

Location: **Land To The South Of Wymondley Substation And South Of Sperberry Hill
St Ippolyts
Hertfordshire**

Applicant: **Mr Gary Bird**

Proposal: **Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure (as amended by revised and additional information November 2022).**

Ref. No: 22/00709/FP

Officer: **Peter Bull**

Date of expiry of statutory period 09 June 2022

Extension of statutory period 16 November 2023 (to be confirmed)

Reason for Delay:

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

Reason for referral to Committee

The site area for this application for development exceeds 1 ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

Members should be aware that if they are minded to approve the application, this would be a 'resolution for grant' subject to referral of the application to the Secretary of State, as the site is within the Green Belt and over an identified threshold set out in The Town and Country Planning (Consultation) (England) Direction 2021 for consulting the Secretary of State in the event the local planning authority has resolved to grant planning permission for certain types of development.

The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in applications under Section 77 of the Town and Country Planning Act 1990. To use the call-in power requires that the decision be taken by the Secretary of State rather than the local planning authority.

Paragraph 3 of the 2021 Direction states:

This Direction shall apply in relation to any application for planning permission which – (a) is for Green Belt development, development outside Town Centres, World Heritage Site development or flood risk development; and (b) is received by a planning authority on or after 21 April 2021.

Paragraph 4 of the 2021 Direction states:

For the purposes of this Direction, “Green Belt development” means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan documents and which consists of or includes

- (a) The provision of a building or buildings where the floor space to be created by the development is 1000 square metres or more; or
- (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

The proposal is for a Solar Farm of a large scale with various associated plant covering 35.1 hectares of fields. Therefore, the proposal falls within (b) of the above.

1.0 Site History

- 1.1 21/02628/SO - Screening Opinion: Proposed 25MW solar farm and 12.5MW battery storage facility – EIA not required
- 1.2 15/01532/1 - Solar farm of approximately 5 Mega Watts of electricity generating capacity, comprising the installation of solar photovoltaic panels and associated infrastructure, including electrical inverter and transformer buildings, substations, communications and storage buildings, new access, access tracks, fencing and landscaping (as amended by drawing nos. 2218.AP.001.0 Rev I, 003.1 Rev C, 006.3 Rev B, 009.1 Rev A, 010.2 Rev A, G239_1, 2 & 3 received 4/11/15) – refused and appeal dismissed.
Note: this previous application related to only the western part of the current application site.
- 1.3 14/01576/1SO - Proposed Solar PV development – EIA not required

2.0 Policies

2.1 North Hertfordshire District Local Plan 2011 -2031

Policy SP1: Presumption in favour of sustainable development
Policy SP5: Countryside and Green Belt
Policy SP11: Natural resources
Policy SP12: Green infrastructure, landscape and biodiversity
Policy SP13: Historic environment
Policy D1: Design and sustainability
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy HE1: Designated heritage assets
Policy HE3: Non-designated heritage assets
Policy HE4: Archaeology
Policy NE1: Strategic Green Infrastructure
Policy NE2: Landscape

Policy NE3: The Chilterns AONB
Policy NE4: Biodiversity and geological sites
Policy NE5: Protecting Open Space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE12: Renewable and low carbon energy development.

2.2 St. Ippolyts Neighbourhood Development Plan

2.2.1 The St Ippolyts Neighbourhood Planning Area was designated by Cabinet on 31 July 2018. The Parish Council was the relevant body that applied for designation. The Plan has not progressed formally at this stage.

2.3 Wyndley Neighbourhood Development Plan (2011-2031) (Made 2018)

2.3.1 The Wyndley Neighbourhood Plan (WNP) was made on 26th September 2019 and now forms part of the Development Plan.

Policy NHE1: Landscape character
Policy NHE2: Biodiversity
Policy NHE3: Wildlife and Ecology
Policy NHE8: Landscaping schemes
Policy NHE9: Historic character and heritage assets
Policy TM1: Roads
Policy GB1: Green Belt
Policy FR1: Flood risk
Policy FR2: Flood risk management
Policy SLBE1: Business development.

2.4 National Planning policy Framework (2021)

Paragraph 11 – Presumption in favour of sustainable development
Section 6 - Building a strong, competitive economy
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 13 – Protecting Green Belt land
Section 14 – Meeting the needs of climate change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment.

2.5 National Policy Statements

The National Policy Statement for Energy (EN1) revised in March 2023 confirms the need for the UK to diversify and de-carbonise electricity generation, and the Government's commitment to increasing dramatically the amount of renewable generation capacity. It confirms that '*a secure, reliable, affordable, net zero consistent*

system in 2050 is likely to be composed predominantly of wind and solar' (paragraph 3.3.20).

The National Policy Statement for Renewable Energy Infrastructure (EN-3) also revised in March 2023 confirms the importance of renewable energy stating 'that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050. This could require a fourfold increase in low carbon electricity generation, with most of this likely to come from renewables' (paragraph 2.1.2).

2.6 National Planning Practice Guidance (NPPG)

Reference ID: 5-001-20140306 – Why is planning for renewable energy important?

Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions and slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable energy infrastructure in locations where the local environmental impact is acceptable.

Reference ID: 5-013-20150327 - What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?.

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

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

- *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 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.

2.7 Supplementary Planning Guidance

North Hertfordshire Landscape Study 2011: Landscape Character Areas 214 (Langley Valley) and 215 (Wyndley and Titmore Green).

2.8 Other relevant Council publications

Council Plan 2020 – 2025

North Herts Climate Change Strategy.

3.0 Representations

Statutory and non-statutory consultees

3.1 Responses are summarised below.

3.2 **Wyndley Parish Council** – objects to the application for the following reasons:

- Contrary to Green Belt policy with no Very Special Circumstances demonstrated. Particularly important to protect this given this is one of two solar farm proposals in the parish, the expansion of Stevenage, potential additional housing in the parish and the impact of Luton Airport expansion. The result will be the urbanising of North Herts.
- The land is Grade 2 and 3a agricultural land and as such should not be lost to food production especially at time when our imports of cereal crops are under severe threat.
- Creating a food emergency is no solution. Solar should and can be on buildings and brown field sites.
- The site is selected based on proximity to and capacity at the nearby substation. The result is maximum disruption to nearby and adjacent residents and the hotel business at Redcoats Farm.

- The site also adjoins footpaths and roads and is an area with exceptional visual amenity looking over the valley towards Preston. This will be lost and become an eyesore viewed from miles around surrounding the area with high fences, CCTV poles and bund as well as the transformer buildings and panels is totally inappropriate development.
- The development added to the Great Wymondley scheme will create a Solar circle around much of Wymondley Parish running to 200 acres or 150 football pitches having a strong detrimental effect on personal mental health and wellbeing of our parishioners as well as known and acknowledged risks of fire and chemical escapes from the transformers and batteries.
- The cumulative impact of the two solar farms in the parish are contrary to the Wymondley Neighbourhood Plan, the local plan, green belt policy, the national planning framework and now the governments published direction of travel for renewable energy.
- Proposal is ill considered opportunism by developers and farmers and the District Council are asked to refuse planning permission.

Second consultation (January 2023) – Restated original objections. Added issues:

- Revisions relating to the bund, additional trees and hedging details are noted. Changes do not address the core issues and proposal will still adversely affect nearby homes and the Redcoats Farm Hotel and local views across some exceptional landscaping.
- Alternative sites and solutions to this Green Belt location which will be on BMV agricultural land.
- Poor and biased community interaction from the planning unit and the applicant.
- The revisions do little to address the underlying issues that were at the heart of original objections. This scheme is ill-conceived and does enormous damage to residents, businesses, our agriculture, landscape views and residents wellbeing in an area of North Herts becoming overrun with development proposals.

3.3 **St. Ippolyts Parish Council** – objects to the application for the following reasons:

- Harmful to Green Belt with reduced buffer between Stevenage.
- Adverse impact on the landscape which is beautiful countryside.
- Widely visible with open views across Almshoe and beyond.
- Adverse impact on users of the Hertfordshire Way and other public footpaths eyesore viewed from miles around surrounding the area with high fences, CCTV poles and bunds as well as the transformer buildings and panels which constitute inappropriate development.
- Loss of grade 2 and 3a agricultural land used for food production.
- There are alternative sites and locations with less impact.
- Disruption to local residents during construction.
- Impacts on heritage assets.

- The proximity of the site to Wymondley substation which reduces connection costs and therefore increases the developer's profit.
- Redcoats Farmhouse, a much-valued local business which heavily depends on the beautiful setting which will be ruined.
- Proposal offers no local employment and the developer has not made any proposal to bring any benefit to the Parish.
- The majority of local people oppose the development whereas those support generally are from a wider catchment area.
- A 1,000 signature petition from people in Hitchin and affected surrounding Parishes who are objecting to the proposal and gives weight to the view that this proposal does not have the support of the local community.
- North Herts' land area is 0.15% of the UK so current solar projects including this one project would result in North Herts being 9 times above the average ground-mounted solar contribution across the UK. Existing provision is already a significant contribution and there is no justification for additional capacity being installed on highly valued greenbelt with such a damaging local impact.

3.4 **Langley Parish Council** – objects to the proposal for the following reasons:

- The proposed site falls within the Green Belt. The protection of the Green Belt is important for ecological, recreational enjoyment of natural landscape and protection of urban sprawl reasons.
- Loss of high quality arable land and the associated impacts on food security, food prices and the need to protect the best quality land as advocated by the NPPF. This is accentuated by the war in Ukraine.
- Impact on the amenity of nearby residential properties and loss of outlook.
- Adverse impacts on local wildlife particularly wild der and birds.
- Harmful impact on a beautiful area of countryside.
- Safety concerns about the proximity of large lithium battery farms to residential properties and the potential for toxic materials.

Re-consultation response January 2023 restated these objections and confirmed that the Parish strongly oppose the plans and ask the Council to refuse planning permission.

3.5 **Stevenage Borough Council** – no objection to the proposal subject to compliance with the Green Belt policies set out in Chapter 13 of the NPPF 2021.

3.6 **Councillor Richard Thake (Hitchin Priory Ward)** – objects to the proposal:

- Accepts a global climate emergency and the need for renewable energy but this is not an appropriate location for such development.
- Adverse impacts on setting and outlook of statutory listed buildings.
- Loss of privacy.

- Impact on the Greenbelt and Very Special Circumstances (VSC) not demonstrated.
- Impact on Best and Most Versatile (BMV) agricultural land.
- Concern about likelihood of decommissioning being achieved.

- 3.7 **Historic England** – no objection.
- 3.8 **Natural England** – no objection subject to conditions to protect soil resources and to ensure the satisfactory restoration of the land at the end of the temporary period.
- 3.9 **National Grid (Gas)** – No objection gas pipe – agreed stand-off distances of 12.2m total width, temporary crossing point during construction.
- 3.10 **National Grid (Overhead lines)** – no objection.
- 3.11 **Environmental Health (Air quality)** – no objection.
- 3.12 **Environmental Health (Noise)** – no objection subject to conditions.
- 3.13 **Environmental Health (Land contamination)** – low likelihood of environmental risk from the development and therefore no objection is raised.
- 3.14 **HCC Highways** – initial response recommended refusal due to inadequately scaled drawings showing vehicular access details. Revised information was subsequently provided. No objection now raised subject to conditions.
- 3.15 **HCC Lead Local Flood Authority** – objects to the proposal as no formal discharge location for the surface water runoff, the proposal will increase the risk of flooding, increase impermeable surfaces and allow uncontrolled surface water runoff to leave the red lined boundary. Control of this matter is not considered appropriate by condition.
- 3.16 **Affinity Water** – no objection.
- 3.17 **Environment Agency** – no objections.
- 3.18 **CPRE Hertfordshire (Campaign to Protect Rural England)** – Objects to the proposal for the following reasons:
- The land identified for this proposed development is located within the London Metropolitan Green Belt and performs a vital function as open countryside, both for agriculture and recreation, and the conservation and enhancement of the natural environment.
 - Contrary to NPPF which requires land designated as Green Belt to be kept “permanently open “(para. 137) and “inappropriate development should not be approved except in very special circumstances “(para. 147).
 - VSC are not considered to exist.

- Openness of GB will be compromised by fencing, transformers and other bulky and unsightly equipment associated with this proposal.
- The industrial nature of the solar panels and associated infrastructure will however change the nature of the countryside in this area for a generation.
- Contrary to National Planning Practice Guidance having a negative impact on the rural environment.
- Contrary to Ministerial letters of November 2013 and April 2014 have stated that the need for renewable energy does not automatically override environmental protection and local authorities should ensure that proposals for solar farms are appropriately sited, and give proper weight to environmental considerations such as landscape.
- CPRE committed to renewable energy generation and supports solar energy generation on buildings and previously developed land. Alternative sites, land and buildings offer better solutions.
- Proposal is neither necessary nor appropriate changing the character and quality of the open countryside, introducing an industrial element by virtue of glass and steel installations and a wide range of supporting industrial structures which prejudice the key purposes for which the Green Belt was designated.
- Inappropriate development resulting in the loss of Best and Most Versatile (BMV) land.
- National food security are gaining in significance, leading to the need to preserve high quality agricultural land.
- The proposal will cause considerable disruption to existing wildlife on the site and attempts to suggest net gains in biodiversity rest on the introduction of additional species which will change the character of the landscape.
- Popular waking area and the proposed development will be highly visible over a wide area and from several public rights of way.
- Cumulative impact of such installations.
- Wider strategic issues such as the efficiency of generation by this method, and the eventual disposal of worn-out panels and other infrastructure should be considered.
- Large-scale developments of this nature pose a major challenge to the rural character of protected areas.

- 3.19 **HCC Historic Environment Advisor (Archaeology)** – no objection subject to pre-construction trial trenching being undertaken. This can be secured by condition.
- 3.20 **Herts Ecology** – no objections subject to conditions for a Landscape and Environmental Management Plan (LEMP), a Construction and Environmental Management Plan and a walk over badger survey.
- 3.21 **Hertfordshire Wildlife Trust** – no objection subject to conditions.
- 3.22 **Conservation Officer** – less than substantial harm identified. Objects to the proposal.

3.23 **Herts CC Growth and Infrastructure Unit** – no financial contributions required. No objections.

3.24 **Anglia Country Inns (owner of Redcoats Farmhouse Hotel)** – objects to the proposal for the following reasons -

- The supporting documents do not appear to have informed by NPPF policies, PPG or development plan policies.
- Members should visit Redcoats and walk the various footpaths to the south in order to fully gauge the impact of these proposals.
- Encroach upon the countryside (a Green Belt test) and consequently cause harm by reducing the physical and visual openness of the Green Bel
- The appearance and perception of rolling open countryside will be altered, both within and at the site and in views across it.
- Harmful to (higher end of less than substantial impact) upon the Redcoats heritage assets (as set out in separate heritage assessment).
- Harmful impact upon the Redcoats business, which threatens the long term care and maintenance of the assets and jeopardise a rural business which employs 52 people.
- It would result in the very long term loss of 35 hectares of best and most versatile agricultural land and prevent it from realising its potential.

3.25 **National Farmers Union (NFU)** – supports the proposal. The application is in accordance with NFU guidance relating to renewable energy, addressing the ambition for net zero for the agricultural sector and part of the solution to tackling climate change. Proposal is an important form of farm diversification which can yield significant income streams to support profitable and resilient agricultural businesses. The site is well located, the use temporary and it allows for livestock grazing.

3.26 **Friends Of The Hertfordshire Way (charity)** – objects to the proposal. This is one of over 50 planning applications that could have a significant impact on the route. Widely used by local and non-local people. Concerns that there will be impacts on footpaths 014, 019 and 015. Impact arising from proposals visually harmful to footpath users. Proposal will affect food security.

3.27 **Neighbour and Local Resident Representations**

The application has been advertised by neighbour notification letters, the display of site notices and press notices. A total of 409 comments have been received on the application. Additional and amended information was provided in November 2022 relating to a number of technical matters and a further consultation process was undertaken in January 2023.

A petition from the local community with 1033 signatures confirms that they support renewable energy but not on Green Belt or on the Best and Most Versatile agricultural land.

A total of 236 individual objections have been received and the issues raised are summarised below:

3.27.1 Planning Policy, guidance and strategies

- The proposal is not consistent with the British Energy Security Strategy (2022) which encourages large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites.
- This application contravenes the following local and national policies: The National Planning Policy Framework paragraph 151, 147 and 148, 170 North Hertfordshire District Local Plan 2011-2031 - Policy SP5 - Countryside and Green Belt, ii. Policy SP11 - Natural resources and sustainability, Policy NE12 - Renewable and low carbon energy development Wymondley Neighbourhood Development Plan 2011-2031 (Adopted 2019) - Policy GB1 - Green Belt, Policy SLBE1 - Business development, Policy NHE2 - Biodiversity and Policy NHE3 - Wildlife and Ecology.

