerals HRA, measures will be required in accordance with; CS6, CS8, CS9, CS17, CS18, MD2; remedial actions identified in the management plan for the designated site and the priorities in the Place Plans, where appropriate.

2. Ensuring that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on any of the following:

i. the special qualities of the Shropshire Hills AONB;

ii. locally designated biodiversity and geological sites;

iii. priority species;

iv. priority habitats v. important woodlands, trees and hedges;

vi. ecological networks

vii. geological assets;

viii. visual amenity;

ix. landscape character and local distinctiveness. will only be permitted if it can be clearly demonstrated that:

a) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;

b) the social or economic benefits of the proposal outweigh the harm to the asset. In all cases, a hierarchy of mitigation then compensation measures will be sought.

3. Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition.

4. Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.

SAMDev Plan PolicyMD13 – Historic Environment

In accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by:

1. Ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings.

2. Ensuring that proposals which are likely to affect the significance of a designated or non-designated heritage asset, including its setting, are accompanied by a Heritage Assessment, including a qualitative visual assessment where appropriate.

3. Ensuring that proposals which are likely to have an adverse effect on the significance of a non-designated heritage asset, including its setting, will only be permitted if it can be clearly demonstrated that the public benefits of the proposal outweigh the adverse effect. In making this assessment, the degree of harm or loss of significance to the asset including its setting, the importance of the asset and any potential beneficial use will be taken into account. Where such proposals are permitted, measures to mitigate and record the loss of significance to the asset including its setting in a manner proportionate to the asset's importance and the level of impact, will be required.

4. Encouraging development which delivers positive benefits to heritage assets, as identified within the Place Plans. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.



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