

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

26th January 2023

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| Application No: | SMD/2022/0160 | |
| Location | Upper Newton Farm Draycott Road Upper Tean Staffordshire ST10 4JN | |
| Proposal | Installation of solar farm with battery storage facility and associated works. | |
| Applicant | Novus Renewable Services Ltd | |
| Agent | Corylus Planning & Environmental Ltd | |
| Parish/ward | Draycott | Date registered |
| If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk | | |

REFERRAL

This is a major application and locally contentious

1. SUMMARY OF RECOMMENDATION

Approve with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 This site extends to approximately 42 hectares. It consists of a series of pasture and arable fields bounded by hedges within which are many mature trees. The ground generally slopes from the north east to south west. It includes several ponds and a small water course which emerges from a culvert under the A50 and flows through the site eventually connecting with the River Blythe.

2.3 The application site wraps around the existing Lower Newton solar farm which lies to the south. To the north/north east it is bound by the A50 and to all other sides by agricultural fields, occasional farms (Newton House Farm to the west; Blythe House Farm to the east) and access roads. On three of its four sides there are public footpaths as follows:-

- Checkley FP5 set to the east side (albeit on a different alignment on Site)
- Checkley FP7 set to the long south side which then morphs into Draycott in the Moors FP 14
- Draycott in the Moors FP 15 set to the west which follows the access track to Upper Newton Farm and would act as the construction access to the PV park.

2.4 Blythe House farmhouse, a Grade II Listed building lies to the south east of the site and an overhead 132 KV electricity line crosses the site in the south

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full application which seeks consent for a solar farm and battery storage. The solar panels would have an export capacity of approx. 27.7MWp and the battery store an import/export of 30MWp.

3.2 The solar panels are dark in colour and tilted by 20-25 degrees to absorb as much light as possible. They have a maximum height of 3.1m above ground and positioned to face south.

3.3 In addition to the solar panels the proposal includes a relatively small battery storage area. It is sited close to the northern boundary. The battery modules will be stored within container type structures with an internal monitoring and fire suppression system. These sit on concrete plinths. Palisade fencing (approx. 3m in height) is proposed around the battery storage area with planting bunding enclosing the whole compound.

3.4 Adjacent to the battery storage area is the customer and DNO compound/substation which is the main point of connection between the solar farm and the National Grid. Electricity from the solar farm will be exported to the Grid via a connection to the existing overhead electricity line. The substation includes a 'switch' mechanism to shut the Solar Installation off from the network in the event of a fault (much like a household fuse box). The substation compound will house the switch room, transformers, capacitor banks, relay rooms and storage area, within palisade security fencing. Buildings/equipment in this area include:-

- DNO substation - 6.9m by 5.6m by 4.5m
- Customer substation – 6.51m by 7.49m by 4.5m
- DNO plant/electrical infrastructure – maximum height shown at 6.3m

3.5 Within the areas occupied by the panels there are 7 sets of transformers. The submitted plan BF-315-17-8 Rev A details their appearance and layout. It shows a power protection building (6m by 3.5m by 3m adjacent to the transformer. These areas will not be enclosed by fencing although the plans show a soil strip bund (height unknown). The equipment will sit on concrete bases with the surrounding area covered in gravel or a similar permeable material. There are also 3 shipping/storage containers which will be used for the storage of spare components and equipment required for the on-going management and maintenance of the site when it is operational. The container stores are 6.1m by 2.4m by 2.6m in height and shown to be green in colour. These would sit on a small gravel area, again unenclosed.

3.6 The application documents state that the construction period for the proposed development is expected to take 16 weeks. The main construction access is proposed via the existing access track that leads to Upper Newton Farm. Once operational, the solar farm will require 1-2 visits per month for maintenance. It is envisaged that such trips will be made by cars or small/medium sized vans.

3.7 The installation will be fenced to a maximum height of 2 metres with deer fencing, including openings to allow wildlife travel into and across the site. The site will be monitored by CCTV mounted on poles. No external lighting is proposed

3.8 The operational period of the solar farm will be 40 years from the first export of electricity. At the end of this period, the site will be decommissioned. All structures and hard surfacing will be removed, and the land will be restored to agricultural use.

Request for 5 year implementation

3.9 The applicant has requested a five-year implementation period if permission is granted. He explains that the grid connection date, which is set out by the Distribution Network Operator (DNO) is September 2027. He says that on grant of planning permission work will commence on pre-commencement planning conditions straight away and orders will be placed for the equipment. The project would have a build programme of around 16 weeks and he says it is likely that construction would therefore commence and the planning permission implemented around May 2027. As he says, this timeframe puts him slightly beyond the standard three-year implementation period hence the request. He explains that the certainty of a planning permission is needed to order the equipment and to be in a position to deliver the site sooner if the DNO is able to agree an earlier connection date.

3.10 *Officer comment:-* LPA's have discretion to apply longer periods for the duration of planning permissions (Section 91 of the Act) having regard to the provisions of the development plan and to any other material considerations. In this case and having regard to the connection date of 2027, a slightly longer period of 5 years rather than the usual 3 years is considered acceptable and in line with the Development plan

4. RELEVANT PLANNING HISTORY

Other nearby schemes

SMD/2022/0343 – Totmonslow Farm - Development of a solar farm with ancillary infrastructure, security fence, access, landscaping and continued agriculture, to generate power to feed into the local distribution network. Pending consideration

SMD/2014/0197 at Lower Newton Farm – erection of a solar photovoltaic (PV) array (11.5MW) and ancillary development, 23 ha scheme. Approved and implemented

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SS10 Rural area strategy
- SD1 Sustainable Use of Resources
- SD2 Renewable/low carbon energy
- SD3 Carbon-saving Measures in Development
- SD3 Carbon-saving Measures in Development
- SD4 Pollution
- SD 5 Flood risk
- DC1 Design Considerations
- DC 2 Heritage
- DC3 Landscape and Settlement setting
- NE1 Biodiversity and Geological Resources
- NE 2 Trees, Hedges and woodland
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: Expired

Site Notice expiry date: Expired

Local residents have been notified by letter.

3 Letters of **objection** received raising the following main issues:-

- This development on prime Green Belt agricultural land would be a huge environmental disaster for the area, it will be seen from miles around and is a worrying recent trend by developers to return to existing solar panel sites and push for increased development.
- As a neighbouring property (Horseshoe barn, Highfields farm) there has not been a visual impact completed for us. I would have expected this to have been completed, as we can see the area from our garden
- The noise assessment was completed from a Thursday to Sunday, and it was positioned in an area that was secluded by trees, I do not feel this is a true reflection of the noise impact
- There does not seem to be a full disruption assessment; therefore, we are unsure of how long the installation will take and the noise impact on us during this time
- This solar farm will set a precedent for future expansion, and we do not wish to be land-locked by these. Having sought both property/conveyancing and legal advice and we appreciate that there is no current case law that suggests that solar farms devalue properties, due to the recent nature of these developments (unlike wind farms). However, this is a huge concern for us, if future planning applications are submitted to extend the solar farms to the land directly surrounding our property.
- I do not object to renewable energy or securing the future financial security of the landowners. However, the long-term impact on both our property value and future selling ability is a concern we hope will be considered.