3.27.2 Landscape and visual impacts

- Adverse landscape impacts.
- Landscape mitigation not sufficient.
- Loss of outlook and amenity to residents and general public.
- Adverse impact on nearby housing and businesses making them unattractive places to live or visit.
- Panels, plant and associated equipment will be an eyesore viewed from long distances.
- Impact on nearest properties either not considered and understated and therefore misleading.
- Seasonal impacts will be greater dominating views in an area.
- Broad glacial valley cut through the scarp of the Chilterns during the last ice age, as the proposed Sperberry Hill site is
- Proposed bund will be large and out of character and likely to be over 3m in height after planting matures.
- Harmful to enjoyment of countryside for users.
- Area of beautiful chalk downland.
- A local landscape practitioner raised concerns about elements and findings contained in the submitted Landscape Visual Impact Assessment (LVIA).

3.27.3 Wildlife, ecology and biodiversity impacts

- Wild birds, owls and raptors including rare species are known to frequent area and will be impacted and not mitigated.

- No certainty that development will deliver biodiversity net gain.
- Chilterns AONB and within the impact zone of Wain Wood SSSI.
- Impact on deer and other wildlife.
- Claims of increased biodiversity is Greenwash.

3.27.4 Heritage

- Adverse impacts on listed buildings including four Grade I Listed Buildings, ten Grade II* Listed Buildings and 82 Grade II Listed Buildings within the 2km study area.

3.27.5 Highways and public rights of way (PRoW)

- Road network unsuitable for type and volume of traffic proposed.
- Traffic delays and disruption to local people.
- Permanent damage to vital local hedging and trees along the area of lane to access the potential site and with a great risk of accidents and injury to people walking with families, cycling and riding horses as this is a favoured route to the church and the park and lake at St Ibbs Bush.
- Diminished recreational value of public footpaths, including the Hertfordshire Way, which are well used by the public because this is beautiful countryside. The proposed development will turn this area into an industrial landscape.
- Sperberry Hill and surrounding lanes are very narrow with single lanes and several pinch points. Some parts are unable to take two way traffic. 40 trips a week generated by 16.5m articulated lorries plus over 80 ancillary vehicle movements, per day, for the workforce over an 8 month period is likely to damage the local roads and increase the risk of accidents.
- The Transport Statement submitted by the Applicant is wholly inadequate with an entirely unrepresentative, borderline disingenuous, location chosen for the Automatic Traffic Count (ATC).
- Inadequate consideration has been given to key junctions on the transport plan such as the B656 / Sperberry Hill junction which is highly constrained for even the smallest of vehicles, let alone significant movement from HGV vehicles.

3.27.6 Green Belt impacts

- Adverse impact on the Green Belt with Very Special Circumstances not demonstrated, Rejected by Inspector on these grounds on previous application.
- Inappropriate Development in Greenbelt causing demonstrable harm.
- Contrary to NPPF guidance on Green Belt.

3.27.7 Agricultural land impacts BMV and food security

- Contrary to Government Written Ministerial Statement (UIN HCWS488) dated 25th March 2015 and paragraph 170 of the NPPF states which states that poorer quality land should be preferred to those of a higher quality.
- Using BMV agricultural land for sheep grazing (as proposed by the applicant) is not a suitable alternative use for this grade of land.
- Other less valuable land, both visually and in its agricultural categorisation within easy reach of the grid connections for the area.
- Decommissioning should require a bond to ensure this is undertaken.
- Loss of grade 2 and 3a BMV land contrary to NPPF and policy guidance.
- Threat to food security from loss of agricultural land.
- As there is no poor quality land within North Herts, the only logical conclusion is that industrial scale solar plants are not the right renewable solution for this area.

3.27.8 Alternative sites or technologies and solutions

- Government should be lobbied to require all new buildings, both housing and industrial, should be legally required to include solar panels on rooftops where they will be less intrusive.
- In contrast to offshore wind source, solar farms are hugely inefficient.
- Alternative methods - offshore wind farms, nuclear energy and hydrogen production by electrolysis – offer better solutions.
- There is sufficient land outside the greenbelt to place solar farms.
- North Herts should improve the insulation on its own housing stock and insist that new build applications include solar panels on roofs.
- No consideration appears to have been given to look at alternative sites.
- Central Government has already approved, and funded, projects that will generate sufficient power for all of our houses by 2030, with over 75% capacity by 2026.
- South facing commercial rooftops within the immediate urban area, all accessible to the Wymondly substation. The North Herts Council has the power to direct the use of currently built-on land for the construction of solar panels without despoiling this area of natural beauty.
- Only once we have run out of solar panels on roofs may we start using our natural assets.
- There are many brownfield sites, both open land and roof tops, which should and could be used for solar farms and battery storage.

3.27.9 Noise, disturbance and pollution

- Constant hum from the equipment.

- The elevated position of the site in an open rolling landscape means that the security fencing and associated infrastructure make a significant visual Impact which cannot be hidden by these measures.
- Increased pollution.
- Solar is very inefficient and intermittent method of providing energy.
- Their production involves considerable emissions of CO2.
- Lithium is highly pyrophoric metal which could explode in contact with air or water.
- The inverters will use considerable quantities of water for cooling.
- Toxic pollution.
- Construction period will create significant disruption for the local community for 8 months.
- Work hours of the site is unacceptable, 7 days a week and 8-6:30pm.
- Noise pollution from work site, panels are piled in place with heavy machinery and that will be 7 days a week for a year.

3.27.10 Soil damage and pollution

- The proposed development could cause permanent damage to land by scraping off the topsoil, altering the topography, and compacting the soil in a way that prevents infiltration of water into the soil and the underlying aquifer. This can lead to flooding in the winter and also a reduction of valuable water at a time when the UK is regularly experiencing droughts in the Spring and Summer.

3.27.11 Economic impacts

- Proximity of proposal adjacent hotel and events venue business to which the proposed scheme borders will be devastating - noise pollution, events and activities are on weekends, outside and in direct view of the proposed work site, significant access disruption for our staff, customers and local community for a year.
- No benefits from the proposal.
- Proposal would put at risk a significant number of local jobs as it would no longer be a desirable venue for restaurant, hotel or wedding or other celebration/activity, set in rural Hertfordshire.
- Once established the proposed solar farm would not contribute an equal amount of employment opportunities.

3.27.12 Fire Safety

- Battery storage containers themselves are a threat to the environment if they are not maintained.

- Safety of battery installation.

3.27.13 Flood risk

- The scale of the development will affect the run off from the fields and exacerbate flooding to nearby properties.
- Little Alshoe Lane already floods in areas, an increase in this run off by filling the ground with foundations could be catastrophic. Planting will not mitigate these impacts.
- Flood modelling should be independently assessed by a suitably qualified person.
- The water run off would be considerable with the risk of flooding to 'The Wyck' and 'The Red House' along with the properties at Little Almshoe.

3.27.14 General objections

- Distance from sub stations not a constraint to location of development.
- The overall cost and longevity of the project will far outweigh the loss of this beautiful countryside.
- Developer seeking to maximise profits due to the location's proximity to the local sub-station.
- Any solar farm site will automatically become classified as brownfield site after 10 years.
- Precedent set for solar farms if allowed.
- Uncertainty as to how will the panels etc be disposed following decommissioning.
- Over development of this part of the district.
- NHDC has no clear strategy for energy.
- It proposes very little by the way of community benefit to mitigate this harm.
- Little contribution to its energy security.
- The efficiency of the panels is not just a straightforward positive 40 year cycle
- The significant impact of their manufacture must be offset against any positive gains and decommissioning and recycling will have further impact.
- Contravenes human rights in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings. The proposed earth bund is within 40 metres of a property and is therefore in contravention of the Human Rights Act 1998.

3.27.15 A total of 171 representations have been received in **support** of the application. These are summarised below:

3.27.16 Energy need and policy

- The UK Government has set a statutory target of achieving net zero emissions by 2050, and this is a material consideration.
- The UK Energy White Paper, Powering our Net Zero Future (2020), describes the costs of inaction would increase frequency and severity of heatwaves with increase in heat related deaths.
- Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) are material considerations. These recognise that energy infrastructure of all sizes and types, including solar, are needed to meet decarbonising targets. The lowest cost way of generating electricity and that by 2050, secure, reliable, affordable, net zero energy systems are 'likely to be composed predominantly of wind and solar'.
- UK needs to 'dramatically increase the volume of energy supplied from low carbon sources' to ensure a reduction in the reliance of fossil fuels. This is set out in the UK Energy Strategy and Energy White Paper. Every scenario to reach net zero requires deployment of solar energy to reduce the greatest impacts of climate change, decarbonise our society and ensure energy security.
- NPPF paragraph 152 confirms overall support to transition to a low carbon future in a changing climate', should 'contribute to radical reductions in greenhouse gas emissions' and 'support renewable and low carbon energy and associated infrastructure'.
- This kind of project is vital for our future and future generations to come.
- Large scale and irreversible changes to the global climate, including large-scale methane release from thawing permafrost and the collapse of the Atlantic Meridional Overturning Circulation.
- Will help Council meet net zero target by 2040, this project adds to that.
- Will help UK meet its climate change obligations.
- Increase in global temperatures this century, which is not compatible with human life as we currently know it.
- Benefits far outweigh the costs.
- Proposal will add almost 50% to the existing renewable electricity generation capacity in the district.
- The south facing nature of the fields means site is ideal for solar power.
- Proposal will increase energy security and help reduce our energy costs.
- Proposal will help address declared climate emergency.
- Likely that global temperature increases will exceed 1.5 degrees Celsius above pre-industrial levels.
- Sea level rise will be damaging.

- Responsibility placed on all communities to contribute towards renewable energy production.
- Will reduce reliance on imported fossil fuels.
- The benefits of are clear to see and far outweigh any disadvantages.
- Overall positive impact on the environment and to our energy security.
- The need to de-carbonise must weigh most heavily in favour of the application.

3.27.17 Transport and access

- Good access for HGV off main roads.
- Existing bridleways and footpaths maintained and unaffected.
- Traffic impacts will be temporary.

3.27.18 Biodiversity and ecology

- Extra planting particular new boundary hedges and livestock beneficial for wildlife, flora and fauna with land having dual purpose. Will also help with screening of development.
- Improved biodiversity The project will deliver an approximate 130% biodiversity net gain on area-based habitats and an approximate 155% net gain based on linear habitats such as hedgerows.
- Chemical reduction to agricultural land.
- Will help address monoculture use of agricultural land.

3.27.19 Diversification

- Will provide opportunities for local sheep farmers.
- It would also enable the farm holding to diversify its income and invest in infrastructure, buildings, and ongoing maintenance of the holding to ensure it remains competitive and viable in the long term.

3.27.20 Landscape and visual

- In terms of the Green Belt the panels are plant and equipment, rather than buildings. Solar panels are readily removal and have a limited life, so impacts are temporary.
- Much of Hertfordshire falls within Chilterns Area of Outstanding Natural Beauty, other landscape designations and Green Belt.
- Unsightly sub-station and pylons already in landscape.
- Hedges prevent glint and glare.
- photovoltaic panel farms are silent, low level and concealable sources of regular energy.
- There will continue to be an abundance of beautiful countryside around North Herts.

- Outlook for some residential properties will change but these changes are not harmful.

3.27.21 Agricultural land and BMV

- We need a balance of power and food supply and local solar farms are making the best use by grazing sheep for food and producing power.
- Until 2012 the whole area was originally grass used for grazing cows.
- the landowner will still be producing food from other land.

3.27.22 General benefits

- Creation of economic benefits in terms of construction, employment and business rates.
- Not taking advantage of a energy source that is better for our planet will be a crime against our planet.
- Will protect future generations.
- Educational benefits with people able see that recreational use of countryside and green energy are compatible.
- As the UK seeks greater electrification to power our lives solar must be part of the energy mix.
- The net gain of the project for our current and future generation need to be considered.
- The scale and urgency of the climate crisis means the country needs to build as much renewable energy infrastructure as it can as fast as it can.
- Solar can be deployed quickly and is a relatively cheap way to get more electricity compared to other sources such as coal, fracking or nuclear power.
- Storage capacity will overcome intermittency.
- Proximity to power station means connection works are minimised.

4.0. Planning Considerations

4.1 **Site and Surroundings**

4.1.1 The application site primarily comprises a series of agricultural (arable) fields east of St Ippolyts and west of the A1 (M) trunk road and also include a connection along the public highway (Stevenage Road) to the Wymondley substation located off the Blakemore End Road immediately north of the agricultural fields. The site measures 35.1 hectares in area. The whole of the application site is located within the Green Belt. The western section is located within St Ippolyts parish and the eastern and southern element within Wymondley parish.

4.1.2 The site is effectively two parcels – east and west – and these are dissected by Little Almshoe Lane. The western parcel - 16.4ha - is bound by Sperberry Hill to the north, Tittendall Lane to the west and Little Almshoe Lane to the south. The

eastern parcel - 18.7ha - is bound by Sperberry Hill and the curtilage to Redcoats Farm Hotel to the north, Little Almshoe Lane to the north-west and agricultural fields to the south-west, south and east.

- 4.1.3 The northern boundaries of the site adjacent to Sperberry Hill are the most elevated parts of the site with the land falling in a southerly direction down Little Almshoe Lane. From the north looking in a southerly direction there are long open views of the countryside in the south, From Sperberry Hill, there are intermittent views of the countryside (to the south) due to the presence of gaps in boundary hedges. Views from other public roads are generally enclosed due to existing trees, hedges and the levels of roads and routeways which in places are sunken below the adjacent fields. The most notable manmade feature within the landscape are electricity pylons.
- 4.1.4 The site is within the setting of listed buildings, Scheduled Monuments and is within an area of archaeological interest. Most notable is the Redcoats Farm Hotel which abuts the northern boundary of the eastern parcel and includes four separately statutorily listed buildings.
- 4.1.5 There are a number of public footpaths that traverse the site. Footpath 14 runs through the western parcel and leads to the property known as The Wyck in the south. Footpath 16 runs east to west in the lower part of the western parcel and connects to two other footpaths – 19 in the west and 15 in the east. Footpath 15 also runs through the lower section of the western parcel connecting to footpath 19.
- 4.1.6 The application has been advertised as a major departure.

4.2 The Proposal

- 4.2.1 The proposal is for a photovoltaic (PV) solar array and ancillary development. This would consist of:
- PV panels and associated support frames photovoltaic (PV) solar panels (height c 2.4m) aligned east west and facing due south.
 - String Inverters approximately 1.04m wide x 0.7m high x 0.37m deep and attached to the end of panel rows;
 - 5 No. Transformer Stations - 6m (w) x 2.4m(d) x 3m (h);
 - 8 No. Battery Storage Containers and associated inverter/transformers - 12.1m (w) x 2.4m (d) x 3m (h);
 - 1 No. DNO Substation - 6.1m (w) x 4.9m (d) x 3.6m (h);
 - 1 No. Switchroom Building – 8m (w) x 2.3m (d) x 2.6m (h);
 - 1 No. Control Room Building - 4.4m (w) x 2.3m (d) x 2.4m (h) ;
 - Grid Connection Cable to National Grid's Wymondley Substation;
 - circa.1.3km of new/resurfaced internal access tracks (3.5m wide and constructed using Type 1 stone);

- 2 No. improved existing access points off Little Almshoe Lane, and an access point from Stevenage Road;
- Ditch culverts for track crossings;
- Circa 5.1km deer/stock fencing;
- Circa 34 No. 3m high CCTV cameras;
- Circa 170m long 2.5m high earth bund;
- Circa 2,650 m² woodland planting;
- Circa 2,600m hedgerow planting (new and gapping up of existing); and
- New areas of species rich grassland.

4.2.2 The solar array would generate up to 25MWe of electricity during peak generation which is estimated to provide electricity for between 7,000-8,000 homes.

4.2.3 The site search and selection process for commercial solar schemes such as this requires the consideration of several essential factors if it is to be viable and deliverable:

- available capacity in the existing substation to import the required amount of power into the National Grid;
- located close to the identified substation (typically <4km) to remain viable both in terms of cable deployment for the grid connection, and to ensure that minimum transmission losses occur;
- minimal solar curtailment (solar curtailment is where National Grid deliberately reduce the output of solar renewable energy generation below what could have been produced to balance the energy supply across the Grid),
- a willing landowner,
- offer of grid connection from National Grid.

In this instance the site meets all the above criteria being 0.8km from Wymondley substation, is in a moderate to low solar curtailment area and there is a grid connection offer.

4.2.4 The application is supported by the following documents:

- Planning Application Drawings
- Planning and Design & Access Statement
- Agricultural Land Assessment
- Landscape and Visual Impact Assessment
- Heritage Assessment
- Flood Risk Assessment
- Preliminary Ecological Appraisal
- Glint & Glare Assessment
- Noise and Vibration Assessment
- Transport Statement.

