

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**16<sup>th</sup> February 2023**

<b>Application No:</b>	SMD/2022/0343	
<b>Location</b>	Totmonslow, Tean	
<b>Proposal</b>	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.	
<b>Applicant</b>	Mr. Simeon Batov, RE Projects Development Limited (REPD)	
<b>Agent</b>	Third Revolution Projects	
<b>Parish/ward</b>	Draycott-in-the-Moors Parish and Checkley Parish / Checkley ward	<b>Date registered</b> 27 <sup>th</sup> July 2022
<b>If you have a question about this report please contact:</b> Arne Swithenbank tel: 01538 395578 or e-mail <a href="mailto:arne.swithenbank@staffs Moorlands.gov.uk">arne.swithenbank@staffs Moorlands.gov.uk</a>		

**REFERRAL**

The application is a Large Scale Major and is referred to Committee on this basis.

**1. SUMMARY OF RECOMMENDATION**

**Approve subject to conditions**

**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The site comprises a gently undulating plateau of open rural farm land in a location to the south of the C109 Draycott Road. The site would be accessed via a single track metalled lane off the C109 immediately west of Totmonslow Farm. The site extends to some 38ha (94 acres) and comprises permanent grassland meadows and pastures with several ponds and strongly developed mature field boundary hedgerows and trees. The site abuts the A50 dual carriageway for a 600m stretch along the south west side. A group of three residential dwellings at Highfields Farm, including Horseshoe Barn and The Old Barn are immediately alongside the southeast edge of the site. There are residential dwellings at Oakhill some 200m to 300m north east of the site boundaries. At a lower level in the shallow valley of the River Tean and some 500m to 700m north east of the site edge is the 'larger village' of Upper Tean. The hamlet of dwellings at Totmonslow are typically some 350m to 500m north of the site edges, coming to within c.1km north west of the site is Draycott-in-the-Moors.

- 2.2 There is a Conservation Area at the centre of Upper Tean where there are also Listed Buildings and at Draycott the church of St Margaret is Grade II\* Listed and the Old Vicarage is Grade II Listed.
- 2.3 Public Footpaths (Draycott 27 and Draycott 32 / Checkley 4) pass through the site. The metalled access lane from Totmonslow is registered as public footpath 15 (Draycott).
- 2.4 Part of the site is noted as a County Site of Biological Importance (SBI) for reasons of species-rich semi-improved pasture.
- 2.5 Parts of the site are recorded in the Staffordshire Heritage Environment Record as possible earthwork remains of ridge and furrow field systems of probable medieval date.

### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 The applicant describes the development as follows:

“The proposed development is for the installation and operation of a ground-mounted solar farm of around 15MW that will generate and deliver electrical power directly to the local distribution network. This will generate approximately 20GWh of renewable electricity every year, which is enough to power around 5,400 homes in the local area. The scheme will be operational for 40 years and so the application is for 40 years plus up to 1 additional year each for construction and decommissioning, totalling 42 years. Once decommissioned, the development will be completely removed and returned to its current use. A construction and decommissioning plan can be prepared via a Planning condition, should this be required.” (Planning Design and Access Statement p.21)

- 3.2 The overall site layout is shown in the general layout plan 1107 02 revision drawing 07 (2.12.2022). Further drawings provide details as follows:

- 1107 03 panel elevations
- 1107 04 inverter fixing details
- 1107 05 DNO (District Network Operator) sub-station
- 1107 06 Transformer sub-station
- 1107 07 Customer substation
- 1107 08 Gate and fence details
- 1107 09 CCTV detail
- 1107 10 Access construction design details
- 1107 11 mitigation plan (landscape and ecology) revision 3 (4<sup>th</sup> November 2022)
- 1107 12 rev 4 (22.12.2022)
- Tree Constraints plan
- Topographical survey drawings in 10 sheets

3.3 The following documents accompany the application:

Landscape and Visual Impact Assessment (62 pp) revisions  
19.01.2023  
Photomontages - Viewpoint 03 and Viewpoint 04  
Cultural Heritage Impact Assessment (120 pp)  
Accompanying cultural heritage documents x 10  
Preliminary Ecological Appraisal (66 pp)  
Ecological Enhancement, Mitigation and Management Plan (41 pp)  
received 13<sup>th</sup> Oct 2022  
National Vegetation Classification Survey Report (56 pp) received 13<sup>th</sup>  
Oct 2022  
Biodiversity Net Gain (BNG) Assessment (14 pp) received 4th  
November 2022 plus addendum 19.01.2023  
Breeding Birds assessment 22.12.2022  
Flood Risk Assessment and Drainage Strategy (18 pp)  
Agricultural Land Classification (ALC) Survey (13 pp)  
Arboricultural Appraisal (53 pp) and Tree survey schedule (14 pp)  
- Arboricultural method statement  
- Tree constraints and tree protection plans  
Noise Impact Assessment (22 pp) received 16<sup>th</sup> November 2022  
Site Search appraisal (22 pp) Transport and Access Statement (33 pp)  
Planning Design and Access Statement (52 pp) plus addendum  
22.12.2022  
Applicant response to landscape consultee comments 22.12.2022  
Glint and Glare Study (62 pp) submitted 22<sup>nd</sup> Dec 2022  
Addendum to glint and glare study 19.01.2023  
Applicant's summary of community benefits (20 pp) 19.01.2023

3.4 Proposed development components are set out at pp.23 to 25 of the  
Planning Design and Access Statement (PDAS).

3.5 Photovoltaic panels

- Solar arrays: fixed solar panels will be mounted on galvanised metal frames set into the ground by either direct or screw piling.
- To achieve optimum solar gain, the panels are laid out in east-west rows. Each panel will be tilted southwards at approximately 25 degrees from the horizontal.
- Height: 2.80 metres from ground level to the top of the back of the panel frame. Lowest edge of the panels will be raised above the ground by around 0.8 metres.