Three letters of **support** raising the following issues:-

- The developers, Novus Renewable Services are the same developers for Lower Newton. Novus arranged with Draycott in the Moors Parish council a community benefit fund. Each year, money is provided to the Parish Council from Lower Newton Solar Farm and will continue to do so whilst it is in production. The new development will also provide an annual contribution to Draycott in the Moors Parish Council and Checkley Parish Council as the project spans into both council areas. The reason for sharing this is because Gaming Potion has received money from Draycott in the Moors Parish Council which was originally from Lower Newton Solar Farm's annual contribution. This contribution allowed Gaming Potion to rent local village halls and purchase new board games which are beneficial to the young people at the club. If Blythe House Farm goes ahead, both Parish Councils will receive a consistent boost of funding which is guaranteed for the duration of the project life, currently expected to be 40 years. Not only could this allow Gaming Potion to get additional funding to help run the club for the young people in the local area but also provides additional finances for other societies and opportunities in the local area. The young people who live in the village and surrounding areas will not only benefit from the funds that this solar generates but also from the more sustainable future that the solar PVPs will help to provide. Next to the location, there is already an array, and so adding to it will not make much difference to the community in the area and the panels cannot be seen from the Tean village... thus it only has a visual impact when you walk near to the panels. As long as all the conservation and rewilding efforts are in place and

enhanced then it should have further benefits to wildlife, ground nesting birds, and the local ecology. On behalf of the young people of Tean, these panels cause no bother and are crucial to a low carbon future. This is a win win scenario for the farmers, young people and the local village.

- My reasons for support are based on the thoroughness of the application, which clearly sets out both the development and the impact on us as neighbours (Highfield Farm). More importantly, the proactive, responsible and engaging approach that the team at Novus has taken, to provide both education and explanation of the planning, building and management approach that will be taken to Blythe House Solar Farm. This has meant that any of my concerns and questions were answered in a clear and comprehensive manner.

Moorlands Climate Action – support because:-

- SMDC declaration of a Climate Emergency in June 2019, and its promise to get the district to Net Zero by 2030.
- The explicit commitment to promote the use of renewable energy contained on page 22 of Part 2 Climate of the Action Plan.
- The statement on Page 21 of the Part 2 of that document: The amount of renewable energy available in the district will increase to 110 MW by 2025 and 318 MW by 2030.
- SMDCs commitment to action on climate change is already woven through the Local Plan. This is expressed in general, but unmistakable terms on Page 28. Planning has a key role to play in mitigating the causes and effects of climate change through the location and nature of development and by helping to shape places which have lower carbon emissions and are resilient to climate change. The District should aim to contribute to the wider Government objective of achieving a low carbon future.
- This is translated into explicit support for renewable energy within the Local Plan. This, together with any potential for conflict with other Local Plan imperatives, is fleshed out in Policy SD2 (Renewables/Low Carbon Energy), which states: “The Council will strive to meet part of the District's future energy demand through renewable or low-carbon energy sources (which could be through a variety of technologies, for example solar energy, biomass etc)” Wind energy is treated under a separate, more restrictive planning formula but in the words of the Local Plan: “For all other forms of renewable energy [other than wind] the Council will support small- and large-scale stand-alone renewable or low-carbon energy schemes, subject to the following conditions
- With regard to those conditions (set out in Policy SD2) MCA asks SMDC to note:
 - a. The environmental, social, and economic benefits of a scheme for renewable energy in the district are clear and are in line with national policy as expressed in the National Policy Planning Framework (NPPF), multiple relevant Acts as well as consequent SMDC policy, as expressed (inter alia) in the Local Plan.
 - b. The proposed site is well designed and screened.
 - c. The site is Grade 4 agricultural land, defined as poor thus according with the stated preference for use of poorer quality land for sustainable energy development set out under Policies SD2 and SD1 (Sustainable Use of Resources.)
 - d. Policy SD2 states a preference for brownfield sites for solar development where possible. We note that brownfield sites with sufficient footprint, unobstructed south-facing aspect and unallocated for housing are likely to be very rare in Staffordshire Moorlands, particularly when associated with ready offtake to the National Grid. Other superficially attractive locations, such as Conrad Energy at Chatterley Whitfield, lie in Stoke-on-Trent Unitary

Authority and cannot therefore be regarded as options for the purpose of this decision. Nor would they contribute to SMDCs explicitly expressed desire in the Local Plan to foster in-district renewable energy.

- e. Brownfield sites are anyway typically worth far more if developed as housing and have often been allocated for this purpose already. This will rule out market availability of many (if not any) potential brownfield sites for solar energy. [We suggest that, subsequent to this decision, SMDC's planning department and the communities and climate officer together draw up a roster of unallocated brownfield sites in the district that have potential for renewable energy generation. This cannot be a difficult task as the planning department should already maintain a brownfield register under The Town and Country Planning (Brownfield Land Register) Regulations 2017
- f. The application has the benefit of a guaranteed offer of connection to the National Grid. These are not easy to come by and that offer should weigh heavily in satisfying the location feasibility condition for renewable energy set out in the penultimate point of SD2.
- g. The site has no particular landscape, habitat, or species designation. It is not in the Green Belt, or near any Area of Outstanding Natural Beauty nor National Park. Nor is it near any statutory Historic Monument.
- h. The project has a defined life cycle and can be returned to other uses once finished.
- i. The application has a biodiversity net gain of 69% (applicants own figures based on Defra Metrics)
- j. SMDC's commitment to promoting renewable energy is clear. We argue that this specific application fulfils all the specific requirements set out in the Local Plan. To spurn a well thought-out and well-located proposal which would provide 7,000 homes in the Moorlands with low carbon electricity and save 5,600 tonnes of CO2 per annum seems inconceivable.

Checkley Parish Council

The Parish Council does not object to this solar farm proposal The applicant has undertaken extensive consultation and there have been opportunities for council members to ask questions and seek clarification on detail of the solar farm project.

One issue on which assurance has been offered is the integrity and safety of our footpaths in the development area and adjacent to the development. The council is assured that these will have appropriate fencing either side where necessary and ample directional signage. The establishment of a new wildlife/pond area is welcomed – seating in this area would be appreciated by our local community.