- 4.2.5 The applicant indicates that the site would be decommissioned at the end of its 40-year operational life and restored to its existing arable agricultural use.
- 4.2.6 Regarding, the main elements of the proposed development, the solar panels would be mounted on a steel and aluminium frame positioned at an angle of about 20 degrees and facing south. The posts would be set into the ground approximately 1.2 metres except where in areas of archaeological sensitivity where a non-intrusive method would be utilised. The lowest edge of the panels would be 800mm above ground level to enable the area to be grazed by sheep. The panels would be arranged in rows and set approximately 3.5m apart.
- 4.2.7 The construction access points are Stevenage Road to the north immediately east of the party boundary with Redcoats Farm Hotel. Two other access points to the western and eastern parcels are located off Little Almshoe Lane.
- 4.2.8 The construction programme would comprise -
- Establishment of site compound and entrance widening;
 - Construction of permanent and temporary site access tracks;
 - Erection of deer fencing and gates to site perimeter;
 - Installation of solar panels and frames;
 - Installation of CCTV poles and cameras;
 - Installation of string inverters and transformer stations;
 - Installation of cable trenches;
 - Installation of BESS containers;
 - Installation of control building and DNO substation buildings,
 - Installation of office building;
 - Cultivation and seeding;
 - Grid connection, and
 - Hedgerow and woodland planting,
- 4.2.9 Construction activities would take place 7 days per week during the following hours:
- Monday to Friday 07:30 – 18:00; and
 - Saturday - Sunday 08:30 – 18:00.
- 4.2.10 Deliveries and noise generating activities would only take place from Monday – Saturday (inclusive) within the following hours -
- Monday to Friday 07:30 – 18:00
 - Saturday 07:30 – 13:00; and
 - No deliveries on Sundays with the exception of one-off abnormal loads or large vehicles such as cranes. Piling would only be undertaken between 09:00 – 17:00 each day Monday – Friday.

4.2.11 Core Construction Works would comprise -

- Site Preparation and Development of Construction Compounds
- Earthworks, Foundations and Piling
- Excavations
- Temporary Excavations
- Foundations
- Piling
- Temporary construction lighting.

4.2.12 In the event that permission was to be granted, a Construction Environmental Management Plan (CEMP) would be developed for the construction phase of the development. This would set out a broad framework for the construction phase of the development and would include specific measures to be adopted during the construction of the various components of the scheme.

4.2.13 Access for construction traffic would be via existing farm access points off Stevenage Road and Little Almshoe Lane. Parking would be within the temporary construction compounds within the site. Following construction of the proposed development, access would be limited to routine maintenance operations and grazing of sheep.

4.2.14 The applicant indicates that construction would take about 36 weeks, including testing and commissioning.

4.2.15 Of note is the previously dismissed appeal (dated 2017) for a similar proposal on the western parcel that forms part of this current proposal (application reference 15/01532/1 – see 1.2 above). The Inspector considered several issues including the loss of BMV agricultural land. On this matter he commented “*the proportion of Grade 2 and 3a land in the area generally is high. I accept that it might be difficult to find lower quality land in this area with an appropriate grid connection. This matter does not count against this scheme.*” In his conclusion, the Inspector commented that the proposal would “*significantly diminish the character and appearance of the area and the openness of the Green Belt in a prominent location, detracting from the experience of those living in and those visiting and enjoying the wider area*” and these harms were not outweighed by the benefits. Since then, there have been changes to policy and guidance as is set out in the following sections of this report. This current proposal is also fundamentally different in scale and design resulting in different range of impacts, harms and benefits. Having regard for the foregoing, the findings of the Inspector on this previous proposal are considered to be of some, albeit limited, value in the determination of this current scheme and the proposal presented should be determined on its merits.

4.3 Decommissioning

- 4.3.1 At the end of the 40-year life of the proposed Solar Farm it would be decommissioned, which would require similar plant to the construction phase with similar traffic impacts. All above and below ground infrastructure would be removed from the site and recycled, where possible. This matter would be controlled by condition in the event permission were to be granted.

4.4 Amendments

- 4.4.1 To address comments from the LLFA, Herts CC Highways Unit and the Council's landscape consultant and the conservation officer and to deal with other matters arising a letter and range of revised documents were received in November 2022, May 2023 and September 2023:

- Addendums to the Flood Risk Assessment
- Revised General Arrangement drawing (3045-01-03 Rev D)
- Revised Landscaping proposals drawing (3045-01-12 Rev C)
- Heritage Technical Note.

- 4.4.2 In relation to the landscape proposals, the revisions relate only to the reduction in solar arrays in the east of the Site due to a risk of surface water flooding and location of two surface water attenuation basins to the eastern parcel. For the avoidance of doubt, the soft landscape proposals have not changed. Issues arising from the submission of these documents and drawings are considered in the following sections of this report.

4.5 Keys Issues

- 4.5.1 The key issues for consideration of this application for planning permission are:

- Climate Change and Renewable Energy (4.5.2)
- Impact upon the Green Belt (4.5.41)
- Impact upon heritage assets (4.5.75)
- Archaeological impacts (4.5.91)
- Landscape and visual impacts (4.5.100)
- Local highway network impacts (4.5.131)
- Best and Most Versatile (BMV) agricultural land impacts (4.5.138)
- Flood risk and drainage impacts (4.5.148)
- Noise impacts (4.5.153)
- Ecological and biodiversity impacts (4.5.160)
- Fire risk impacts (4.5.169)
- Other matters (4.5.173)
- Planning Benefits (4.6).

Climate Change and Renewable Energy

- 4.5.2 Applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.5.3 Currently the Development Plan includes the Local Plan 2011-2031 adopted in November last year.
- 4.5.4 Policy NE12: Renewable and low carbon energy development states: Proposals for solar farms involving the best and most versatile agricultural land and proposals for wind turbines will be determined in accordance with national policy.
- 4.5.5 The Government considers that climate change is occurring through increased greenhouse gas emissions, and that action is required to mitigate its effects. A significant boost to the deployment of renewable energy generation is one action that is being promoted.
- 4.5.6 **The Climate Change Act 2008** (as amended) sets a legally binding target in the UK to reduce all greenhouse gas emissions to net zero by 2050. Renewable energy generation is an important part of reducing carbon emissions. Significant increase in renewable and low carbon generation, carbon capture and storage will be required to achieve the Government's net zero commitment by 2050, amongst other things.
- 4.5.7 Electricity demand is predicted to increase by National Grid, due to increase in population, transition to electric vehicles, increase in hydrogen production and a move away from the use of natural gas for heating.
- 4.5.8 The applicant sets out the need for the proposed development in the submitted Planning, Design and Access Statement and the contribution that the proposed development would make to renewable energy production. Reference is made to several Government strategy and policy documents including, 'Net-Zero Strategy: Built Back Greener that was published in October 2021. This strategy sets out policies and proposals for decarbonising all sectors of the UK economy to meet net-zero target, including a commitment to fully decarbonised the power system by 2035 and seeks to accelerate the deployment of low-cost renewable energy generation as part of this.
- 4.5.9 Support for renewable energy is set out in **Section 14 of the NPPF**.
- 4.5.10 Paragraph 152 states: *"the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure."*

- 4.5.11 Paragraph 155 of the NPPF states *“to help increase the use and supply of renewable energy and heat, plans should: (a) provide a positive strategy for energy from these sources, that maximise the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); (b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and (c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”*.
- 4.5.12 In determining planning applications for renewable and low carbon development, Paragraph 158 of the Framework confirms that local planning authorities should: *“(a) not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and (b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”*
- 4.5.13 The **National Planning Practice Guidance** (PPG) addresses renewable and low carbon energy and confirms that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the environmental impact is acceptable. It recognises that large scale solar farms *“can have a negative impact on the rural environment, particularly undulating landscapes”* but *“the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively”* The PPG identifies factors to be considered when deciding a planning application and says that large scale solar farms should be focussed on previously developed and non-agricultural land, provided that it is not of high environmental value.
- 4.5.14 A material planning consideration are **National Policy Statements** (NPS) for the delivery of major energy infrastructure, which recognise that large scale energy generating projects will inevitably have impacts, particularly when sited in rural areas.
- 4.5.15 The development has a capacity of 25 Mw, which would generate a significant amount of electricity from a renewable resource. This would provide for a reduction of approximately 10,000 cubic tonnes of CO₂ emissions and meet the energy needs of approximately 7,000 to 8,000 homes through renewable energy. Government data shows that the proposed scheme would almost double the installed renewable capacity in the District. This is a benefit that attracts substantial weight.

- 4.5.16 Since the Climate Change Act 2008, several national initiatives have been introduced to help meet targets.
- 4.5.17 The **Carbon Plan 2011** identifies the emission reductions needed in five key areas of the economy: buildings, transport, industry, electricity, and agriculture to meet targets.
- 4.5.18 The **Clean Growth Strategy 2017** outlines the plan to grow the national income while cutting greenhouse emissions.
- 4.5.19 The **Resource and Waste Strategy 2018** outlines the actions the UK will take to minimise waste, promote resource efficiency and move towards a circular economy.
- 4.5.20 The **Clean Air Strategy 2019** demonstrates how the national government will tackle all sources of air pollution and boost the economy.
- 4.5.21 In addition, **the Council passed a climate emergency motion on 21 May 2019**. This declaration asserted the Council's commitment toward climate action beyond current government targets and international agreement. This is currently pursued through the Council's Climate Change Strategy 2022 to 2027. The key objectives of the Strategy are:
- achieve Carbon Neutrality for the Council's own operations by 2030;
 - ensure all operations and services are resilient to the impacts of climate change;
 - achieve a Net Zero Carbon district by 2040; and
 - become a district that is resilient to unavoidable impacts of climate change.
- 4.5.22 In terms of enabling carbon savings, as well as providing leadership and support for businesses and residents to switch to renewable energy, and adapt to the impacts of planning projects, the Strategy confirms that the Council can play an important role as local planning authority, in reducing carbon emissions and providing further supplementary planning guidance.
- 4.5.23 The National Grid Electricity System Operator has published an update on **Future Energy Scenarios (FES)** document.
- 4.5.24 This report sets out four possible scenarios based around two drivers: speed of decarbonisation and the level of societal change. The four scenarios are:
- Falling short
 - Consumer transformation
 - System transformation
 - Leading the way

- 4.5.25 All four scenarios have net zero at their core and explore different pathways of achieving this. The FES identifies the four headline messages, which are:
- 1) Significantly accelerating the transition to a decarbonised energy system can help address security and affordability concerns at the same time as delivering Net Zero Milestones.
 - 2) Consumer behaviour is pivotal to decarbonisation – how we all react to market and policy changes and embrace smart technology will be vital to meeting Net Zero.
 - 3) Reforming energy markets to improve price signals will help unlock the flexible solutions needed to integrate renewables efficiently.
 - 4) Strategic investment in the whole energy system is urgently required to keep pace with Net Zero ambitions and strengthen energy security.
- 4.5.26 The FES Report confirms that as of 2022, 14GW of electricity was produced by solar power. Targets of solar power for 2030 and 2035 are 27GW and 70GW respectively. Achieving these targets will require investment in solar electricity generation and electricity storage across the UK over the next decade.
- 4.5.27 The Report clarifies the potential obstacles to further solar development which include grid capacity and connections, land and planning, skills and the supply chain of solar panels. It confirms that if these issues can be addressed, the business case for solar generation is currently strong because of recent high electricity prices.
- 4.5.28 Consumer Transformation and System Transformation both hit the target of zero emissions in 2050, and Leading the Way achieves the target slightly earlier in 2047. Falling Short would not achieve net zero, with a reduction of 80% compared to the level in 1990. All scenarios require an increase in solar capacity between now and 2030.
- 4.5.29 Net zero will require significantly higher levels of electricity generation from renewable sources and it is envisaged that four technologies will produce over 90% of electricity generation: wind, solar, nuclear and bioenergy with carbon capture and storage. It is also envisaged that energy production will be more localised.
- 4.5.30 Renewable energy generation is just one means of reducing carbon emissions, but it is an important one given the predicted rise in electricity consumption.
- 4.5.31 The **British Energy Security Strategy 2022** was published by the Government on 7th April 2022 and sets out a strategy for providing the energy we need in a safe, secure and affordable way, and at the same time ensuring that we do all we can to meet our net-zero commitments. It includes a commitment to achieving fully decarbonised electricity by 2035, subject to security of supply.
- 4.5.32 The Strategy confirms that accelerating the transition from fossil fuels depends critically on how quickly we can roll out renewables. Regarding solar, the strategy

states “the cost of solar power has fallen by around 85% over the past decade ... we expect a five-fold increase in deployment by 2035... For ground mounted solar, we will consult on amending planning rules to strengthen the policy in favour of development on non-protected land, whilst ensuring communities continue to have a say and environmental protections remain in place.”

- 4.5.33 The British Energy Security Strategy expects a five-fold increase in deployment of solar generation between today and 2035, with up to 70 GW installed.
- 4.5.34 In April 2023, the Government published a policy paper **Powering Up Britain: Energy Security Plan** with the aim of enhancing and protecting the country’s energy security, take economic opportunities of the net zero transition and deliver on existing net zero commitments set out in the Energy Security Plan and Net Zero Growth Plan. It recognises that solar has huge potential to help decarbonise the power sector and it reaffirms its target of 70GW of solar power by 2035.

Existing renewable energy developments in North Hertfordshire

- 4.5.35 Solar Radiation maps of the UK show areas of the country receiving higher levels of solar radiation. North Hertfordshire is identified as falling in an area receiving high levels of solar radiation. Solar farms are therefore considered to be reliable sources of renewable energy.
- 4.5.36 Currently in North Hertfordshire there are only two approved small solar farms. One is located between the settlements of Reed and Barkway. The site lies beyond the Green Belt. It covers an area of 14.6 hectares and generates a maximum of 6MW. It was granted planning permission on 28 March 2013 (Application ref. 12/02365/1).
- 4.5.37 Planning permission was also granted in June 2015 for the construction of a 5MW solar farm on about 13 hectares of land at Lawrence End Park to the east of Birch Spring in Kings Walden Parish. This site lies within the Green Belt. (Application ref 15/00845/1).
- 4.5.38 Members have considered two other solar farm proposals recently. Details of these are set out below –
- In November 2022 Members resolved to approve an application for the construction of a 49.995MW solar farm at Land to the North and East of Great Wymondley (application ref 21/03380/FP). As the site was in the Green Belt, the Council were obliged to notify the Secretary of State of their intention to approve the proposal. This application was ‘called in’ by the Secretary of State in May 2023. The application was the subject of a public inquiry in September 2023. The decision will be made by the Secretary of State and is likely to be received earliest Spring 2024.

- In September 2023 Members resolved to defer an application for the construction of a 49MW solar farm at Land West Of Ashwell Road Bygrave (application ref 22/00741/FP). Prior to the consideration of the application the Secretary of State wrote to direct the Council not to grant permission on the application without specific authorisation. This direction was issued to enable him to consider whether he should direct under Section 77 of the Town and Country Planning Act 1990 that the application should be referred to him for determination. It was also confirmed that the direction should not be read as any indication of the Secretary of State's attitude towards the application scheme. Members resolved to defer the application to seek clarification on technical matters relating to biodiversity, traffic and access, noise and conditions and also to further consider the letter from the Secretary of State for Levelling Up, Housing and Communities relating to the possible calling in of the application.

4.5.39 There are currently no significant renewable energy projects that have been recently consented and are unbuilt at the time of the writing of this report. A planning application for a 49MWe solar farm at Land North East Of Wandon End, Hertfordshire is pending and is likely to be presented to Members for consideration sometime in 2024 (application reference 22/03231/FP).

4.5.40 As part of the consideration process by officers, a Screening Opinion in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) was undertaken in November 2021. This concluded that any environmental effects that are likely to occur as a result of the proposed development could be adequately addressed by specific studies and reports accompanying the current and any subsequent future applications. An Environmental Impact Assessment was not therefore required in this instance.

Green Belt

4.5.41 The site is in the open countryside within the Green Belt. National Policy on Green Belt is set out at Section 13 of the National Planning Policy Framework (NPPF). Paragraph 137 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open.

4.5.42 The Green Belt serves five purposes, these are set out at paragraph 138 of the NPPF and are:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 4.5.43 The adopted Local Plan *Policy SP5: Countryside and Green Belt* supports the principles of the Green Belt and recognises the intrinsic value of the countryside and confirms that the Council will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.
- 4.5.44 The Wymondley Neighbourhood Plan (WNP) policy forms part of the Development Plan and in relation to Green Belt proposals *policy GB1* applies. This stipulates that development proposals impacting on Wymondley Parish must comply with Government Green Belt policy; primary consideration will be given to effective use of brownfield sites, which are not of high environmental value. Development proposals should not impact negatively on Wymondley Parish – particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of our villages/hamlets.