The Parish Council supports considered and scale appropriate green energy projects within the parish of Checkley. However, the Council is wary of potential over exploitation of the parish's green fields. The Council is aware of several other solar farm proposals in a very concentrated area within the south of the parish close to the Upper Newton Farm running west to east on either side of the A50. The Parish Council would welcome a change in policy from consideration of solar farm applications in isolation and without reference to similar nearby projects, to one where conjunction is a significant consideration. The Parish Council feel that this would lead to decisions where the scope and scale of green projects in an area is appropriate and not overwhelming.

Conservation Officer

No objection

Environmental Health Officer

No objection subject to conditions

Landscape Consultant

Approve subject to conditions to secure landscape mitigation measures and treatment of near footpath

Local Highway Authority

No objection subject to conditions

County Archaeologist

No objection subject to condition to secure a written scheme of archaeological investigation

Environment Agency

No comments

Local Lead Flood Authority

No objection subject to conditions

Staffordshire Wildlife Trust

No objection subject to conditions

Staffordshire County Council – Minerals

No objection

Our records confirm that the south-western edge of the site falls within the Mineral Safeguarding Areas (MSA) for Superficial Sand and Gravel, as defined in the Minerals Local Plan for Staffordshire (2015 – 2030). In this case, however, the Planning Statement makes it clear that the nature of the development is temporary. The solar panels, battery storage installation, and all associated structures would be removed after a planned lifetime of 40 years, and the site returned to agriculture.

On this basis it is reasonable to conclude that the proposed development would not lead to the permanent sterilisation of significant mineral resources.

Staffordshire County Council – Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows several public rights of way both crossing and adjacent to the location in question. From the information available they would appear to be unaffected by the proposals. The rights of way as defined in the Design and Access statement and in the letter accompanying the application are correctly described.

Public rights of way Draycott in the Moors 14 (part) and 15 run along the access to the application site and occupy the full width of the tracks between boundaries. These tracks are to be used as access routes for the construction traffic and so as the route is a public highway (footpath), these rights take precedence and drivers of vehicles **must** give way to pedestrians. This is especially important with respect to construction traffic. We recommend that signs are erected to warn both pedestrians and the drivers of each other's presence and appropriate measures put in place to allow for the safe passing of vehicles and pedestrians.

It is imperative that users of all the paths are able to exercise their public rights safely and at all times and that the tracks are reinstated if any damage to the surface occurs as a result of the proposed development.

The granting of planning permission does not constitute authority for any interference with any of the public rights of way and associated items - or their obstruction (temporary or permanent). The term obstruction, in this context, also applies to items such as gates or stiles which are regarded as "licenced" obstructions which must be sanctioned by the highways authority.

Severn Trent Water

No objection subject to drainage condition

7. OFFICER COMMENT AND PLANNING BALANCE

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

Principle

7.2 This site lies within the open countryside outside of any settlement boundary. It is a greenfield site

7.3 Policy SS10 sets out the strategy for the rural areas of the District such as this and says that these areas will only provide for development which has an essential need to be located in the countryside, supports rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. It then sets out the way in which this will be achieved. Of relevance to this application is bullet point 3 which refers to enhancing and conserving the quality of the countryside. There is particular reference to renewable energy schemes within this bullet point indicating that such schemes are anticipated in the rural areas. It says that these must be of an appropriate scale, type and location in order to enhance and conserve the quality of the countryside. There is also more general reference to protecting the character and quality of the area and respecting and responding sensitively to the distinctive qualities of the landscape and also to protecting and enhancing biodiversity, geological resources and heritage of the District.

7.4 Policy SD2 provides positive support for large scale renewable energy schemes such as this, subject to a number of criteria being satisfied. Of particular relevant to this application:-

a)the degree to which the scale and nature of a proposal impacts on the landscape, particularly having regard to relevant Landscape Character evidence taking into account both individual and cumulative effects of similar proposals;

b)the degree to which the developer has demonstrated any environmental/economic/social benefits of a scheme, as well as how any environmental or social impacts have been minimised (e.g. visual, noise or smell);

c)the impact on designated sites of European (or successor), national and local biodiversity and geological importance in accordance with policy NE 1;

d)the impact on the amenity of residents and other interests of acknowledged importance, including the historic environment;

e)the degree to which individual proposals reflect current local evidence regarding the feasibility of different types of renewable or low-carbon energy at different locations across the District;

f)in the case of solar energy proposals that are not affixed to buildings or structures, applicants will be expected to demonstrate that they have examined whether previously

developed land is available before greenfield land. Where agricultural land is proposed, poorer quality land should be utilised before higher quality agricultural land.

7.5 There is strong national support for renewable energy schemes contained in the NPPF but also in a wealth of other national guidance and policy documents such as the National Policy Statement (NPS) for Energy, NPS for Renewable Energy Infrastructure, the UK Government Solar Strategy (2014) and the Written Ministerial Statement on Solar Energy: protecting the local and global environment (2015). Without exception these all recognise the importance of renewable energy including solar energy and the contribution of battery storage in addressing the impacts of climate change

7.6 The NPPF dedicates a whole chapter to addressing climate change at Chapter 14. Para 152 says the planning system should support the transition to a low carbon future in a changing climate. It goes on to say that it should help to shape places in ways that contribute to radical reductions in greenhouse emissions and support renewable and low carbon energy and associated infrastructure. Paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should:

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

7.7 Having regard to the above policy assessment the proposal is considered to be acceptable in principle provided the impacts (in this case traffic, landscape and visual, heritage, biodiversity, loss of agricultural land, noise and amenity) either are or can be made acceptable. These matters are considered under the various subheadings below and conclusions drawn in the planning balance

Access

7.8 The main traffic impact from the proposal will be during the construction phase. The application includes a Construction Traffic Management Plan (CTMP) which provides a framework for the management of construction vehicle activity at the site in order to minimise the potential impact on the local highway network. It confirms that the majority of construction traffic will use the existing access to Newton House Farm off Draycott Road. This was the route used by the Lower Newton solar scheme. The Highway Authority advise that this access road was resurfaced and widened as part of the Lower Newton consent (SMD/2014/0197). It has visibility splays in excess of 2.4 x 70 m in either direction and swept path analysis demonstrates that this access can accommodate the vehicles involved with the exception of the 16.65m mobile crane and 16.5m articulated low loader required during installation of the batteries which would use the existing access off Cresswell Old Road. There are no recorded personal injury collisions on the C109 Draycott Road within 120m of the access in the last five years. All construction traffic would arrive via the A50 and A521 Uttoxeter Road which becomes Draycott Road.