Inappropriate development

- 4.5.45 The starting point for consideration of this application is the development plan. Local Plan Policy SP5 is consistent with the national policies on the Green Belt and Policy GB1 of the Wymondley NP requires compliance with the NPPF.
- 4.5.46 Paragraph 147 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal does not fall within any of the exceptions to this approach as set out at paragraphs 149 and 150 of the Framework. The applicant accepts that the proposed development is inappropriate in the Green Belt but considers that there are material considerations in this case that constitute very special circumstances. These will be considered in detail later in this report.
- 4.5.47 Paragraph 148 of the NPPF stipulates that substantial weight must be given to any harm to the Green Belt. ‘*Very special circumstances*’ will not exist unless the potential harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 4.5.48 NPPF Paragraph 151 confirms that many renewable energy projects will comprise inappropriate development and that in such circumstance if projects are to proceed developers will need to demonstrate very special circumstances. Before considering whether very special circumstances exist, the effect of the proposed development on openness and purposes of the Green Belt are considered.

Openness of the Green Belt

- 4.5.49 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It is proposed that the solar farm would have a lifetime of 40 years after which it would be decommissioned. Whilst 40 years is a long period, the proposal would not be permanent. This is a material consideration given that the essential characteristic of the Green Belt is its openness and permanence. The unusually long temporary period is nonetheless a significant amount of time and

therefore the temporary nature of the proposal should only be given limited weight in the planning balance.

- 4.5.50 The NPPG confirms that there is both a spatial and visual dimension to openness.
- 4.5.51 The applicant addresses the impact of the Proposed Development upon the openness of the Green Belt in the Planning, Design and Access Statement (PDAS) and Landscape and Visual Impact Assessment (LVIA).
- 4.5.52 In the PDAS the applicant asserts that the Proposed Development would result in an incremental impact upon the openness of the Green Belt, which is moderated by the fact that there would be very low physical footprint (about 3% of the site) and the layout and distribution of built form across the Site. The applicant considers that despite the introduction of solar panels across much of the Site with volumetric increase in development, agriculture would continue in the form of livestock grazing. The applicant indicates that spatial impact upon openness has been minimised through keeping the built elements to a minimum necessary to operate the scheme.
- 4.5.53 Regarding the perceived visual impact upon openness, the applicant considers that given the low height of the solar arrays, and that the existing topography and pattern of vegetation limit potential visibility of the Proposed Development. It is considered that there would be intermittent visibility from areas of higher ground on the north-facing valley slopes, but no or very limited visibility from low-lying parts of the valley. The Proposed Development would not be visible from the settlements of St Ippolyts, Titmore Green, Little Wymondley, Stevenage or Hitchin. The applicant concludes that there would be a limited harm to the spatial and visual aspects of the Green Belt resulting from a slight reduction in actual and perceived openness.
- 4.5.54 The applicant has submitted a LVIA with the application, and the Council appointed landscape consultants, The Landscape Partnership, to review this document. The review confirmed that there is clearly an adverse effect on the openness of the Green Belt due to the extensive coverage over the majority of the Site area with solar panels and associated infrastructure extending to 35ha. The council's consultants agree that in terms of visual effects the LVIA identifies there would be a perceived influence on openness as a result of effects on views from the perimeter of the site in the foreground and also in the middle-distance views and that this would be harmful. They also conclude that that effects on the wider landscape are more limited due to the relatively low height of the development but they are still present to the south and south west and this does not negate the greater effects at the local scale.
- 4.5.55 The review also identified a number of additional mitigation measures. These are set out below together with the applicant's responses:

- Easing of slopes of the 2.5 m bund to rear of Redcoats Farm from c 1 in 3 to c 1 in 6 to create a more natural landform and enable planting to establish - a water main prohibits planting or substantial earthworks in the gap between the bund and Redcoats Farm.
- Adding additional planting to the west of Redcoats Farm boundary – this would conflict with an existing water main, obstruct the public right of way and provide limited screening benefits due to location and existing screening.
- Reducing the proportion /or removing blackthorn (currently 30%) in the new hedges to protect public footpath corridors (Footpaths Wymondley 14, 15 and 16) - the reduction the proportion of blackthorn proposed in the new hedgerows is acceptable and this could be agreed by way of planning condition.
- Adding some tree planting to the north-west corner to soften views from residential properties to the edge of St Ippolyts - a 10m wide belt of woodland planting is proposed around the north-west corner of the site that would include a mix of tree species. The detailed planting mix for this woodland belt would be agreed by way of planning condition, and the Applicant would incorporate mature feathered and standard size trees to provide instant screening impact within this woodland belt.

4.5.56 The site where the PV array is proposed comprises arable fields, trees and hedgerows and would extend to about 35 hectares. The development would cover a very large area and would deliver very many rows of solar panels, numerous inverter/transformer cabins, and other buildings in the form of containers, stock/deer fencing, access track and CCTV cameras. Whilst proposed tree and hedgerow planting and management regime would reduce the impact of the proposed development, and the scheme has been amended to enhance landscaping, the proposal would materially change the openness of the site in both visual and spatial terms particularly from public footpaths.

4.5.57 In the circumstances, your officers consider that the extent and nature of the solar arrays and associated buildings would have a significant actual and perceived impact upon the openness of the Green Belt.

Permanence of the Green Belt

4.5.58 An aim of Green Belt policy is to keep land permanently open. Relevant case law and the National Planning Practice Guidance (NPPG) indicate that the permanence of a Proposed Development is a relevant material consideration in terms of impact upon the Green Belt.

4.5.59 The Proposed Development has an operational life of up to 40 years. At the end of which the applicant indicates that the facility would be decommissioned and that the land could be easily returned to its former use without any significant demolition or land remediation. The applicant considers therefore that at the end of its operational life the land would have the characteristics of greenfield land, and as such the Proposed Development cannot be considered permanent in a Green Belt context.

4.5.60 Whilst it is not known whether there would be a need for a replacement facility in 40 years, this application should be determined based on what is proposed and that is for a period of 40 years and the eventual restoration of the openness of this part of the Green Belt. This matter can be controlled by condition. Whilst the identified harm to openness would persist for a very long period, albeit mitigated over time by proposed landscaping, the proposal would not result in a permanent loss of openness. However, because 40 years is a significant amount of time only limited weight should be given to the temporary nature of the proposal in the planning balance.

Purposes of the Green Belt

4.5.61 As indicated earlier the NPPF sets out five Green Belt purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns from merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns and
- e) to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.5.62 As part of the evidence base for the recently adopted Local Plan, the North Hertfordshire Green Belt Review 2016 (NHGBR) divides the Green Belt into areas for assessment of the contribution that respective parcels of land make to the openness and purposes of the Green Belt. The western part of the Site west of Little Almshoe Lane is within Parcel 10 (Little Wymondley). The eastern part of the Site east of Little Almshoe Lane is within Parcel 9 (Langley). This parcel 9 (Langley) is considered to make a moderate contribution to Green Belt purposes whereas Parcel 10 (Little Wymondley) is noted as making a significant contribution.

4.5.63 A more refined review is undertaken at Section 3 of the NHGBR where the parcels of land are divided into sub-parcels, which were assessed in the same way as the original larger parcel.

4.5.64 The west of the Site is within sub-parcel 10a, the east of the Site is within sub-parcel 9b. Sub-parcel 10a is considered to play an important role in preventing the expansion of Hitchin southwards. It has a critical role in preventing Hitchin and Stevenage merging and protects countryside between Hitchin and Stevenage. There is no direct link with historic core of Hitchin. Overall, it is considered to make a significant contribution to Green Belt purposes with well-defined boundaries, the inclusion of St Ippolyts village, with Ippolyts Brook running through the area. The urbanising influence of Wymondley Transforming Station is noted.

4.5.65 Sub-parcel 9b is a gap between Stevenage and Hitchin and forms part of the wider countryside to the west of Stevenage. It helps prevent the expansion of Stevenage westwards. It has no relationship with historic towns. Overall, it has extensive open landscape with rural character despite proximity of A1 (M) and Stevenage. Of note

is the Hertfordshire Way which crosses area. Overall, the sub-parcel makes a moderate contribution to Green Belt purposes.

4.5.66 The applicant has assessed the proposed development for its potential harm to Green Belt purposes, considering the same criteria used for the assessment of development sites within the Green Belt Review. In relation to the purposes of the Green Belt, the following conclusions are reached by the applicant –

- a) To check the unrestricted sprawl of large built-up areas - because the proposed development would be of limited intervisibility with surrounding areas limited harm is thought to occur.
- b) To prevent neighbouring towns merging into one another - because of the physical separation between settlements preventing coalescence, the limited intervisibility between settlements and the Site, and that the existing perceived gaps between settlements would be maintained – no harm is considered to occur.
- c) To assist in safeguarding the countryside from encroachment - the applicant contends that compared to other forms of development, it is less intrusive in the countryside, due to the enclosed nature of the landscape, existing urban features, retention and enhancement of existing landscaping, static nature low height, limited traffic, retained agricultural use and minimal disturbance to the land the applicant assesses that the proposed development would result in limited harm.
- d) To preserve the setting and special character of historic towns - given the physical separation of the site from historic towns – no harm is considered to occur.

4.5.67 Notwithstanding the above, your officers consider that the application site makes a contribution to the purposes of the Green Belt as set out in the table below, the reasoning for this assessment is set out after this table.

Table 1 – Purposes of the Green Belt

Purpose	Effect	Degree of harm
(a)To check the unrestricted sprawl of large built-up areas	An element of urban sprawl to Stevenage but there are intervening buffers	Limited
(b)To prevent neighbouring towns merging into one another	Site within parcels identified as making a significant contribution, However, gaps would remain between the towns of Hitchin and Letchworth and Stevenage	Limited
(c)To assist in safeguarding the countryside from encroachment	The site is undeveloped and the development would result in encroachment – tempered by retention of field pattern, landscaping	moderate

	and form of the proposed development	
(d) To preserve the setting and special character of historic towns	The GB review parcels 9b and 10a make no contribution towards the setting of historic towns. The application site forms part of those parcels and is detached from any of the reference historic towns	None
(e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	The site of the solar arrays is not urban and therefore this is not a relevant factor.	Not applicable.

- 4.5.68 The site lies within parcels of land that make both an important contribution to checking the sprawl of Stevenage and Hitchin. Officers consider that a parcel of land does not need to abut a large town for it to contribute to the purpose of checking the unrestricted sprawl of large built-up areas. The site would be close to Stevenage, approximately 1 km to the east. Nevertheless, there are physical buffers between the site and Stevenage, including the A1 (M) and woodland that limit the effect upon this purpose of the Green Belt.
- 4.5.69 The site lies within a parcel of land that has been identified by the Green Belt Review as preventing the merger of Letchworth and Hitchin with Stevenage. Whilst gaps would remain the proposal would diminish the separation of these settlements, albeit to a limited degree. Therefore, officers consider that there would be a limited effect upon Green Belt purposes (a) and (b).
- 4.5.70 The fields upon which the solar arrays and associated buildings and infrastructure would be placed are undeveloped. The site clearly occupies a countryside location. There are some urbanising influences such as overhead power lines in the vicinity and the Wymondley Substation. The existing field pattern would be retained and there would be additional landscaping. The form and nature of the proposal would not have as great an urbanising effect compared to residential or employment development. Nevertheless, the proposed development is inappropriate within the Green Belt and there would be moderate harm to the purpose of safeguarding the countryside from encroachment.
- 4.5.71 The application site makes little contribution to the setting of nearby historic towns due to the absence of intervisibility. The Green Belt review confirms that in respect of both parcels of land, neither have a relationship with existing historic towns. Therefore, it is considered that the proposal would have a no impact upon Green Belt purpose (d) to preserve the special character and setting of historic towns.

- 4.5.72 As the application site is not urban, officers consider that purpose (e) to assist in urban regeneration by encouraging the recycling of derelict and other urban land is not relevant.
- 4.5.73 Therefore, officers consider that there would be moderate harm to one of the five Green Belt purposes – to assist in safeguarding the countryside from encroachment.

Green Belt conclusion

- 4.5.74 The proposed development would conflict with development plan and national policy as they relate to the Green Belt. Insofar as the proposed development would be inappropriate within the Green Belt. There would be significant harm to openness and moderate harm to one of the purposes of the Green Belt. In this context the proposal is contrary to policies SP5 of the adopted Local Plan and GB1 of the Wymondley Neighbourhood Plan (WNP). It is considered that the fact that the proposed development would not be permanent means that the Green Belt harm would not be permanent which tempers slightly the overall harm to the Green Belt, given that only limited weight is given to the temporary nature of the proposal. It is therefore concluded that substantial weight should be attached to the totality of harm that would be caused to the Green Belt as required by paragraph 148 of the Framework. Paragraph 151 of the NPPF does not preclude renewable energy projects in the Green Belt, but that elements of such projects will comprise inappropriate development. It confirms that developers will need to demonstrate very special circumstances (VSC) if projects are to proceed. Therefore, unless VSC are demonstrated the proposal will conflict with Local Plan Policy SP5. Due to the wording of WNP Policy GB1, conflict with this policy may remain even if VSC are demonstrated as this policy also indicates that development proposals should not impact negatively on Wymondley Parish – particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of its villages/hamlets.

Impact upon heritage assets

- 4.5.75 Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (The LBCA Act) stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question. The LBCA Act requires special attention to be made to the desirability of preserving or enhancing the character or appearance of conservation areas. There is no reference to their setting.
- 4.5.76 Paragraph 194 of the NPPF stipulates that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting and where a site on which development is proposed includes or has the potential to include heritage

assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 195 of the NPPF confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting their setting) taking account of the available evidence and any necessary expertise.

- 4.5.77 Local Plan (LP) Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting. Regarding designated heritage assets, LP Policy HE1 stipulates that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset's optimum viable use. This policy reflects paragraph 202 of the NPPF which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. WNP Policy NHE9 seeks to protect heritage assets from harm.
- 4.5.78 The application is accompanied by a Heritage Assessment (HA) by the AOC Archaeology Group. This considers the impact of the proposed development upon the setting of the designated heritage assets within a 2km study area. There are no listed buildings or other designated heritage assets within the application site. There are several designated heritage assets within the study area and the setting of has the potential to be affected by the proposals. These assets can be summarised as follows:
- scheduled monuments – Wymondley Priory and Minsden Chapel
 - conservation areas – Gosmore, Great Wymondley and St Ippolyts
 - listed buildings – approximately 28 grade I, II* and II
 - registered park and garden – part of Temple Dinsley
 - variety of other non-designated heritage assets
- 4.5.79 In relation to these heritage assets, the HA confirms that these historically relate to the surrounding agricultural land which forms part of their wider setting in each case. Historic England and the Council's conservation officer have assessed the impacts on assets.
- 4.5.80 Paragraph 200 of the NPPF identifies scheduled monuments and grade I and II* listed buildings as designated heritage assets of highest significance. The NPPF defines the setting of a heritage asset as *"the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its*

surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

- 4.5.81 The National Planning Practice Guidance confirms that although views of or from an asset play an important part of the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as other land uses in the vicinity and our understanding of the historic relationship between places, for example historic or aesthetic connection that amplifies the experience of the significance of each.
- 4.5.82 Historic England (HE) published guidance on setting in 2017 (Good Practice Guidance Note 3) which confirms that the importance of setting is what it contributes to the significance of the heritage asset or the ability to appreciate that significance and sets out ways in which setting may contribute to the value of a heritage asset.
- 4.5.83 HE are a statutory consultee on proposals that affect scheduled monuments and Grade II* listed buildings. HE confirmed that the primary considerations related to the potential impact on the setting of –
- Almshoe Bury – grade I listed
 - Redcoats Farmhouse – grade II* listed.
- 4.5.84 HE have confirmed that both of these buildings have group value with ancillary farm buildings which are listed in their own right at grade II, although these would fall outside of their statutory remit. The application site in its current form is considered to have a relationship with the historic function of these nationally important farm buildings, and therefore contributes to their significance as heritage assets. The proposal would fundamentally change the character and appearance of the wider historic setting of these heritage assets and would detract somewhat upon the way they are experienced and appreciated. HE conclude that it would be likely to result in a level of harm in NPPF terms that they would judge to be *less than substantial*. The visual effects of the proposal could be mitigated to some extent by way of appropriate planting/augmentation of existing hedgerows to screen them from view. On this basis, HE does not wish to raise an objection on heritage grounds and the Council should carry out the balancing exercise set out in the NPPF and be satisfied that the proposal would deliver a level of public benefit that is sufficient to outweigh any harm to significance.
- 4.5.85 In relation to other heritage assets, the HA identifies other assets that potentially are affected. The Council’s conservation officer was also consulted on the proposals in relation to the impact on heritage assets outside HE remit. Comments and observations by third parties have also been taken into account in making an assessment of heritage impacts. There are considered to be seven specific listed buildings which are most likely to be affected by the proposal due to proximity to the Application Site. These are –

- Almshoe Bury – grade I
- Barn at Almshoe Bury - grade II
- Redcoats Farmhouse – grade II*
- Small barn (east) to Redcoats Farmhouse – grade II
- ‘L’ shaped barn (north east) at Redcoats – grade II
- Granary at Redcoats Farmhouse – grade II
- The Wyck – grade II.