7.9 The CTMP sets out at Section 6 details of mitigation measures to be employed to minimise the impact resulting from construction activities. It confirms for example that the site access will be marshalled by site staff/banksman so that construction vehicles are able to enter the site without delay. It also includes for a temporary construction compound is to be set up within the farmyard at Upper Newton Farm prior to construction

7.10 The Local Highway Authority (LHA) has considered the application and raises no objection subject to conditions requiring the development to be carried out in accordance with the submitted CTMP and a condition to control mud/debris deposit on the highway. With these in place there is compliance with relevant parts of Policy DC1 and the NPPF

Landscape and Visual Impact

7.11 The application site lies in the open countryside and comprises a collection of agricultural fields. It is not a nationally designated site and is not considered to be a 'valued landscape' in terms of the NPPF. Having said this, its hedgerow pattern is of value and its long term preservation as hedgerow is critical to sustaining landscape character in the area – see further discussion below.

7.12 In the Councils Landscape and Settlement Character Appraisal the site is located within the '*Settled Plateau Farmland Slopes*' Character Type. The key characteristics of this area are:

- *Gentle undulating landform with flat open valleys.*
- *Small scale ancient hedgerow field pattern.*
- *Low lying wet fields with ponds and well vegetated streams.*
- *Views limited by hedgerow pattern and dense tree cover.*
- *Predominantly low intensity pastoral farming.*
- *Urban fringe farming with horsey-culture.*
- *Incongruous A50 dual carriageway corridor and mainline railway*

7.13 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which assesses the potential effects of the proposed development on the landscape character and visual amenity of the site and the local area. It includes an assessment of 19 representative viewpoints and details of landscape mitigation and enhancement measures.

7.14 The main mitigation measures include scrub planting on bunding around the battery storage area, new native hedgerow along the eastern boundary of the site, to the south of the wildlife zone (where new oak tree planting is also shown) and in the central and eastern sections of the site, 'gapping-up' and enhancing existing hedgerows, creation of a dedicated wildlife zone and a wildflower buffer strip along the western boundary

7.15 The conclusion the LVIA reaches in terms of landscape character effects is that the proposal is predicted to have a 'major' impact at the immediate site level prior to establishment of the proposed mitigation planting. Within the wider landscape, the impact would be a 'moderate' adverse impact particularly when the cumulative impact with the existing Lower Newton solar farm is taken into consideration. Notwithstanding these potential impacts, however it says that the mitigation proposed including the extensive planting will serve to substantially reduce the visual impact of the development, and this will in turn reduce the overall landscape character impacts, both within the immediate vicinity of the site and within the wider area.

7.16 In terms of visual effects the LVIA says that most of the public rights of way within the site or immediately adjacent to the site boundaries are likely to be visually affected by the proposed development. There are also potential views from a small number of nearby residential properties, and some very limited views from a handful of farmsteads within the wider landscape to the south and south-west. However it says that the mitigation proposals (described above) are designed to visually screen the development from these identified receptors and to provide landscape and biodiversity enhancement. Without the planting mitigation in place (or prior to its establishment), the proposed development is predicted to have 'major' adverse visual impacts upon receptors on some sections of public footpaths

namely Checkley 5 and Checkley 7 and 'Drayton in the Moors 14. However, within a period of 8 to 10 years, the mitigation planting around the site is likely to have a beneficial effect by significantly reducing or eliminating the adverse impacts upon these receptors. In the wider landscape, it is anticipated that the development will have some 'moderate' adverse visual impacts upon the network of public rights of way, and some 'minor' impacts upon a small number of residential properties to the south and south-west. However, the proposed planting around the site will reduce visual impacts in the wider landscape over a period of time.

7.17 Stuart Ryder, Landscape Consultant, has reviewed the application on behalf of the Council. He raises no objection to the application subject to conditions to secure the landscape mitigation and enhancement proposals. He largely accepts the conclusions of the submitted LIVIA. He agrees that the landscape effect of turning this collection of fields into a solar farm will be 'Major'. As he says, the proposals are not in keeping with the wider pastoral landscape character of the Settled Plateau Farmland Slopes although he notes that the existing Lower Newton solar farm adjacent to the site does provide some immediate context for the proposals. It will however change the balance of landscape character in this part of the valley. He advises that the proposed mitigatory planting should ensure that on removal of the arrays the rural landscape will be returned to at least the same and arguably slightly improved character and the existing hedgerow network is retained. Finally on landscape character he notes that there are a series of ash trees exhibiting signs of ash die-back and their loss from the landscape, particularly where they have been planted as hedgerow standards would reduce the overall quality of the local landscape character. The Consultant advises a systematic replacement of them with other native trees of similar ultimate size and longevity, e.g. oak, hornbeam or lime would assist in the retaining overall landscape character. This is referred to on the Landscape/Ecological Mitigation plan and can be secured as part of the detailed Landscape condition.

7.18 In terms of visual effects, the conclusions of the LIVIA are also accepted. The proposal will be visible from a number of the surrounding public footpaths but the Council's consultant advises that mitigatory new planting, which includes new hedgerows where they are currently missing will assist in part screening the facility although as he says not its removal from sight. Views for users on the A50 are largely restricted by highway planting. However some views are available where there are gaps/thinning in planting and in these views the existing Lower Newton solar farm is visible in the distance. The additional arrays from this proposal will increase the overall extent of panels and make the enlarged site easier to spot. These views would though be fleeting and limited. The Council's Landscape consultant advises that additional screen planting with quick growing tree species set off the highway land could be included to reduce sight through these gaps from the A50 to the extended PV field. It would also reduce the opportunity to see the battery storage units. This can be secured in the detailed Landscape condition

7.19 There have been a number of amendments to the scheme which are considered to be positive. One relates to the view from Public footpath 5 at its higher northern end where it leaves the overbridge across the A50 and where an attractive, panoramic view of the Blythe valley opens up for path users walking south. Following negotiations the proposed arrays and/or boundary hedging in the north east field, which would block this attractive view have been removed from the proposal. This is a positive step. In addition two of the sets of transformers which were sited close to public footpaths have been repositioned away from these to reduce their visibility. This is also a positive step

7.20 in terms of cumulative impact, there are two matters to consider, the adjacent and existing Lower Newton solar farm and another proposal currently being considered by the Council on land to the north of the A50 under reference SMD/2022/0343. The Council's Landscape consultant notes as follows:-

- That there is generally a good screen of either highway planting or embankment cutting along this stretch of the A50 which restricts views to both the north and south;
- This screen is not, however, total so some sight of the PV arrays will be gained albeit not to both sides of the road at the same time;
- That westbound travellers on the A50 are more likely to see the application proposal in its current and potentially expanded state than eastbound travellers;
- That even though it is not certain that both schemes will be visible at the same time from the A50 the physical and temporal proximity of views will mark both sides of the road as having solar parks, this in turn will increase the sense of size for both facilities and perception of landscape character change.

7.21 In addition to the close range cumulative effects there may be longer views from the south side of the Blythe Valley. The Council's consultant advised that the ridge that runs from Spot Acre to Middleton Green is high enough to possibly allow views to both solar parks and the A50 would no longer be visible or act as a divide. However he says that the scale of the two parks in the view would be small and set within a wider panoramic scene. Cumulative visual effects are considered to be Minor, Adverse where they exist.