- 4.5.86 In relation to Redcoats Farm Hotel and restaurant, there is no clear intervisibility between what is considered to be the inner historic ‘core’ of the site within which the listed buildings are located and the proposed solar farm. However, south from the Redcoats managers property (unlisted) and curtilage and from the overflow staff car park serving hotel to the west, the wider landscape setting to Redcoats can be appreciated. From here there are some intermittent views across the valley to The Wyck (grade II). Even further south and on more elevated ground stands Almshoe Bury (grade I) and a barn (grade II) to the north of the house. The proposal is described as occupying three fields and an historic public footpath dissects the ‘middle field’ into effectively two halves. This field is considered to be the most significant bearing upon the wider setting of Redcoats, The Wyck and Almshoe Bury. These properties had/have a social and functional relationship with the surrounding countryside which contributes to their setting. It is this ‘central’ field that contributes more so to the sense of rolling countryside currently enjoyed by those using the footpath and would be significantly affected by the proposal. The north-western field whilst quite an exposed site when viewed from the position below has less effect upon the setting of heritage assets and is also in part affected by the overhead power lines. Overall, the proposal could be described as effectively sitting ‘between’ a number of heritage assets.
- 4.5.87 It is considered that the proposal (and specifically placing solar PV array on the central and south-east fields) will significantly impact upon the wider agricultural setting of the heritage assets identified above and which the applicant acknowledges “*forms a key element of their settings and contributes to the understanding and appreciation of their significance and placement in the landscape*”. The applicant also acknowledges that whilst “the Proposed Development would not substantially diminish the ability to appreciate the key relationship between the Listed Buildings and their agricultural hinterland,” any harm to their settings would be “*less than substantial*” in terms of the NPPF.
- 4.5.88 Paragraph 199 of the NPPF requires that “... great weight should be given to the asset’s conservation...”. Paragraph 200 states that “... Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”
- 4.5.89 Whilst acknowledging that visibility of the proposed development would be partially limited by existing intervening mature hedgerows, it is still considered that the proposal *would result in moderate/high level of harm on the less than substantial*

harm continuum to the setting of heritage assets. For these reasons, an objection is raised. Of relevance to the assessment of harm is that the proposal would not be permanent and is proposed to be decommissioned after 40 years. Whilst this is a long time, and therefore limited weight is given to this, the current rural setting would return following a restoration to full agricultural use with enhanced landscaping.

Heritage asset conclusion

- 4.5.90 The proposal would be contrary to policy NHE9 of the Wymondley NP. Paragraph 202 of the NPPF and LP Policy HE1 require *less than substantial harm* to the significance of heritage assets to be weighed against the public benefits of the proposal. This harm should be afforded great weight. The balancing of this harm against the identified public benefits will be carried out in the planning balance below along with conclusions on compliance with relevant planning policies and the LBCA Act.

Archaeology

- 4.5.91 The submitted HA also addresses the effect upon archaeology and includes a supporting geophysical survey report. Local Plan Policy HE4 confirms that planning permission for development proposals effecting heritage assets with archaeological interest will be granted provided that:
- (a) Developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation;
 - (b) It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and
 - (c) Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.5.92 Paragraph 203 of the NPPF confirms that the effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application.
- 4.5.93 The HA submitted with the application identifies the archaeological potential of the application site and assesses the potential for direct impacts of the proposed development upon archaeological remains. The HA reviewed data obtained from the Hertfordshire Historic Environment Record and a variety of other publicly accessible archives. The southern section of the western parcel was subject to a geophysical survey in 2015. In relation to the eastern parcel, a similar survey was undertaken in January 2022. A walkover survey was undertaken in August 2021.
- 4.5.94 The archaeological assessment has identified three known heritage assets within the Site boundary. These assets have been recorded either as cropmarks or through geophysical survey and thus their dates and origins are not clear.

However, the features identified include ring ditches, enclosures, a trackway and a possible ploughed out round barrow and therefore most are likely to be of prehistoric origin. The features recorded in the south-west part of the Site are located within an Archaeologically Sensitive Area as recorded in the Hertfordshire Historic Environment Record. LiDAR imagery of the Site indicates that three negative features may be located within the east of the Site. These may be historic extraction pits or be geological in origin.

4.5.95 The HA concludes the following -

- Prehistoric period – a High potential of remains to survive. The Site is located within a broad glacial valley, cut during the last ice age, known as the Hitchin-Stevenage Gap. Geophysical survey within the western half of the Site has revealed evidence for enclosures, ring ditches and a trackway all of which are likely to date from the prehistoric period. Aerial photographic interpretation of features within the western half of the Site also indicate the presence of prehistoric below ground features. Remains from the palaeolithic throughout the prehistoric period have been identified within this landscape and sites of Neolithic to Iron Age date have been identified and excavated within the 1km study area. The Site does not appear to have been intensively developed and as such any remains would be expected to survive relatively undisturbed.
- Roman period - a Medium potential for Roman remains to survive within the Site. A Roman Road extends within 1km of the Site to the south-east and Roman remains have been identified along the western side of the Road, within the eastern portion of the 1km study area, although there is a paucity of remains within the western portion of the 1km study area
- Non-agricultural medieval, post-medieval and modern periods – a Low potential of remains. The site is documented within agricultural land to the south-west of Redcoats Farm throughout the post-medieval and modern era. Modern Ordnance Survey maps do not record any major changes to the Site in the 20th century. With the exception of evidence for ploughing there is no evidence of modern disturbance within the Site.

4.5.96 The 2022 geophysical survey did not identify any anomalies or features of a definitive archaeological in the eastern parcel. However, four groups of linear anomalies have been identified as being of possible archaeological interest, with further anomalies having unclear origins whereby archaeological interest cannot be ruled out. The survey has succeeded in locating, recording and characterising surviving sub-surface remains within the Site, though more remains may be present that are not suitable for detection through magnetometry.

4.5.97 HCC's Archaeology Advisor has commented consulted on this application. This initial response confirmed the importance of the site due it being located in a topographically suitable location for settlement, in a part of the county that has continually produced very significant archaeological remains from most periods.

The site contains part of an Area of Archaeological Significance (AAS) as identified in the Local Plan and it is adjacent to another. These contain cropmarks shown on aerial photos which may represent prehistoric ring ditches (i.e. the remains of Bronze Age burial mounds). In 2015 a geophysical survey and an archaeological trial trench evaluation were carried out on the western part of the proposed development site (west of Little Almshoe Lane), prior to the determination of planning application ref 15/01532/1. The geophysical survey identified five ring ditches within a large enclosure, apparently with a trackway entering at the south end, in the north-western corner of the site, in the field south of Sperberry Hill. The subsequent evaluation revealed archaeological features in 9 of the 20 trenches opened, with substantial evidence of activity identified in the south-western area of the site, in particular. The dating evidence suggests two phases of significant activity, one dating to the Late Iron Age/Early Roman period (AD10-100). This lay to the east of a probable trackway identified by the geophysical survey and consisted of pits and ditches. The other, comprising post holes, occupation layers and rubbish pits, lay west of the probable trackway and dated to the Early Roman period (AD 50-120).

- 4.5.98 It was noted that the geophysical survey undertaken 2022 revealed several linear trends which are possibly of archaeological origin. These are interpreted as ditches and a possible track. Given the results of the recent geophysical survey and the substantial remains previously identified in the western parcel of the site which correlated with the geophysical results there, this office now recommends that an archaeological trial trenching evaluation be carried out prior to the development commencing as per paragraph 194 of the NPPF. This should target at a minimum all areas where the geophysical survey has identified trends of possible archaeological origin together with the northern section of the western parcel which was not assessed in the 2015 investigative work.

Archaeological conclusion

- 4.5.99 Following confirmation from Herts CC Archaeology that trial trenching can be carried out post determination and secured by an appropriately worded condition, the proposal is considered to be compliant with LP Policy HE4 and paragraph 194 of the NPPF. It is also compliant with WNP Policy NHE9. Therefore, subject to the recommended condition, this matter is neutral in the planning balance.

Landscape and Visual Impacts

- 4.5.100 The Proposal comprises a large-scale solar farm. Given its nature and scale, there will inevitably be some adverse landscape impacts. Within this context, national and development plan policies adopt an approach whereby development should be approved where the harm would be outweighed by the benefits of the scheme. As has already been highlighted in the foregoing parts of this report, the application site and immediate locality is designated Green Belt.

Landscape Character

- 4.5.101 NPPF Paragraph 174 indicates that the intrinsic character and beauty of the countryside should be recognised. Nevertheless, the NPPF does not seek to

protect the countryside for its own sake from development; it concentrates upon seeking to protect valued landscapes. For the avoidance of doubt, the site is not nationally designated protected land such as Areas of Outstanding Natural Beauty (AONB).

- 4.5.102 The NPPF does not define what is a valued landscape, albeit most landscapes are valued by someone at some point. In the light of appeal decisions on this matter it is considered that valued landscape means it is valued because it has some demonstrable physical attributes that would make it more than just open countryside. Representations from local people have confirmed that the countryside within and around the application site is valued. However, while it has some pleasant characteristics, it is not notably above the ordinary and local area. Therefore, officers do not consider the application site to be a '*valued landscape*' in the context of the NPPF.
- 4.5.103 LP Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.

The Landscape Character Assessment

- 4.5.104 Across England 159 National Character Areas (NCA) have been identified and the application site is located within NCA 110: Chilterns and is summarised as comprising '*a patchwork of mixed agriculture with woodland, set within hedged boundaries*'. On a regional level there is an East of England Landscape Framework and assessment has also been undertaken at a County level. The site is located within the Regional Character Area (RLCT 13 Lowland Village Farmlands).
- 4.5.105 The Council published the North Herts Landscape Study as part of our Local Development Framework in 2011 which is based upon the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The application site is within two LCAs, the majority of the Site is within LCA 215 Wymondley and Titmore Green and the remaining part to the south-east within LCA 214 Langley Valley.

The submitted Landscape and Visual Impact Assessment (LVIA)

- 4.5.106 The application is accompanied by a LVIA by Axis which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement, the LVIA sets out conclusions of the impact of the proposal.
- 4.5.107 The characteristics Wymondley and Titmore Green LCA (215) comprise –
- Rolling chalk landscape

- irregular sized fields in arable with parcels of grazing adjacent to settlements
- Historic pattern of small winding lanes and historic place names and
- Mature tree cover

4.5.108 In relation to visual and sensory perception, it is described as '*generally mature, well wooded quality of the area helps to integrate the existing settlements into the landscape, contrasting with landscape engineered for highway infrastructure purposes or to support statutory undertakers plant.*'

4.5.109 In relation to rarity and distinctiveness, the study comments that this LCA has a well-established, historic landscape character and is comparatively unusual for its distinctive quality. The substation and associated pylons are mentioned as a detracting feature.

4.5.110 The landscape character sensitivity is considered to be of '*low to moderate sensitivity. The gently undulating arable farmland creates an enclosed character. However, the area has been degraded by a number of factors including the infrastructure and the electricity transformer station.*'

4.5.111 In relation to the capacity to accommodate development it is considered that utilities developments 'are likely to have an impact on the intimate scale and rural character. Large scale developments ...would be highly visible within the Character Area, as well as potentially visible from surrounding Character Areas.' Overall, the capacity for utilities developments is considered to be low to moderate.

4.5.112 In relation to managing change, the Study does not make any specific comment about the acceptability of solar farms although in general terms it confirms that the general approach should be to 'conserve'. Where new development is proposed it should avoid visual intrusive locations such as on upper ground or where they would be visible on the skyline. It also encourages the hedgerow restoration and the planting of new vegetation to screen new development.

4.5.113 The characteristics of Langley Valley LCA (214):

- Rolling chalk landform
- Dominant large scale arable farming
- Smaller areas of grazing on steeper chalk slopes to the south of Hitchin
- Woodland plantations on most pronounced chalk landscape. Relatively little woodland cover elsewhere.

4.5.114 In relation to the visual and sensory perception of the LCA, the study area notes that the '*valley is a combination of mature, well wooded valley sides in the upper reaches with a wider shallow sided valley washing up against a sub-urban fringe in the north-east. The valley is well defined along its boundary with the Langley scarp to its west.*'

4.5.115 Rarity and distinctiveness it is considered to be relatively common to this locality.

The landscape character is considered to be of *'moderate to high sensitivity with panoramic views from vantage points and views along the valleys which are important features with the Character Area.'* The landscape value is considered to be *'moderate low'*.

- 4.5.116 In relation to the capacity to accommodate utilities development there is considered to be low to moderate capacity due to the perceived impact such developments will have on the rural character and extensive views experienced in Langley Valley.
- 4.5.117 Guidelines are provided to managing change. These do not identify a capacity for solar farm development, but this proposal would fall within 'other types of development' and the Study identifies a low to moderate capacity for these, with an overall strategy to protect and preserve.

The submitted Landscape and Visual Impact Assessment (LVIA)

- 4.5.118 The application is accompanied by a LVIA by the applicant's agent – Axis - which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement the LVIA sets out conclusions.
- 4.5.119 The LVIA identifies the visual baseline and viewpoints from which people would experience views of the proposed development, presents a narrative on the visual context of the site and judgements on visual value as well as susceptibility and sensitivity of the visual receptors (people experiencing the view). The LVIA undertakes an assessment of visual and landscape effects during the construction phase and operational phases of the development.

Construction Impacts

- 4.5.120 The LVIA acknowledges that the development will result in construction staff, plant and machinery having visual effects on views for users of public footpaths, nearby residents and visitors to Redcoats Farm Hotel. These are considered to be *'a significant although localised and temporary change to the existing views during the construction period'*. Temporary construction lighting particularly has the potential to also impact on residents and visitors to the hotel. This and the other aforementioned impacts could be managed and mitigated in some part by the imposition of a Construction and Environmental Management Plan (CEMP).

Operational impacts

- 4.5.121 The LVIA concludes that in the short term, significant adverse visual effects would be experienced from intermittent locations at the site boundary from within the site and in the south from Mill Hill. In the medium and long-term the magnitude of impact on these locations would lessen due to planting, but significant effects would remain. Significant visual impacts are considered to mostly be highly localised to the Site boundary. From the wider landscape, the proposed development would be visible from intermittent high ground locations to the south-east, south and south-west of the Site at varying distances. At the closest of these locations from Mill Hill, views would be significantly affected on the north facing slopes, however,

from the south-east and south-west, views would be slightly more distant and at a more oblique angle with a greater level of intervening screening. As such, views from further afield are not considered to be significantly affected. At the end of the temporary period the development would be decommissioned reversing the landscape and visual effects. Post decommissioning, it is anticipated that the additional hedgerows and woodland belts that would have established over the life of the project would remain providing some landscape and visual benefits.

Amendments to the landscaping scheme

4.5.122 In response to the Council's landscape consultant's review of the LVIA, a number of revisions were recommended to the landscape proposals. These are set out below together with the applicant's responses -

- a) Easing of slopes of the 2.5 m bund to rear of Redcoats Farm from c 1 in 3 to c 1 in 6 - *a water main prohibits planting or substantial earthworks in the gap between the bund and Redcoats Farm.*
- b) Adding additional planting to the west of Redcoats Farm boundary - *additional planting to the west of Redcoats Farm boundary would again conflict with an existing water main similar to point (a), and also provide an obstruction to the public right of way. When considering the existing views out west from the Redcoats Farm / The Robins western boundary the benefits of this planting are also not apparent; this part of the boundary already benefits from effective existing boundary vegetation and adjoins an area of car parking rather than gardens or residential views. It is therefore considered that the Applicant's approach of locating solar arrays set almost 30m from this boundary, along with intervening hedgerow planting would provide effective long-term screening.*
- c) Reducing the proportion /or removing blackthorn (currently 30%) in the new hedges - *the Applicant would be happy to reduce the proportion of blackthorn proposed in the new hedgerows and this would be agreed by way of planning condition*
- d) Adding some tree planting to the north-west corner to soften views from residential properties to the edge of St Ippolyts - *a 10m wide belt of woodland planting is proposed around the north-west corner of the site that would include a mix of tree species to provide screening and soften views from residential properties to the edge of St Ippolyts. The detailed planting mix for this woodland belt would be agreed by way of planning condition, and the Applicant would incorporate mature feathered and standard size trees to provide instant screening impact within this woodland belt.*

4.5.123 In addition to the above, there are a number of relatively long sections along Sperberry Hill adjacent to the northern boundary to the western parcel as far as the junction with Little Almshoe Lane where currently there is no boundary hedge. New planting here would take a number of years to establish. In the event that planning permission were to be granted, a condition requiring the provision of a temporary screening fabric to lessen the visual impact on road users would be both reasonable and necessary.

- 4.5.124 Whilst the aforementioned changes would be beneficial on landscape character, it should be noted that there would still be significant adverse effects at a local and site scale on landscape character.

The Review of the LVIA

- 4.5.125 The Council commissioned consultants (The Landscape Partnership) to review the application and the submitted LVIA. The findings and conclusions are set in the following paragraphs -

Construction impacts

- 4.5.126 The construction process is predicted to take 36 weeks and would therefore be relatively short-term in duration which would limit the magnitude of change on the receiving environment and visual receptors. The construction activity would represent a significant effect on views from Sperberry Hill, residents at The Robins/Redcoats Farmhouse and for footpath users. There is agreement that such visibility is likely to result in a Large magnitude of change and therefore significant for receptors. However, as the construction period will be for a 36 week period, any significant effects relating to construction - are not considered to be determinative. It is accepted that many of the issues relating to construction stage effects could be covered by an appropriate CEMP condition.

Operational impacts

- 4.5.127 While the locality has some pleasant characteristics it is not notably above the ordinary and local area and ordinary large arable landscape that does not fall within the definition of a '*valued landscape*' for the purposes of the NPPF. The Chilterns Area of Outstanding Natural Beauty (AONB) is located approximately 3.8km to the west. The submitted LVIA scoped out the landscape and visual impacts arising on this ANOB on the basis that it would not be significant due to distance, the height and scale of the development and the intervening landform and vegetation pattern. Officers agree that there would not be any impact on the ANOB designation for these reasons. The Chilterns ANOB boundary is currently the subject of review by Natural England and their consultants. This includes a North Hertfordshire Extension which encompasses land south of St Ippolyts. This review is in its early stages and the Extension remains only a proposal presently. Given this, it is considered to carry limited weight in landscape and visual considerations. In the circumstances, the overall effects on the AONB are considered to be Negligible.

Cumulative Impacts

- 4.5.128 The site faces south and away from Great Wymondley. To the north of Sperberry Hill there is a strong area of vegetation visually and physically separating it from the Great Wymondley site which is approximately 1.7km to the north-east. It is possible that there would be a small level of cumulative effect (likely to be greater in the winter) from the elevated locations such as PRow Langley 001, part of the Chiltern (Viewpoint 15) if both schemes progressed. However, the Sperberry Hill scheme would be very much the dominant feature from this Viewpoint and if any part of Great Wymondley were visible beyond the intervening woodland – then it

would be a minor and secondary addition. For this reason, the cumulative impacts are not likely to be significant or objectionable in isolation.

4.5.129 The general findings are as follows:

- the effects at the NCA and RCT level would not be significant.
- TLP consider there would be harm to the openness of the Green Belt in spatial and visual terms and also to the purpose of assisting in safeguarding the countryside from encroachment. The levels of visual harm would reduce in the longer term to a degree with the establishment of mitigation planting but not to negate the effect.
- the effects on the landscape fabric largely as a result of the change of land use would be Moderate to Major.
- the effect on the character of the Application Site would be Major and significant at Year 1 and Year 10.
- The effect on the 215 Wymondley and Titmore Green LCA would be Moderate adverse effect on overall at Year 1 and is considered to remain the same at Year 10. The effect on LCA 215 at the local (Study area) scale would be a Moderate to Major adverse effect at both Year 1 and Year 10. This is due the relatively higher sensitivity of the local area that is atypical of LCA 215 overall due to the more open sloping arable landscape with limited enclosure and relationship with other LCAs to the south.
- The effects on the 214 and other adjoining LCAs (209, 210) are relatively less than for LCA 215 but would still be locally significant on part of LCA 214 and in combination with effects on LCA 209 and LCA 210 would be significantly adverse on the Study area overall.
- In visual terms the LVIA identifies that there would be some significant visual effects in the short term at levels of Moderate to Major Adverse on receptors at a number of the identified receptors and these would continue into the longer term in some cases.
- There are some incrementally higher levels of effects at a number of locations as a result of some higher levels of sensitivity from some viewpoint receptors.
- There is considered to be significant effects on the Hertfordshire Way between Mill Hill /Almshoe Bury across the site to Titmore Green and also on users of Footpaths Wymondley 14, 15 and 16 which pass directly through the development.
- The proposed mitigation measures relating to hedge planting, gapping up new tree planting, woodland planting wildflower grassland are considered to be generally appropriate and a positive feature of the scheme in terms of mitigation of the solar park. However, the planting proposals while screening views to the built elements introduce features that obscure attractive longer distance views across the countryside e.g. from Viewpoint 3.
- The Site is considered to have some suitability for solar arrays in terms of orientation. However, it is relatively open to views both at close quarters, including across the Site on rights of way and from wider locations in particular to the south which would provide elevated panoramic views to the solar farm proposals in an otherwise relatively rural landscape. For this reason it is

considered that the landscape character and some visual receptors in the local area would experience significant effects particularly within and close to the Application Site.

- Overall, the Site is considered to have a limited capacity to satisfactorily accommodate a 25MW solar farm covering 35ha without long term significant adverse effects on character and views. This opinion is based on the existing landscape character of the Site and local area and the open views and relationship with rising ground to the south.

Landscape and visual impact conclusion

- 4.5.130 It is considered that the scale and nature of the proposal would result in some inevitable adverse landscape and visual impacts, mostly of a significant nature. The proposed mitigation would deliver some visual and landscape benefits together with some biodiversity improvements to the local environment. The 40-year lifetime of the scheme is a significant period. Following decommissioning of the solar farm there would be no residual adverse landscape effects. Therefore, there would be conflict with LP Policies NE2 and NE12 which seeks to avoid unacceptable harm to landscape character and appearance, during the operation of the solar farm. In relation to the Wymondley NP, there would be no conflict with policy NHE8 which requires native species to be used to maximise biodiversity benefits. Overall, therefore it is considered that initially (and in excess of 10 years) the visual and landscape harm would be significant weight in the planning balance with moderate benefits arising in the later stages of the temporary period and post decommissioning.

Impact upon the local highway network

- 4.5.131 The application site is currently served by three gated field accesses. Access to the western parcel of the site is provided off the northern section of Little Almshoe Lane. Access to the eastern parcel is provided via a separate point off of the northern section of Little Almshoe Lane and also from the Stevenage Road immediately east of Redcoats Farm Hotel. Little Almshoe Lane is a minor rural access that runs in a north – south orientation and which is subject to the National Speed Limit (60mph). Stevenage road connects to Sperberry Hill and Blakemore End Road in the west and north respectively. The road is subject to the National Speed Limit (60mph).
- 4.5.132 A Transport Statement has been submitted with the application which explains the anticipated transportation and highways impacts arising from the proposed development. It assesses the traffic generation of the construction phase only, which would take about 36 weeks as once operational trips to the site would be limited to the occasional light goods vehicle for maintenance and would be very minor in nature. Construction-related traffic would access the site to and from the B656 via Sperberry Hill. Access for construction traffic would be via the existing farm access track off Stevenage Lane, adjacent to The Farmhouse at Redcoats hotel. Construction traffic would then route through the site via a one-way system to egress the site onto Little Almshoe Lane, before re-joining Sperberry Hill in order

to return to the B656. The majority of construction traffic is likely to leave the strategic road network at Junction 8 of the A1(M).

- 4.5.133 In relation to deliveries, it is anticipated that the total number of two way trips requiring access to the development site would be approximately 1,122 across the 36-week construction period. The majority of the deliveries would relate to the delivery of aggregate (520 two-way deliveries) for the construction of site compounds and internal access tracks. It is anticipated that all aggregate would be brought to the site within the first 4-6 weeks of the construction period. For the remainder of the construction period (32 weeks), there would be a total of 662 two-way deliveries of other (non-aggregate) materials.
- 4.5.134 In addition to the above, there will also be approximately 80 staff requiring access to the site per day. During peak activities, the number of construction related staff could rise to 120. It has been assumed that the average vehicle occupancy rate per staff vehicle would be 2 and so the number of trips made by staff per day would be 80 two-way trips on average, and a maximum of 120 two-way staff trips during peak activities.
- 4.5.135 In total, it is estimated that there would be a maximum of 144 two-way movements per day on average during peak activities within the first 4 weeks. This is inclusive of delivery related movements and staff trips. For the remainder of the construction period (32 weeks), there would be a maximum of approximately 124 two-way movements per day on average during peak activities, again inclusive of delivery-related movements and staff trips. This equates to an average of 12 additional 2-way movements per hour throughout the working day, or approximately one additional vehicle movement every 5 minutes. This level of trip generation is therefore considered to be negligible.
- 4.5.136 The Transport Statement confirms that the visibility splays would be achievable for the access points. Swept path analysis has been undertaken and confirms that the local highway network to the site can satisfactorily cater for construction related vehicles requiring access to the site. Each parcel of the site provides adequate spaces/areas to allow construction traffic to enter and exit the site in a forward gear. A Construction Traffic Management Plan (CTMP) would be reasonable and necessary to manage and mitigate against the impacts of construction related traffic. This could be secured by condition in the event planning permission were to be granted.
- 4.5.137 In its initial response, Herts CC Highways sought further information from the applicant on specific highway details including geometry, gradient and construction layers of the reconfigured field accesses to safely join the adjacent carriageway. The applicant's highways consultant and Herts CC Highways discussed these issues. Subsequently clarification was provided on the one way system proposed for construction traffic, the temporary intensification and management of the Sperberry Hill / Little Almshoe Lane junction by HGVs and overall safety of highway users. This additional information was considered by the Herts CC Highways and

subject to conditions, it now raises no objection to the proposal. In highway terms, the proposal is considered to be in accordance with LP Policy NE12. This matter weighs neutral in the planning balance.

Best and Most Versatile (BMV) Agricultural Land impact

- 4.5.138 Local Plan Policy NE12 seeks to determine applications for solar farms on the best and most versatile land (BMV) in accordance with national policy. Government guidance stresses a preference to develop solar farms on brownfield or degraded land over greenfield land. Agricultural land is classified from Grade 1 to 4, with Grade 1, 2 and 3a being considered BMV agricultural land.
- 4.5.139 The application is supported by a Agricultural Land Classification Survey by Soil Environment Services Ltd. This concluded that approximately 18ha (52.95%) is Grade 2 BMV and 16ha (47.05%) is Grade 3a BMV. As such the Site is considered BMV agricultural land in the context of the NPPF and NPPG. It is noted that a high proportion of agricultural land across the district is BMV.
- 4.5.140 Policy NE12 of the adopted Local Plan states that proposals for solar farms involving the best and most versatile agricultural land will be determined in accordance with national policy. Paragraph 174 part (b) of the NPPF requires consideration of the economic and other benefits of the best and most versatile agricultural land. Footnote 58 of the NPPF 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. National Planning Policy Guidance (NPPG) also encourages the siting of large-scale solar farms on previously developed and non-agricultural land provided it is not of high environmental value.
- 4.5.141 However, more recent guidance set out in National Planning Statements (NPS) in relation to national energy projects over 50MW confirms that land type should not be a predominating factor in determining the suitability of the site location. In its response, Natural England confirms that the proposed development, given its temporary nature, is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. The solar panels will be mounted on metal frames set into the land with a minimum of 800mm separation between the ground and the bottom of panels allowing the use of the land for the grazing of sheep. With the exception of some small areas of the site which will be used for plant, equipment and access tracks the majority of the land would still be used for some agricultural purposes during life span of the solar farm and would not be permanently lost. The continued use of the site for agricultural purposes could be secured by conditioning the submission and agreement of a grazing management plan in the event permission were to be granted.

- 4.5.142 It is understood that current government farmland management schemes, amongst other things, encourages farmers to take land out of production and put it to grass, meadows, or trees for carbon capture. The resting the land from intensive agriculture is recognised to give the land the opportunity to regenerate, improving soil health by increasing the organic matter and improving soil structure and drainage.
- 4.5.143 It should be noted that the specific way agricultural land is used is not a matter that is controlled under the planning system. As such, there would be nothing in planning terms to prevent the landowner using the site for the grazing of sheep at present or even leaving it fallow. Given this, the fact that the proposal would limit the ability to carry out any arable farming does not mean that it results in the loss of agricultural land when it can continue to be used albeit for other agricultural uses.
- 4.5.144 In relation to food security, it is confirmed that there are no national or local policies, guidance or strategies that relate to food security and production. The most recent policy paper 'Government food strategy' (June 2022) confirms that the level of food production in the UK is good and that there is currently a '*high degree of food security*'.
- 4.5.145 Soil is a finite resource and which plays an essential role within sustainable ecosystems, performing an variety of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. Natural England have recommended that any grant of planning permission should be made subject to conditions to safeguard soil resources.
- 4.5.146 Weighing in favour of the proposal is that the applicant proposes to improve the biodiversity potential of the application site through biodiversity improvements including the planting of trees, hedges and grassland and this is a matter addressed in considering the benefits of the proposed development.

Conclusion on impact on BMV Agricultural Land

- 4.5.147 The proposal would not result in the permanent loss of BMV agricultural land and an agricultural use would continue albeit livestock grazing, which is viable in tandem with solar energy production. This is likely to result in a reduction in productivity and flexibility of the land for agricultural purposes for the duration of the solar farm. In addition, the Site would eventually be able to be restored to full agricultural use with enhanced biodiversity. In this context, the proposal is compliant with Local Plan Policy NE12. The proposal is considered to result in a change of agricultural use of the land for the duration of the operational period of the solar farm and although harmful, it would be limited in the planning balance.

Flood Risk and Drainage

- 4.5.148 Local Plan policies SP11 and NE7 seek to ensure that development does not result in unacceptable flood risk. Policy NE8 encourages the use of Sustainable

Drainage Systems. Policies FR1 and FR2 in the Wymondley Neighbourhood Plan seek to address food risk and management thereof.

4.5.149 The applicant provided a Flood Risk Assessment (FRA) with the application prepared by Weetwood. The FRA confirms that –

- the development is located outside the 1 in 1,000 Annual Exceedance Probability flood outline and is therefore defined by the NPPF as being situated within flood zone 1.
- As the site is in flood zone 1, the sequential test is deemed to have been addressed and the exception test need not be addressed.
- The flood map for planning shows the site to be at low risk of flooding from rivers. The majority of the site is at a very low risk from surface water/small watercourses, with the exception of two overland flow pathways
- where the risk is assessed to be low to high. The site is assessed to be at a negligible risk of flooding from reservoirs, canals or other artificial sources, and at a low risk of groundwater flooding.

4.5.150 The FRA concludes that the proposed development may be completed in accordance with the requirements of planning policy subject to the following measures -

- i. Flood pathways associated with surface water runoff or runoff associated with small watercourses should not be obstructed by any buildings/hardstanding areas or associated infrastructure.
- ii. Existing drainage ditches should be retained. Any new crossings should maintain existing conveyance capacity.
- iii. The area under the drip line of the solar panels should be seeded with a suitable grass mix.
- iv. The proposed maintenance track should be constructed from permeable aggregate.
- v. Infiltration trenches should be implemented to promote surface water runoff generated by the relatively small roof areas and other impermeable surfaces his site falls within Flood Zones1.
- vi.

4.5.151 The LLFA originally objected to the proposal for a number of technical reasons. Discussions between the Lead Local Flood Authority (LLFA) and the applicant's flood consultants resulted in an addendum and technical note to the FRA being submitted in November 2022 and September 2023 respectively. Following re-consultation, the LLFA confirmed that whilst the majority of issues were could be controlled by condition, the technical note did not address issues relating to surface water discharge from the application site. Discussions between the LLFA and applicant are ongoing and an update on this outstanding point will be given at the meeting.

Conclusion on flood risk

4.5.152 Subject to the outstanding technical issue being addressed satisfactorily and the LLFA confirming that they withdraw their objection, the development is considered to accord with Local Plan policies SP11, NE7 NE8 and Neighbourhood Plan

Policies FR1 and FR2. The inclusion of two attenuation basins should provide some benefit and this matter is considered to carry limited benefit in the planning balance.

Noise

4.5.153 Local Plan Policy D3 seeks to protect the living conditions of existing residential properties. The proposal will result in likely noise impacts during both the construction and operational phases of the development. A Noise and Vibration Assessment (NA) prepared by Noise Vibration Consultants Ltd Officers carried out by a qualified acoustician affiliated to the Institute of Acoustics the UK's professional body for those working in acoustics, noise and vibration. This considered the noise impacts during both the construction and operational stages of the development. The NA is informed by background noise data collected by the applicant's noise consultant at four locations in areas of typical background sound.

Construction noise

4.5.154 In relation to construction noise, the NA considers impacts arising from the 36 week construction period. Construction activities would take place 7 days per week during the following days and hours:

- Monday to Friday 07:30 – 18:00; and
- Saturday - Sunday 08:30 – 18:00

4.5.155 Deliveries and noise generating activities would only take place from Monday – Saturday (inclusive) within the following hours:

- Monday to Friday 07:30 – 18:00;
- Saturday 07:30 – 13:00; and
- No deliveries on Sundays with the exception of one-off abnormal loads or large vehicles such as cranes.
- Piling would only be undertaken between 09:00 – 17:00 each day Monday – Friday.