7.22 Policy DC3 says that the Council will protect and where possible enhance local landscape by amongst other matters, resisting development which would lead to a prominent intrusion into the countryside; support development which respects and enhances local landscape character; support opportunities to positively manage the landscape and use sustainable building techniques and materials sympathetic to the area and conserve or enhance biodiversity.

7.23 In conclusion, a large scale solar farm such as this will inevitably cause a degree of landscape harm. Introducing solar equipment into pastoral fields cannot be said to be conserving or enhancing local landscape character. However the proposal does work with the existing landscape structure. This series of fields bound by mature hedgerows and trees remain intact (and can be strengthened) and this will help to assimilate the proposal into the landscape. So too will the new hedgerow planting including that in the larger fields in the western part of the site where it will help to break up the development. The Councils consultant says that the mitigation works of hedgerow / tree planting and creation of the wildlife enhancement zone mean that on removal of the arrays after 40 years, the rural landscape will be returned to at least the same and arguably slightly improved character.

7.24 There would be intrusion arising from the proposal but it is not considered prominent with the view from the A50 the most notable source of visual intrusion and the Councils Landscape consultant advises that this can be partly if not totally screened as discussed above. The secondary source of intrusion is experienced from the nearby footpaths and again with mitigation the sense of intrusion can be reduced. It is already reduced to some extent by the existing array at Lower Newton. The proposals do not affect the setting of any settlement.

7.25 In conclusion therefore it is self-evident that a solar farm of this size will have some adverse landscape and visual effect. However the proposal works with the existing landscape structure and through the proposed mitigation any residual harm would be limited and localised. Ultimately this is a temporary and fully reversible project and after decommissioning there would arguable be some landscape improvement as noted above. For all of these reasons the limited landscape and visual harm would be mitigated by the proposed new and enhancement planting and provided this is secured through conditions the development will not conflict with Policy DC3 and the NPPF

Tree and tree protection

7.26 The application is accompanied by an Arboricultural Impact Assessment. It confirms that only one tree is to be removed as a result of the development. It is in an advanced stage of decline and no issue is raised. Reference is also made to a group of veteran willows, Group G3. It says these are largely in a state of collapse but with management to reduce their height could be retained to provide important habitats. This can be secured within the Landscape and Ecology Mitigation Management plan. The AIA concludes that providing the trees are protected in accordance with the recommendations set out in BS5837:2012 prior to any construction works, the application proposal can be implemented without any significant adverse impact on trees and hedgerows. With suitable conditions in place, there is no objection on tree protection grounds.

Residential amenity including consideration of noise

7.27 There are a number of residential properties nearby whose amenity is a material consideration in this application. These include the dwelling(s) at Upper Newton Farm, Highfield Farm and Blythe House farm. These noise sensitive receptors are identified and assessed in the applicants submitted Noise Impact Assessment (NIA).

7.28 In terms of noise, the NIA recognises that the development does include various items of plant which will generate noise. This includes string inverters at the end of the solar arrays, transformers, centralised inverters for the battery storage facility and cooling plant to each battery store. The NIA assesses the daytime and night time impacts of the development. It concludes that the predicted levels of noise (rating level) do not exceed background noise levels when assessed under BS4142:2014. The Environmental Health Officer has considered the NIA. He advises that the predicted noise levels satisfies the standard condition advised by the Environmental Health Department and on this basis raise no objection. However he does advise that in the event of a permission, the development should not be brought into full use until a full noise assessment is conducted to show compliance with the standard condition i.e. that background sound levels are not exceeded when the site is operational.

7.29 In terms of visual amenity, including issues of glint and glare, those properties at Upper Newton (Newton House, Upper Newton and Lower Newton) are closest to the proposal and will experience views of the solar farm to varying degrees. However the panels face south, away from these properties and no adverse amenity impact is anticipated. Owing to distance, topography, intervening landscaping and the A50 no adverse impact will be felt by the properties at Highfield Farm. Blythe House will experience some changed outlook to the north west (see also heritage assessment). There are already solar panels (Lower Newton) in this direction but the proposal will bring panels much closer to Blythe House. However owing to existing vegetation, proposed new hedge planting on the southern/ eastern boundary of the application site and orientation of the dwelling no undue impact is anticipated. The Landscape consultant also comments on these visual receptors, dwellings at Upper Newton and Blythe House. He says that they are not likely to have sight from their homes but possibly from the curtilages around them. He is of the view that there is sufficient distance between the homes and the arrays not to threaten residential amenity. The greatest impact on amenity is likely to be Newton House and Upper Newton farm during the 16 week construction period due to the close proximity of the temporary construction compound. The Environmental Health Officer has raised no objection but has recommended conditions to control working hours.

7.30 With conditions in place to secure a full Noise Assessment prior to operation, control working hours during construction and landscaping there is compliance with relevant parts of Policies DC1 and SD4 and the NPPF.

Flood risk

7.31 The site lies in Flood Zone 1 which is land with low risk of flooding. Owing to its size and as required the application is accompanied by a Flood Risk Assessment and Surface Water Management Plan.

7.32 The application site slopes generally down to the south-east towards the River Blythe. A small watercourse drains through the site from a culvert under the A50 to the River Blythe. Runoff from the panels themselves will infiltrate into the soil beneath/around the structures. Run off from the impermeable areas of the development (battery compound, sub-station compound, transformers and ISO containers) will be directed to gravel areas adjacent to the impermeable areas which will serve as infiltration areas. Infiltration testing has been carried out on the site and found to be a feasible method of drainage. The proposed development also includes access tracks which are to be of permeable materials. Culverts will be required where the proposed access road traverses the watercourse (and tributary) that flow through the Site. Design flood calculations have been provided for these locations to inform the sizing of the proposed culverts.

7.33 The Local Lead Flood Authority have considered the application and supporting documentation. They raise no objection to the application subject to conditions and with these in place there is compliance with Policy SD5 of the Local Plan and the NPPF

Archaeology

7.34 The application is supported by a Historic Environment Desk-based Assessment (HEDBA) and Geophysical Survey (GS) which have considered the developmental history and archaeological potential of the application site. The conclusion reached is that the site has limited archaeological potential/interest and recommends archaeological monitoring during key construction works.

7.35 The County Archaeologist has considered the application and supporting documentation. He accepts the conclusions reached by the applicant and recommends, given the limited scale of below ground impact, that an archaeological watching brief is maintained by a suitable experience archaeologist during key construction works. With this in place there is no objection on ground of archaeology and compliance with relevant parts of Policy DC2 and the NPPF

Heritage

7.36 There are no designated heritage assets within the Site. The closest designated heritage asset is the Grade II listed Blythe House (NHLE 1374671; Figure 1). Blythe House is an 18th century rebuild of an original 17th century farmhouse which retains many of its original internal and external architectural features. There is also Paynsley Hall a scheduled monument, Grade II listed building nearby.

7.37 An Historic environment desk based assessment is submitted and assesses these assets. In respect of Blythe House it says that its primary interest derives from its architectural interest and its historical interest as a rural dwelling associated with a historic farmstead, revealing details about rural living across the 17th-19th centuries. Further historic interest is derived from its association with the historic farm buildings within its curtilage and its continued function as the residential property within a working farm. The asset and its curtilage are partially screened from the Site by existing mature trees and a new hedgerow is proposed along the south-eastern edge of the Site to provide additional screening.

7.38 In terms of impact it concludes that the proposed development will potentially represent a change in the wider setting of the asset to the north-west of the farm complex, in that more panels will be visible and positioned closer to the asset than the existing Lower Newton scheme. However, this change does not diminish the ability to understand the farm's direct and functional relationship with its agricultural hinterlands, which will still be legible and understandable, particularly to the south, south-west and east of the farm. Therefore it says that whilst the construction of the solar farm will represent a change in its setting, the change is one of degree (i.e, more panels are proposed and closer), not kind (i.e, there is already a solar farm within this setting). The historic function of the asset will still be clearly legible within the landscape and its relationship to its curtilage will remain unchanged. As such, it is considered that this change will not impact the significance of the asset and no harm will result.

7.39 It describes the asset at Paynsley Hall as comprising remains of a medieval moated site which is enclosed within an outer ditched enclosure and an area of ridge and furrow cultivation. It is located in an isolated context and covers an area of approximately 3.75 ha., with the, now derelict, remains of a 16-18th century farmhouse (with substantial 19th century alterations) farmhouse within its extent. The moated site and farmhouse lie within a modern farm complex surrounded by modern agricultural buildings on all but the south-eastern side of the scheduled monument. These form the current setting of the assets, as does the immediate, largely rural landscape which surrounds the farm complex. An existing solar farm lies c. 450 m to the east of the assets.

7.40 The Assessment states that the moated site derives some significance from its arguably prominent location overlooking the river valley (River Blythe) to the east. The proposed development will not alter the relationship of the derelict farmhouse to the other buildings within its immediate setting, nor change its relationship with the agricultural land immediately surrounding the modern farm complex. The asset and its curtilage share very limited intervisibility with the Site and share no known historic connection, therefore, whilst the construction of the solar farm may represent a minor change in the setting of the asset, it will not result in any impacts to its significance. The medieval moated site derives the majority of its significance from its archaeological interest. Its historic position of prominence, overlooking the River Blithe will not be impeded by the proposed development which, whilst potentially visible from the asset and therefore representative of a minor change in its setting (and, taking into account the existing solar farm, will not form a wholly new addition to that setting), will not result in any harm to its significance.

7.41 The Conservation Officer has considered the application and supporting documentation. She has no comments to make. Subject to conditions to maintain and enhance the existing screening afforded by the application site, no harm to heritage assets is identified and there is compliance with Policy DC2 and the NPPF.

Biodiversity

7.42 The proposal includes a Wildlife Enhancement Zone in the most south easterly field of the application site and a Bird mitigation area outside the application site but on land within the ownership/control of the applicant. to the south east. The Wildlife Zone includes a new pond, invertebrate bank, wildflower and other planting. Elsewhere new and enhanced hedgerow planting, scrub planting and wildflower planting.

7.43 The application is supported by an Ecological Impact Assessment, a Biodiversity Metric and a Ground Nesting Bird Mitigation Note. The conclusion reached by the applicant is that with the mitigation proposed, the proposal would not have any significant impact on ecology and that a net gain in biodiversity can be achieved.

7.44 The application has been reviewed by Staffordshire Wildlife Trust on behalf of the Council. They advise that the site is within the Staffordshire Moorlands District Nature Recovery Network Mapping report (2020) which indicates that wetlands habitats should be a key focus for habitat creation and enhancement within the site. Grassland habitats and grazed landscapes with farmland features such as hedges, copses, scrub and parkland trees are also potentially appropriate for the area. They advise that there are two grassland/wetland LWS are near to the site. However neither would be impacted by the development. Habitats of principal importance on the site include watercourse and hedgerows and these are retained.

7.45 SWT accept that the Biodiversity metric shows a net gain of 80.13 habitat units (69.88%), 4.23 hedgerow units (24.74%) and 0 river units. However they initially raised concern about aspects of the proposed habitat creation and advise that condition(s) should secure a further pond, hedgerow and stream enhancement and grassland creation/enhancement. This can be secured in the Landscape and Ecology Mitigation and Management Plan (LEMP)

7.46 In terms of protected species and with mitigation secured no issues are raised except in respect of Breeding birds. A specific Breeding bird survey has been carried out by the applicant which found 51 species breeding on site with 6 of these are species of principal importance. SWT initially issued a holding objection on the basis that priority ground-nesting birds require open fields i.e. lapwing, skylark and yellow wagtail and that these birds would be displaced by the proposed panels and that no mitigation had been proposed. Their advice was that this impact would significantly harm the integrity of the site for birds. They also pointed to other solar sites in the area (Lower Newton) and pending solar projects nearby (Totmonslow Farm) having displacement effects on these declining birds and of the need for each site to ensure that suitable compensation is provided to avoid an adverse cumulative impact.

7.47 An amended Bird Mitigation Note dated 21st November 2022 prepared by Tyler Grange was submitted together with an amended Site Layout and Landscaping Plan. This proposes an area of off-site mitigation for ground nesting birds. It is an area of agricultural land, 3.4 hectares in size and lies immediately to the south east of the site. It is outside of the application site but is on land which together with the application site is currently under Option to the applicant. The Agent advises that the expectation is that the applicant will lease the land for 40.5 years if and when planning permission is forthcoming and development commences. It would support breeding birds (Skylark, Lapwing and Yellow wagtail) through suitable management and crop rotation. The detailed design and management of this area can be secured Landscape and Ecology Mitigation and Management Plan (LEMP) which would amongst other matters include tussocky grassland for skylarks, scrapes to attract lapwing and the long-term management of the area (i.e. no vegetation management in core season April – August). This area of breeding bird mitigation would be in addition to the on site wildlife enhancement zone.

7.48 SWT have reviewed the Bird Mitigation Note and amended plans. They are now satisfied that the proposed mitigation areas will appropriately address the loss of open habitat for priority lapwing, skylark and yellow wagtail. They have removed their objection and advised of conditions to secure the detail of the species protection measures and the creation, management and monitoring of the landscape/ecology mitigation and enhancement through both a Construction Environment Management Plan and a Long-term Landscape and Ecology Management and Monitoring Plan. With these in place there is compliance with Policy NE1 and the NPPF.