4.5.156 The NA identifies a range of noise impacts from traffic, plant, machinery and other activities. It confirms that "*The noise on activities during the construction of the site would vary throughout the day and would depend on the particular work being undertaken. The highest noise levels are likely to be created during site preparation, infrastructure activities and the PV Installation. This would be within the level of noise normally found to be acceptable for an activity of this type and duration. During periods when plant is at closest approach to NSRs the guidance threshold could be exceeded and therefore noise mitigation measures are proposed.*" It goes on to list a range of mitigation measures (paragraph 5.3.10) that should be included in a Construction Environmental Management Plan (CEMP). The Council's Environmental Health Officer agrees that that it would be feasible, in principle, to achieve construction noise levels that are generally at or below the target noise levels required by Code of practice for noise and vibration control on construction and open sites – Noise (BS 5228). Mitigation measures should be

delivered through a CEMP which can be secured by condition. Other conditions recommended seek to restrict the days and hours of noisy construction work and HGV and articulated vehicle deliveries.

- 4.5.157 In relation to the Redcoats Farm Hotel, it is appreciated that this adjoins and is in juxtaposition to the proposed site. Hotels by nature are reliant, to an extent, on the setting of their venues and, in this case, the outdoor and garden spaces are essential and integral areas that should be protected from more general noise and disturbance during the construction phase of the development. This is most critical during the summer months and between Fridays and Sundays when the hotel is likely to be at its busiest. In drafting the CEMP, particular consideration should therefore be given to protecting the general amenity levels of the hotel staff, guests and the residents of the manager's dwelling. In addition to the mitigation measures already identified in the NA, a range of specific measures to limit and control construction impacts on Redcoats Farm Hotel would be reasonable and necessary. Such measures should include but are not limited to - the use of temporary acoustic fencing adjacent to the party boundary from Stevenage Road access, the use of Little Almshoe Lane access for non-HGV traffic (access and egress – subject to Stage 1 Road Safety Audit) and excluding high noise generating activities within the northern section of the eastern parcel between Fridays and Sundays.

Operational noise

- 4.5.158 Regarding noise from the operation of the solar array, the NA identifies the potential noise sources comprising inverters, battery storage, cooling systems and transformers. The NA has used typical site operating noise levels from established empirical data from other similar solar operations to provide baseline data for the noise model. The results show that the noise arising from the site operations would be below the representative background sound level during both the day and night-time periods. Overall, the noise from the operation of the site is likely to result in low impact. The methodology and findings reached on this technical matter have been carried out in accordance with the necessary standards and guidance. In reviewing the submitted assessment, the Council's Environmental Health Officer has confirmed that she has previous experience of assessing developments of this nature.

Conclusion on noise

- 4.5.159 Subject to conditions to secure a CEMP and limitations on the days and hours of operation, there is no objection to the proposals from a noise perspective. The proposal is therefore considered to comply with LP Policies D3 and NE12. Officers consider that the noise impacts of the proposed development are neutral in the planning balance.

Ecological and biodiversity impacts

- 4.5.160 Local Plan policies SP12 - Green infrastructure, biodiversity and landscape, Policy NE4 - Biodiversity and geological sites and NE6 - Designated biodiversity and geological sites - seek to protect, enhance and manage the natural environment.

Policy NHE2 – Biodiversity’ in the Wymondley NP seeks net gains and is also therefore relevant.

4.5.161 The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). However, it has recently been announced that this statutory requirement will not be implemented until January 2024.

4.5.162 In relation to ecology, the application is supported by a Ecological Assessment Report by Avian Ecology. This Report involved desk study and habitat survey. It confirms that the Site does not lie within any statutory or non-statutory designated site for nature conservation. Whilst there are a number of priority habitats within 500m of the Site there was no irreplaceable habitats found.

4.5.163 In relation to species and habitats the findings comprised –

- Amphibians – the site has limited potential to support amphibians.
- Badgers – no evidence of badger activity on the site. Pre-works checks are recommended.
- Bats – there is limited potential for roosting within the site. The habitats within the site are valued to be of moderate importance for foraging and commuting bats. Mitigation measures are recommended.
- Birds – common bird species associated with farmland landscapes are noted. Mitigation measures are recommended.
- Flora - no notable plant species were observed during the survey.
- Dormouse – limited potential to support dormouse due the absence of connectivity.
- Reptiles – site has limited potential to support reptiles. New hedgerows will enhance reptile habitats.
- Invertebrates - Invertebrate species within the Site are considered to consist of common and widespread species typical of a farmland landscape. New hedgerows will enhance invertebrate habitats.
- Hedgehogs and hares - potential for disturbance during construction. New hedgerows will enhance habitats.
- Invasive plants - no species listed on the Schedule 9 of the Wildlife and Countryside Act (1981 amended) were noted on-site during the site survey.

4.5.164 The proposals would include wildlife friendly fencing which would include points within the proposed fencing where wildlife can enter the site from the ground. Specific details of these measures could be secured by condition in the event planning permission is granted.

4.5.165 Herts CC Ecology (HCCE) were consulted on this application and have confirmed that they have no reason to disagree with the assessment that the development will result in minimal ecological impact. It notes that mitigation measures are set out in the report at paragraph 5.1. It is considered that the development can be

conditioned to secure the relevant mitigation in the event planning permission is granted.

4.5.166 In relation to Biodiversity Net Gain (BNG), currently local plan policy requires developments to deliver an unspecified improvement over baseline. The submitted BNG metric confirms that the proposal will result in a 131.16% increase for habitat (area) derived units and a 155.56% increase for hedgerow (linear) derived units. These improvements comprise of the following -

- Grassland within the perimeter/stock fencing suitable for sheep grazing, with a sward comprising a broad selection of grasses, herbs and clover that are productive for livestock, and which provide pollen and nectar for biodiversity benefit;
- Species-rich grassland between field boundaries and perimeter/stock fencing to contribute to enhancing hedgerow buffer zones for improved ecological connectivity;
- Native-species woodland planting approximately 10m wide along the northern and north-western boundaries of the northern part of the Site
- New native-species hedgerows alongside roads and historic field boundaries to help with ecological connectivity;
- Gapping up of existing hedgerows around and within the Site which are generally in a poor and declining condition, to improve their function as ecological corridors.

4.5.167 HCCE has confirmed that the biodiversity improvements are acceptable and the finer details of this should be delivered by way of a Landscape and Ecological Management Plan (LEMP). This could be secured by condition in the event planning permission were to be granted.

Conclusion on ecology and biodiversity

4.5.168 Officers consider that subject to the recommended conditions, the proposed development would not result in harm to habitats or species. The proposed development will deliver significant Biodiversity Net Gains. Overall, it is considered by officers that subject to recommended conditions, on balance, there would be no harm to species and habitats and BNG benefits, would weigh moderately positive in the planning balance.

Fire Risk

4.5.169 Objectors have raised fire risk, in relation to solar farms. There have been reported cases of fires at solar farms.

4.5.170 The British Research Establishment National Solar Centre (BRE NSC) was commissioned by the Department for Business, Energy and Industrial Strategy to lead a three-year study on fires involving solar photovoltaic (PV) systems. The BRE NSC consider that there is no reason to believe that the fire risks associated with PV systems are any greater than those associated with other electrical equipment.

4.5.171 The applicant has indicated that fire suppression systems will be in place in the buildings housing batteries and transformers. A condition requiring the submission and approval of a Fire Management Plan in the event that planning permission is granted would be both reasonable and necessary. This is a typical way of addressing fire risks arising from such a development.

Conclusion on fire risk

4.5.172 There is no evidence to show that there would be a high risk of fire at the proposal. Given that fire suppression measures would be in place it is considered that the fear of fires occurring cannot form a basis for refusing planning permission and this matter does not weigh against the proposal but is neutral in the planning balance.

Other matters

4.5.173 **Alternative renewable energy sources – wind, tidal and off-shore wind and solar** - have been suggested by various objectors. Officers consider that given the scale of such schemes and the amount of energy generated by them they make an important contribution to renewable energy production in the UK. However, such renewable energy schemes would not be able to contribute towards renewable energy production in North Hertfordshire and meet the Council's carbon zero aims for the District. Moreover, a good mix of renewal energy generation is desirable in meeting the needs of the district and the UK and solar farms are part of that mix. The ability to generate renewable energy from other renewable sources does not weigh against the ability to generate renewable energy from solar farms.

4.5.174 **Alternative sites** - previously developed land, brownfield sites, low grade agricultural land, existing and new building rooftops, railway land, motorways have been cited as being more appropriate for solar development. The Framework explains that when dealing with planning applications, planning authorities should not require a developer to demonstrate a need for low carbon or renewable energy projects, and should recognise that even small-scale projects can help reduce greenhouse gas emissions. It is possible to deploy PV panels in other situations as cited above. However, this does not justify the refusal of planning permission for solar farms, given the current significant shortfall in renewable energy production in North Hertfordshire from such existing schemes. In all likelihood, renewable energy proposals in a variety of forms and locations are going to be required to help meet the necessary renewable energy generation targets. Whilst the National Planning Practice Guidance set out a preference for locating solar farms on previously developed land and buildings, this does not equate to a sequential test whereby other land or buildings cannot be considered. It is understood that site selection is determined by four key factors – the capacity within the nearest National Grid substation, limited solar curtailment, available nearby land with a willing landowner and a formal agreement to connect to the National Grid. It is also confirmed that there is no policy requirement for the energy produced to be “needed” or used “locally”.

4.5.175 **Residential amenity (including Redcoats Farm Hotel)** – St Ippolyts village lies immediately north of the application site. The nearest dwellings to the application site are located along Sperberry Hill, Tittendell Lane and Little Almshoe Lane. The distance between these various properties and the closest panels and associated infrastructure, together with the existing and proposed intervening landscaping, means that there would be limited visibility from residential curtilages. Whilst the development will alter the outlook from some properties, none would experience views which would make them unattractive places to live. In relation to the pole mounted CCTV cameras, it is confirmed that these will generally have one pan-tilt-zoom camera focussed along the boundary of the Site. At certain locations two cameras would be deployed so that they can be targeted on specific locations. All cameras would operate using infra-red technology and as such no additional lighting would be required. It is unlikely that the CCTV cameras will result in any loss of privacy to dwellings. Nonetheless, in the event that planning permission were to be granted a condition to restrict camera views would safeguard nearby residential occupier's amenity. In relation to the Redcoats Farm Hotel, noise impacts arising have already been identified in the foregoing section of this report. In addition to mitigating these noise impacts, there is potential for impacts from temporary lighting. Details of the location, height and switch off arrangements for these should be included in the CEMP to ensure nuisance is minimised for the guests and staff of the Hotel. In summary, the proposal does not result in any unacceptable harm on living conditions of residential properties. In relation to the operational period, it is confirmed that no areas of the site would be continuously lit with only infrared activated lighting installed on the DNO Substation building, Switchroom building, Control Centre and transformer station. In relation to the impact on air quality, it is confirmed that the site is not within a designated Air Quality Management Area. Whilst the development will result in additional traffic to the locality, the open nature of the area and the temporary nature of the additional traffic for the duration of the construction period is not considered to give rise to unreasonable air quality impacts. This has been confirmed by the Council's Environmental Health Officer. Given the foregoing, there is not considered to be any conflict with LP Policies D3 and D4 and this matter would weigh neutrally in the planning balance.

4.5.176 **Glint and Glare** – The Glint and Glare Assessment provided with the application assesses the potential for said effects on receptors comprising London Luton Airport, Rush Green airstrip, nearby residential properties and a range of road receptors. The primary potential for impacts would be for vehicle drivers along a 300m stretch of Sperberry Hill although in a worse cast scenario this is considered to be low and does not warrant mitigation. Notwithstanding this conclusion, a temporary screening fabric is recommended along this stretch of Sperberry Hill to mitigate other visual impacts for road users. Paragraph 4.5.123 of this report refers. In relation to other potential receptors, it is concluded that due to the existing screening and / or proposed screening in the landscape, there would be no significant glint and glare impacts that require mitigation or further consideration.

4.5.177 **Farm Diversification** – paragraph 84 of the NPPF gives in principle support in principle for the diversification of agriculture. Supporting information confirms that

increased energy costs fuels, fertilisers, and feeds are affecting farms across the UK. This in combination with the less predictable yields year-on-year because of the increased frequency of extreme weather events is affecting the viability of many farms. The NFU support the proposal confirming it aligns with their aspiration for net zero for the agricultural sector. It also confirms that renewable energy projects which can yield significant income streams to support profitable and resilient agricultural businesses. As is already noted, the use would be temporary and it allows for continued agricultural use through livestock grazing.

- 4.5.178 **Soil contamination and management** – concerns about ground contamination have been raised by some responders. Potentially this could occur during the different phases of the development – construction, operational and decommissioning. Natural England have recommended conditions to deal with protection of soil protection and this has already been considered in this report under ‘Best and Most Versatile (BMV) Agricultural Land’. Conditions can be imposed to ensure that soil is protected and managed for the duration of the development.
- 4.5.179 **Section 106 matters and community benefits** – these have been raised by interested parties. The applicant does not propose any benefits as part of the application. In any event, such benefits or contributions would probably not meet the tests set out in the Framework and the CIL Regulations for planning obligations, as they would not be *necessary* to make the development acceptable in planning terms nor would they be *directly related* to the development. However, the applicant has indicated that it would be willing to enter into discussions with the local community about benefits. Such discussions and agreements would be independent of the Council and its officers.

4.6 Planning Benefits

- 4.6.1 The submitted Planning, Design and Access Statement argues that there is a compelling need for the upscaling of renewable energy across the UK and within North Herts district to meet national and local net zero targets. The proposed development would contribute towards meeting those targets. The applicant also cites several factors which, when taken cumulatively, constitute ‘very special circumstances’ and justify the proposal in the Green Belt. These are set out in the following sections of this report.

Meeting the Challenges of Climate Change and Flooding

- 4.6.2 The applicant reiterates that the NPPF seeks to support renewable and low carbon energy and associated infrastructure and that to help increase the use and supply of renewable energy plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily. The applicant also points out that paragraph 158 of the NPPF states that LPAs should not require applicants to demonstrate the overall need for renewable or low carbon energy. Nevertheless, the submitted Planning, Design and Access Statement sets out that need as part of the ‘Very Special Circumstances’ case.

Renewable Energy Generation

- 4.6.3 A solar farm of this scale would undoubtedly make a positive contribution to renewable energy, and it is salient to note that paragraph 158 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy. Nevertheless, a need has been identified to address Green Belt policy.
- 4.6.4 The Wymondley Neighbourhood Plan at paragraph 3.7 sets out that the plan has been developed with a view to move to a low carbon economy, referencing the three dimensions of sustainability.
- 4.6.5 The Government and the Council recognise that climate change is happening through increased greenhouse gas emissions and that immediate action is required to mitigate its effects.
- 4.6.6 The Climate Change Act 2008, as amended, sets a legally binding target to reduce net greenhouse gas emissions from their 1990 level by 100%, Net Zero by 2050. Recently, the Government committed to reduce emissions by 78% compared with 1990 levels by 2025. The Clean Growth Strategy 2017 anticipates a diverse electricity system based upon the growth of sources of renewable energy.
- 4.6.7 National Policy Statements (NPS) are a material consideration for the determination of major energy infrastructure (>50Mw) which would be determined by the Secretary of State. However, it is considered that regard may be given to these in the determination of smaller projects by district councils. The NPSs recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. Whilst NPSs EN-1 and EN-3 do not refer to solar power as such, they nevertheless reiterate the urgent need for renewable energy electricity to be delivered. Draft updates to NPSs EN-1 and 3 confirm that as part of the strategy for the low-cost decarbonisation of the energy sector, solar farming provides a clean, low-cost source of electricity.
- 4.6.8 The Energy White Paper of December 2020 stipulates that setting a net zero target is not enough: it must be achieved, partly through how energy is produced and confirms that solar is one of the key elements of the future energy mix. In October 2021, the Government published the Net Zero Strategy: Build Back Greener which seeks the accelerated deployment of low-cost renewable generation such as solar.
- 4.6.9 The development has a capacity of 25Mw, which would generate a significant amount of electricity from a clean, renewable source. This would provide for a reduction of about 10,000 metric tonnes of carbon dioxide emissions and meet the energy needs of around 7,000-8,000 homes, which is comparable to more than half of the number of new homes planned in the current Local Plan or about 13% of existing homes within North Hertfordshire at the start of the emerging Local Plan period. In addition, Government data shows that the proposed scheme would more than double the installed renewable capacity in the District.

- 4.6.10 Further to this, the applicant makes the case that the National Grid Wymondley Substation requires additional generation inputs to allow it to manage flows due to the high demand in the area.
- 4.6.11 It is considered therefore that the proposed development would make a very substantial contribution to renewable energy generation in the District. This is a benefit to which it is considered very substantial weight should be attributed.

Urgent Local Need

- 4.6.12 The applicant sets out the case that there is urgent need for the development in this location.
- 4.6.13 The Council declared a Climate Emergency on 21st May 2019, and this is followed up with the publication of a Climate Change Strategy 2022-2027. As part of the Climate Change Strategy, the Council set the ambitious objective of achieving net zero across the district by 2040, which goes beyond Government targets, where net zero is targeted nationally by 2050. Currently the Council has no detailed strategy to measure or understand the deliver and progress towards its 2040 net zero target.
- 4.6.14 Government data for electricity use within North Hertfordshire shows that in 2020 the district used a total of 482 GWh of electricity, and that in the same year only 53.3 GWh of electricity was generated in North Hertfordshire from renewable sources, which is just 11.1%. The National Grid indicates that nationally about 43% of our power comes from renewable sources. The district's deficit in renewable electricity generation as of 2020 was 428.7 GWh.
- 4.6.15 At the time of writing this report, the Council has four applications for solar farms totalling 175MW. Of these, two have been considered by Members at Great Wymondley and Bygrave although neither have been consented (see paragraphs 4.5.38 & 39 of this report for more details). During the Public Inquiry recently held by the Secretary of State in September in relation to the Great Wymondley proposal, the applicant of that scheme confirmed that since 2019 no other grid connection agreements have been secured within the district, other than for the four current submitted schemes. It is understood that although other substations across the district and adjacent to the district boundary have potential capacity to accept additional electricity generation, the absence of any grid connection agreements indicates there are technical constraints that prevent a scheme from being viable currently. In the circumstances, it seems that in the short to medium term, there are unlikely to be further applications for large scale solar farms within the district.
- 4.6.16 The applicant considers that the proposal will deliver a significant renewable energy contribution and help meet the Councils ambitious objective of achieving net zero by 2040. Moreover, the demand for electricity is predicted to increase as the decarbonisation of the electricity network evolves and this is likely to significantly increase the current deficit and is likely to continue to grow through the period to 2040.

- 4.6.17 Currently no energy is generated in the district from onshore wind, hydro, sewage gas, municipal solid waste, animal or plant biomass or cofiring. The anaerobic digester at Bygrave Lodge has an installed capacity of approximately 2.7MW. The only renewable energy source other than solar that could be scaled up significantly to meet the electricity need in North Hertfordshire is onshore wind, which would not be without its own landscape and visual impacts. Also, the likelihood of any applications for on shore wind farm development being made are unlikely given the current national policy position which makes it difficult to obtain permission (paragraph 158 of the NPPF and associated footnote 54 refer). It is understood that only 16 new turbines were granted planning permission in England between 2016 and 2020 — a 96 per cent drop on the previous five years.
- 4.6.18 The Applicant states that the Proposed Development, almost double the existing renewable energy generation capacity in North Hertfordshire and make a significant contribution to the Council's objective to be net zero within the district by 2040.
- 4.6.19 It is considered that there is an identified and urgent need to increased renewable energy generation in North Hertfordshire.

Energy Security

- 4.6.20 The Applicant asserts that the current cost of living crisis is being primarily driven by increases in the wholesale prices of gas and other fossil fuels imported into the UK. The effect of this is the number of households living in fuel poverty has increased dramatically. Estimates released by the Child Poverty Action Group suggest almost 40% of households in the UK were living in fuel poverty by May 2022. Solar farms, such as the one proposed, are therefore not only a clean alternative to fossil fuels, but also decrease the country's dependency on imported energy, helping to deliver stable energy prices that are independent of international fossil fuel markets.

Need for Green Belt Location

- 4.6.21 The applicant states that it is an essential requirement for solar farms to be proximate to an existing substation which has the available capacity to import the required amount of power into the National Grid. In addition, schemes must be located close to the identified substation to remain viable both in terms of cable deployment for the grid connection, and to ensure that minimum transmission losses occur. The applicant considers that for a typical site, the maximum grid connection length before a scheme is no longer viable is approximately 4km from the substation, with costs increasing as distance from the substation increases within this 4km. In this case, the applicant confirms that the grid connection route for the proposed development follows the local road network and is about 0.8 km away from the substation.
- 4.6.22 In addition to grid connection, solar curtailment is a factor that affects location. Solar curtailment is the deliberate reduction in output below what could have been

produced in order to balance energy supply and demand, which results in the loss of potentially useful energy. Curtailment can be addressed by building new power lines or, in this case, providing battery storage.

- 4.6.23 The applicant has presented a map illustrating that there are two geographic areas within North Hertfordshire where there is capacity within the grid to accommodate a solar farm without significant solar curtailment. These are to the east and west of North Hertfordshire. Large portions of the west of the district – surrounding Hitchin, Letchworth and Baldock - are covered by Green Belt with parts also within the Chilterns AONB. Whilst there is no Green Belt or AONB within the eastern part of the district, there is high quality landscape.
- 4.6.24 The applicant's map also identifies a need to distribute solar farms in those areas where there is less solar curtailment for the efficient delivery of electricity and that if North Hertfordshire is to reach net zero both the east and west of the District will need to contribute towards providing clean renewable energy to the Grid and that small to mid-scale sites distributed across North Hertfordshire will need to come forward to deliver this, including several Green Belt locations.
- 4.6.25 The applicant confirms that a grid connection offer from National Grid has been secured for a 25MW solar farm to the Wymondley substation. The applicant asserts that the availability of this grid connection and the immediate delivery of the proposed development in the context that North Hertfordshire has not consented a commercial renewable energy generation scheme since 2015, should be given substantial weight in the planning balance.
- 4.6.26 Officers acknowledge that the foregoing sets out a detailed and reasonable explanation as to why a solar farm is proposed in this Green Belt location.

Conclusion on renewable energy benefits

- 4.6.27 Officers have considered and assessed the evidence and case presented by the applicant and agree that there is a clear and urgent need to substantially increase renewable energy generation in North Hertfordshire if there is to be any prospect of achieving Net Zero carbon emissions by 2030.
- 4.6.28 It is considered that the benefit arising from the generation of renewable energy by the proposed development, meeting the electricity needs of between 7,000 - 8,000 homes, is substantial and that this is a planning benefit to which substantial weight can be attributed.

Wider Environmental Benefits

- 4.6.29 The applicant identifies the following proposed environmental enhancements:
- Grassland within the perimeter/stock fencing suitable for sheep grazing, with a sward comprising a broad selection of grasses, herbs and clover that are

productive for livestock, and which provide pollen and nectar for biodiversity benefit;

- Species-rich grassland between field boundaries and perimeter/stock fencing to contribute to enhancing hedgerow buffer zones for improved ecological connectivity;
- Native-species woodland planting approximately 10m wide along the northern and north-western boundaries of the northern part of the Site, to provide visual screening, landscape integration, and improved ecological connectivity;
- New native-species hedgerows alongside roads and historic field boundaries for visual screening and ecological connectivity, and for the purpose of landscape integration by restoring boundaries that have likely been lost through historic widening; and
- Gapping up of existing hedgerows around and within the Site which are generally in a poor and declining condition, with fragmentation reducing their function as ecological corridors and potential for visual screening.

4.6.30 The applicant considers that the enhancement would provide significant biodiversity gain of approximately 130% biodiversity net gain based on area-based habitats, and an approximate 155% net gain based on linear habitats such as hedgerows, compared to the existing land use well in excess of the emerging national target of 10% and would also take the land out of intensive arable agricultural use and provide a net carbon benefit.

4.6.31 The applicant concludes that there are 'very special circumstances' which when considered cumulatively, are judged to clearly outweigh any harm to the Green Belt and that case law confirms that some factors that are quite ordinary in themselves can cumulatively become 'very special circumstances'.

Economic benefits

4.6.32 There is a strong case for the economic benefits of the scheme, both in terms of the Government's aims in the NPPF to build a strong and competitive economy, but also in terms of the number of employees at the site during construction, operation, and decommissioning phases.

4.6.33 There would be clear economic and energy security benefits arising from a facility that can meet the electricity needs of around 7,000 – 8,000 homes and reduce the use of fossil fuels in the production of electricity. The local economy will benefit as a result of the increased business rates and the employment opportunities which will arise from both the construction and operation of the site. Local businesses will benefit during the construction phase. Providing a stable income for a local farmer helping to mitigate costs and impacts.

4.6.34 In the circumstances it is considered that there would be economic benefits to which significant weight can be attributed in the planning balance.

Biodiversity

4.6.35 The submitted Ecological Assessment confirms that biodiversity net gain (BNG) will be achieved, and the submitted Biodiversity Metric shows the extent of BNG.

Herts CC Ecology are satisfied that this improvement can be delivered. Officers consider that there would be BNG in compliance with LP Policy NE4, and more than the 10% net gain that will be required in the future by the Environment Act 2021. The delivery of BNG can be controlled by condition.

4.7 Planning Balance

4.7.1 It is acknowledged that there is both considerable public opposition and support for the proposal. Whilst the volume of opposition and support is a matter for consideration, of greater importance is the validity of the issues raised by public responses. These issues have been considered in the foregoing sections of this report.

4.7.2 As identified, there are matters that weigh in favour and against the proposed development. The table below identifies the benefits and harms of the development and the weight attributed to these. This is a visual aid and should be considered along with the detailed assessment in the report.

Table 2 – Benefits and harms

Issue	Effect	Weight
<i>Green Belt Openness</i>	<i>Harm</i>	<i>Significant</i>
<i>Green Belt Purposes</i>	<i>Harm</i>	<i>Moderate</i>
Overall effect on the Green Belt	Harm	Substantial
Landscape and visual impact (duration)	Harm	Significant
Heritage	Harm (moderate-high level of less than substantial)	Great
Loss of BMV agricultural land	Harm	Limited
Renewable Energy Generation	Benefit	Substantial
Urgent Local Need	Benefit	Substantial
Economic impact	Benefit	Significant
Biodiversity	Benefit*	Moderate
Landscape and visual (post decommissioning)	Benefit*	Moderate
Flood Risk/Drainage	Benefit*	Limited
Noise/residential amenity	Neutral*	None
Highway impacts	Neutral*	None
Archaeology	Neutral*	None
Noise	Neutral*	None
Fire Risk	Neutral*	None
Soil contamination	Neutral*	None

* the weight attached would be subject to conditions in the event that permission is granted.

- 4.7.3 There is a circular argument for and against the proposal. The greater the renewable energy generation the greater the weight given to this as a material consideration, but with that comes the greater spatial and visual impacts. Notwithstanding the large scale of the proposal, the landscape impacts are relatively localised due to topography and existing landscaping, whereas the renewable energy generation would be substantial compared to existing renewable energy generation in North Hertfordshire.
- 4.7.4 The proposed scheme is inappropriate development in the Green Belt; it does not meet the exceptions set out in paragraphs 149 or 150 of the NPPF. Paragraph 148 confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 4.7.5 Before addressing the overall planning balance in line with NPPF paragraph 148, the heritage balance shall first be considered, which also falls within the planning balance of any other harm.
- 4.7.6 The heritage balance set out in NPPF paragraph 202 confirms that it is necessary to weigh the high, less than substantial harm to the significance of the designated heritage assets, against the public benefits of the proposed development. It is considered that all the identified benefits above are public benefits. The development would generate a significant amount of renewable energy, which has been attributed very substantial weight as a planning benefit, given the statutory requirement to achieve zero carbon emissions, the environmental, economic, and social imperative to address global warming, the policy support for renewable energy, the declaration of a climate change emergency by this Council in 2019 and the limited renewable energy production in North Hertfordshire. As indicated earlier in the report there are currently two operational small solar farms and no wind farms within the District. Also, currently there are no consented unbuilt schemes for renewable energy projects within the District.
- 4.7.7 There are other public benefits including those relating to the economy and biodiversity. Nevertheless, great weight should be given to the conservation of designated heritage assets as required by the NPPF. However, it is considered that greater weight should be attributed to the clear public benefits in this instance and so there is clear and convincing justification for the less than substantial harm to the designated heritage assets. Therefore, it is considered that the proposed development would cause less than substantial harm to the significance of the heritage assets towards the upper end of the spectrum of such harm, to which great weight must be attributed. However, there are also substantial public benefits that would arise from the proposed development which, whilst finely balanced, are considered to outweigh the harm. Therefore, it is considered that the proposal

would accord with LP Policies SP13 and HE1 and Wymondley NP Policy NHE9. Nevertheless, the heritage harm identified forms part of the other harms identified when considering the proposal against relevant Green Belt policy.

- 4.7.8 In line with Paragraph 148 of the NPPF, it is necessary to consider the overall planning balance. Climate change due to global warming and the imperative to reduce carbon emissions is addressed by planning policies. The generation of renewable energy forms an important part of the equation in achieving net zero carbon in the UK by 2050 and within North Hertfordshire by 2040. Other matters have arisen recently including concerns relating to energy security and significant rises in the price of gas and electricity.
- 4.7.9 It is accepted that harm to the Green Belt would not be permanent, which is material given that the fundamental aspect of the Green Belt is not only its openness but also its permanence. However, the development would cause harm to the Green Belt due to its inappropriateness, loss of openness and conflict with a Green Belt purpose.
- 4.7.10 The NPPF requires substantial weight to be given to any harm to the Green Belt. The development would also result in significant visual and landscape harm for a 40-year period which is a considerable length of time. Other considerations include those that have been afforded weight as summarised at Table 2 above.
- 4.7.11 Whilst the overall benefits identified are considerable, they are finely balanced against the harms identified. The NPPF requires for very special circumstances to exist, and therefore for planning permission to be granted for inappropriate development within the Green Belt any benefits must clearly outweigh the harms that would arise from that development. Taken together, the issues are very finely balanced. Consequently, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development in the Green Belt as required by NPPF paragraphs 147 and 148, Wymondley NP Policy GB1 and LP Policy GB5.

Overall conclusion

- 4.8 The purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.9 The benefits and impacts or harm that would result from the proposal have been carefully and objectively considered. Different elements have been given a degree of weight and a planning balance applied. This involves applying planning judgement. Whilst it is recommended that planning permission be refused, it is considered that the issues are finely balanced. However, for very special circumstances to exist, the harm to the Green Belt by reason of inappropriateness and any other harm must be clearly outweighed by the benefits. There are substantial benefits that would arise from the generation of renewable energy, and these have been fully considered. However, it is considered that on-balance these do not clearly outweigh the identified harm. The location of the site within the Green Belt does not preclude solar farms. Paragraph 151 is clear insofar as if developers

demonstrate very special circumstances, then renewable energy projects may proceed within the Green Belt. There are also no planning policies that preclude such developments on best and most versatile agricultural land. Therefore, it is possible that a different renewable energy project in this location that reduced the impact upon the character and appearance of the area, heritage assets, and openness of the Green Belt could achieve the high hurdle of very special circumstances.

- 4.10 Proposals of this nature and scale will inevitably result in tension between policies meaning that it is difficult to reconcile all expectations and requirements. Upon consideration of the social, economic, and environmental objectives of the planning system it is considered that the proposed development conflicts with Green Belt and landscape policy and very special circumstances have not been demonstrated. Overall, the proposal conflicts with the development plan as a whole and there are no material considerations that indicate that a decision should be made other than in accordance with the development plan. Consequently, it is recommended that planning permission be refused.

5.0 Climate Change Mitigation Measures

- 5.1 Climate change has been addressed throughout this report and is a matter at the heart of this application in terms of the significant contribution the proposed development would make to renewable energy generation and the goal of achieving net zero carbon within the District by 2040 and within the UK by 2050.

6.0 Legal Implications

- 6.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or where restrictive conditions are attached, the applicant has a right of appeal against the decision.

7.0 Recommendation

That planning permission is resolved to be **REFUSED** for the following reasons:

1. The application site is located within an area designated as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. In the opinion of the Local Planning Authority this planning application proposes inappropriate development in the Green Belt which would harm the Green Belt by reason of inappropriateness and cause harm to the purposes of the Green Belt as defined in paragraph 147 of the National Planning Policy Framework (NPPF). Taken together, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development

in the Green Belt as required by NPPF paragraphs 148 and 151, Wymondley NP Policy GB1 and Local Plan Policy GB5.

2. The proposal would result in unacceptable harm to the character and appearance of the surrounding area in which the site is located. Whilst measures are proposed to mitigate the impact of the proposed development, and the proposal would not be permanent, there would nevertheless be long term harm to rural character and appearance of the area, including the visual amenities of users of the local public footpaths. The proposal would therefore conflict with Local Plan Policies NE2 and NE12 which seek to avoid unacceptable harm to landscape character and appearance.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal, but fundamental objections could not be overcome. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.