Economic, Social & Environmental benefits

7.49 The proposed solar farm would provide economic benefits during the construction period. Once operational, the development will not require on site employees but the applicant says it will result in additional employment through long term maintenance and management of the site. The application also refers to support the rural economy by supplementing the income from agriculture.

7.50 The applicant calculates that the proposal would have a maximum export capacity of up to 27.7MW which would provide enough electricity to power around 7,107 homes a year, equivalent to 16% of homes in the district and will save approximately 5,601 tonnes of carbon dioxide per year.

7.51 The applicant says he is committed to providing Community Benefit Funds (CBF) for every project he develops and will discuss the principles of that CBF with local stakeholders in due course. Typically, he says a CBF would be set up so it could be administered by the Parish Councils and used to support local environmental projects. Members are advised that this is a wholly separate matter from the planning process and is not a material consideration to weigh in the planning balance.

7.52 Finally and at a higher level, the applicant says that the proposed solar farm will contribute towards savings that will, in time, be realised by the consumer. Currently, the largest part of a householder's energy bill is the cost of buying energy which has traditionally been determined by the underlying price of gas or coal. However, globally, renewable energy is currently the cheapest available source of new electricity generation¹³ and as the UK and other countries move towards decarbonising their energy supplies, it is expected that wholesale energy prices may reduce as the reliance upon gas and coal reduces. In turn, this saving will be passed on to the consumer.

Other issues

7.53 No issues are raised in respect of Mineral safeguarding or the agricultural grade of the land. An Agricultural land classification survey is submitted. It shows that the site is predominantly Grade 4 land (86%). There is an area to the north west which is Grade 3a i.e Best and most versatile agricultural land. It is accepted that this is a relatively small area of land. Furthermore the proposal would not amount to a permanent loss of farmland as it is temporary and fully reversible. The applicant also says that the land can only be farmed to the lowest grade within each field. For all these reasons no objection is raised.

8. CONCLUSION AND PLANNING BALANCE

8.1 By law this application must be determined in accordance with the Development plan unless material considerations indicate otherwise. From the analysis above it is considered that with conditions in place to mitigate impact, there will be overall compliance with relevant Development plan policies. A recommendation of approval is therefore made

9. RECOMMENDATION

That planning permission be granted subject to the following conditions:-

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

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan BF/315/5C
Application Plan BF/315/20 Rev B
Planning Layout BF/315/16 rev K
Landscape Plan BF/315/21 Rev D
PV Panel detail BF/315- 17-1
CCTV and Fence details BF/315 -17-2
Battery store palisade fence BF/315 – 17- 3
Battery store details BF/315/17-5
Battery store – auxillary transformer BF/315/17-4
Transformer BF/315/ 17 8A
Electrical Infrastructure BF/315/ 17 9B

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The permission hereby granted shall be limited to a period of 40 years from the date when electricity is first exported from the solar panels to the electricity network (The First Export Date). Written notification of the First Export Date shall be given to the Local Planning Authority within 14 days of the event occurring.

Reason:- To define the permission in the interests of proper planning and for the avoidance of doubt

4. No development shall take place until such time that full details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- Hard surfacing
- Materials for the solar panels, frames, all ancillary buildings and equipment including finish and colour

The development shall be carried out strictly in accordance with the approved details

Reason:- To protect the character and appearance of the area, residential amenity, flood risk

Landscape/Visual Impact

5. Notwithstanding the submitted details, no development including site clearance, site stripping and levelling shall commence until such time that a detailed soft landscape mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Landscape/Ecological Mitigation Plan drawing BF/315/21D and be on a suitably scaled plan(s). The details to be submitted shall include planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing. The scheme should also include for:-

- a) the systematic replacement of the Ash trees on site suffering from Ash die back with other native trees of similar ultimate size and longevity, e.g. oak, hornbeam or lime
- b) additional and quick growing planting adjacent to the A50 to fill gaps in the existing planting

The soft landscape proposals approved shall subsequently be implemented in the first growing season after construction has commenced and replacement of dead, diseased or dying stock should be undertaken in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014 or any subsequent re-enactment.

Reason:- To protect the character and appearance of the area and retain the overall landscape character and to protect nearby heritage assets and their setting

6.No tree felling is to be undertaken on site or excavation within root protection areas without the express written agreement of the Council's Arboricultural Officer and after consideration of tree sensitive construction processes

Reason:- To protect the mature tree stock that contributes to the local landscape

7. No development shall commence including site stripping and clearance until such time that a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. This should define the excavation and bund formation processes for the battery storage area, transformers, access tracks and any other proposed areas of bunding and provide detailed drawings of these proposed raised earthworks The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of the character and appearance of the area

8. No development shall take place including any site clearance, site stripping, levelling, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations or the prevailing standard and these shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity

9. No external lighting shall be erected/used on site unless precise details of any lighting are first submitted to and approved in writing by the local planning authority. The lighting shall be installed and thereafter maintained in accordance with the approved details for the lifetime of the development.

Reason:- To protect the character and appearance of the area, residential amenity and interests of biodiversity

Biodiversity

10. Notwithstanding the submitted details, no development including site clearance and site stripping shall take place until such time that a Long-term Landscape and Ecology Management and Monitoring Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the Ecological Impact Assessment (EclA) dated March 2022, the Blythe Solar Farm – Ground-nesting Bird Mitigation note 15483_R01a dated 21st November 2022 by Tyler Grange and the Landscape/Ecological Mitigation Plan drawing BF/315/21D The LEMP shall amongst other matters provide detailed off-site ground nesting bird mitigation on the land immediately to the south east of the site, design details for retained ecological and landscape features, details for proposed habitat creation and proposed new planting/landscape features, timescales for implementation, updated

biodiversity metric, management and monitoring plan for new and existing habitats and key species including repeat breeding bird surveys at appropriate intervals. The development shall subsequently be carried out strictly in accordance with the approved LEMP

Reason:- In the interests of protected species, biodiversity net gain and enhancement and local landscape character

11. No development including site clearance and site stripping shall take place until such time that a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall set out protection and mitigation measures for protected species during construction and site establishment. The development shall subsequently be carried out strictly in accordance with the approved LEMP

Reason:- In the interests of protected species

Flood Risk/Drainage

12. The development hereby permitted shall not be brought into use until the Surface Water Management Plan detailed within Appendix D of the Blythe House Solar Farm Flood Risk Assessment has been implemented. This includes the provision of impermeable surfacing and soakaways to the exterior elevations of compounds and substations etc.

Thereafter the soakaways shall be retained and maintained in accordance with Table D-4 of the Flood Risk Assessment. Should culverts be installed to existing watercourses during the construction period to facilitate access, watercourse consent would be required from the appropriate authority prior to the development taking place.

Reason:- To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Archeology

13. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication and interpretation. The Scheme shall thereafter be implemented fully in accordance with the approved details

Reason:- To protect archaeological interests

Highways

14. The development hereby permitted shall be carried out fully in accordance with the Construction Traffic Management Plan and adopt in full the mitigation measures set out at Section 6 throughout the construction phase of development

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

15. No mud, other debris or deleterious material shall be deposited on the highway. Any that is shall be immediately removed using mechanical means.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

Temporary Compound

16. Prior to the commencement of development including site clearance and stripping full details of the temporary compound to be established on site shall be submitted to the Local Planning Authority for its written approval. It should include amongst other

matters level information, hard surfacing, means of enclosure, earthworks/bunding and a statement ('Statement of Condition') showing the condition of the site before works begin. The development shall be carried out strictly in accordance with the agreed details and the compound provided before any work on site commences including site clearance and stripping.

The temporary use of the land for the compound shall be discontinued and the land restored to its former condition on completion of the construction of the development hereby approved in accordance with a scheme of work and timescale (which shall be based on the Statement of Condition) and which has first been submitted to and approved by the Local Planning Authority

Reason:- In the interests of the character and appearance of the area and amenity of nearby residents

Decommissioning

17. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and all ancillary plant and equipment including the battery storage area and customer compound shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for its written approval. The scheme shall make provision for the removal of the solar panels, batteries, ancillary plant and equipment and associated above ground works approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area, residential amenity and highway safety

18. Within 6 months of the cessation of the export of electrical power from the site, or within a period of 39 years and 6 months following the first export date, a Scheme for the decommissioning of the solar farm, battery storage and all ancillary plant and equipment, and how the land is to be restored, to include a programme for the completion of the decommissioning and restoration works, shall be submitted to and agreed in writing by the local planning authority.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area, residential amenity and highway safety

19. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved Scheme and, in any event shall be removed within a period of 40 years and 6 months following the first export date.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area

Construction & Demolition Works: Time of operations

20. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours

Construction & Demolition: Pollution Control

21. During the construction phase the following must be adhered to at all times: _

- a) amplified music and/or radios shall not be audible beyond the site boundary.
- b) Any waste material associated with the construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority upon request;
- c) . No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

Reason: To protect the amenities of the area during construction

Report of Unexpected Contamination

22. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Plant and Machinery Noise

23. Prior to the development hereby permitted first coming into use a site specific Noise Assessment (NA) should be completed in compliance with the detail below and submitted in writing to the LPA for its written approval.

The NA shall demonstrate that all machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate

occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.
Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

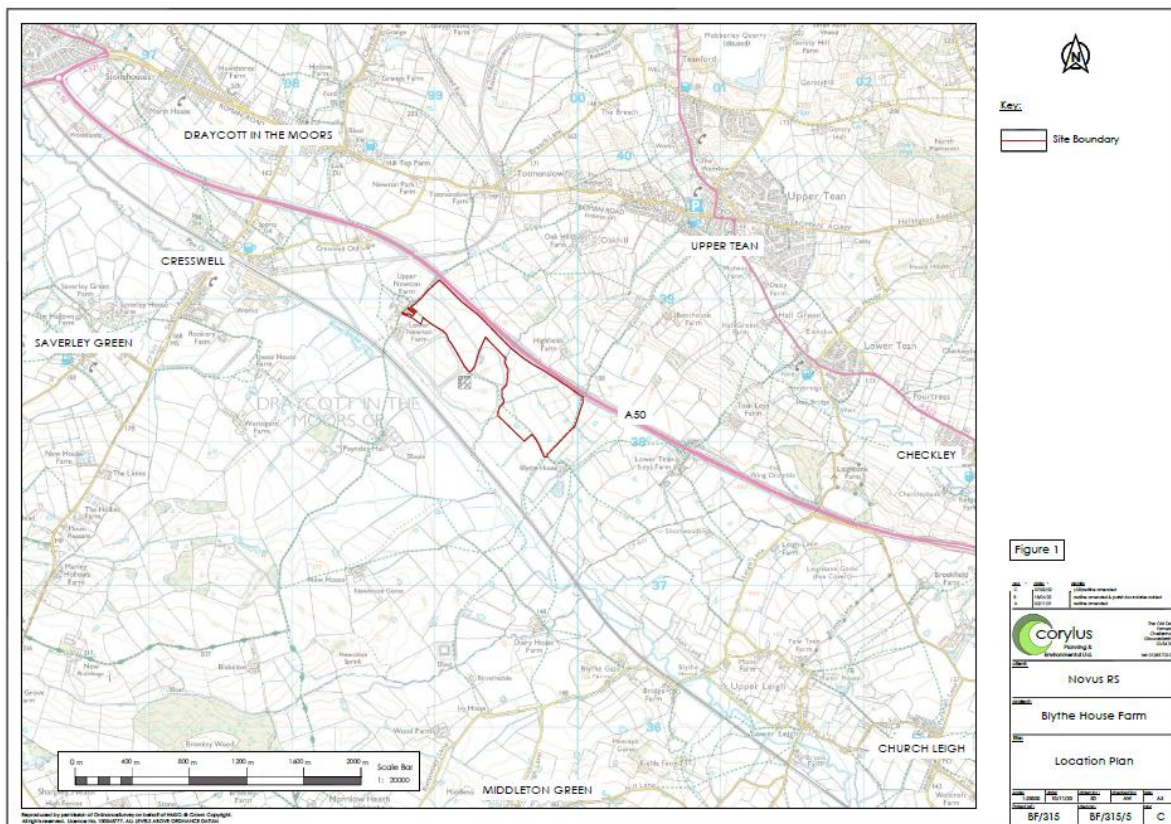
Protection and enhancement of public footpaths

24. Prior to the commencement of development including site clearance and stripping a scheme (the ‘Scheme’) detailing the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be carried out strictly in accordance with the approved Scheme

- a) measures to protect the public footpaths Checkley 5, Checkley 7, Draycott 14 and Draycott 15 during construction
- b) measures to improve and promote these public footpaths post construction in conjunction with Staffordshire County Council Rights of Way Officer with timescale for implementation

Reason:- To protect and enhance the local public footpath network

B. In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee’s Decision.





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Key:

- Application Area
- FPCW
- Existing Vegetation
- Environmental Exclusion Areas
- Hedgerows to be Planted
- Proposed Woodland / Scrub planting
- Wildflower Areas
- Proposed Internal tracks / Footpaths
- Existing Internal tracks
- Existing track to be widened
- Soil bund
- PV fence line
- Transformer
- CCTV
- PV Panels
- Underground Service
- Temporary Compound
- Storage container
- Bad Mitigation Area

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Novus RS
Blythe House Farm
Planning Layout

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