3.6 Inverters and Transformers

- Inverters convert the direct current (DC) electricity output from the solar panel arrays into usable alternating current (AC) power for the electricity distribution network. Details in drawing 1107\_04. Essentially a discrete equipment box c. 800mm x 400mm x 230mm mounted on the supporting frame under the panels at intervals.

- The proposed development includes one string inverter per 34 strings of module, hence 44 in total. A layout with the proposed locations of the inverters (1107\_12) has been submitted (28.11.2022).
- Transformers step up the low voltage electricity produced at the site to high voltage for efficient transportation around the site and the grid connection point. Specification details of the transformer station is provided in Drawing 1107\_06. Essentially a cabin structure 5.2m x 2.6m x 4.5m high. The layout drawing 1107\_02 shows positions for five of these around the site.

### 3.7 Substations and grid connection

- A Distribution Network Operator (DNO) substation is towards the northwest of the site. This provides the connection from the development to the electricity grid and is mostly operated by the DNO. Dimensions shown on Drawing 1107\_05 are c.6m x 2.4m x 3.4m high DNO Substation. It connects to the existing 33kV overhead cable that crosses the site. The applicant has proposed to screen this substation with a new hedge and tree planting, as shown in Drawing 1107\_11.
- Alongside the DNO substation would be a customer substation c.6m x 2.5m x 2.6m high shown in drawing 1107\_07.

### 3.8 Fencing, gates and security CCTV

- An approximately 2m high post and wire deer fence will be constructed around the development, with vehicle gates to allow vehicle and pedestrian access (there will be no public access to the development area). Appropriate safety signage will be displayed on the fencing and gates. These are shown in Drawing 1107\_08 Gate and Fencing Detail.
- Infra-red and/ or thermal imaging CCTV cameras will be installed to the fence to provide security coverage of the site. According to the PDAS these will only monitor the development areas and will not capture images of the public rights of way or surrounding land. The location of the CCTV cameras is shown on Drawing 1107\_02 General Layout and the specification on Drawing 1107\_09 CCTV Detail.
- No external lighting is proposed other than temporarily during construction.

### 3.9 Cabling

- On-site cabling will be ducted underground at a typical depth of around 1 metre.

### 3.10 Access and Construction

- A temporary construction compound will be created during the construction period to accommodate portacabin-type buildings in addition to providing an area for material storage and construction vehicles to turn around. Portacabins are required for offices, toilets, canteen and storage and will contain temporary parking spaces for

staff. The compounds are expected to be within the site itself, with the facility constructed in phases. It is stated that some space outside the compound area may also be required, but as a temporary feature, not forming part of this application. It is stated that there will be no need to remove trees or vegetation to achieve this.

- Internal access routes will be created from the main access point to access the different fields located within the site and the landownerships. Construction work is proposed to be “restricted to normal working hours”.
- Total construction period is stated as approximately 26 weeks including any pre-preparation of the site, fencing, assembly and erection of the photovoltaic arrays, installation of the inverters/transformers and grid connection.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 SMD/2021/0384 – Request for an EIA Screening Opinion for a proposed solar photovoltaic (PV) farm development with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision and ecological enhancements – Environmental Impact Assessment not required. [based on initially a 36 ha proposal later modified. The screening decision refers to an area of c.40 ha].
- 4.2 Nearby to the south west at Lower Newton Farm SMD/2014/0197 – erection of a solar photovoltaic (PV) array (11.5MW) and ancillary development – Approved [a 23 ha scheme] built.
- 4.3 Adjacent to the south west separated by the A50 corridor SMD/2022/0160 – installation of solar farm with battery storage facility and associated works – Approved [a c.42 ha scheme] not yet implemented.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

##### **Local Plan (adopted 9<sup>th</sup> September 2020)**

SS1	Development Principles
SS2	Settlement Hierarchy
SS10	Other Rural Areas Area Strategy
SD1	Sustainable use of Resources
SD2	Renewable / low-carbon Energy
DC1	Design Considerations
DC2	The Historic Environment
DC3	Landscape and Settlement Setting
E1	New Employment Development
NE1	Biodiversity and Geological Resources
NE2	Trees, Woodland and Hedgerows
T1	Development and Sustainable Transport

## **National Planning Policy Framework February 2019**

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

### **Adopted Supplementary Planning Documents/Guidance (SPD/G):**

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

### **Local Plan Supporting Evidence Documents:**

- Landscape and Settlement Character Assessment (2008)

## **6. CONSULTATIONS CARRIED OUT**

### **Public**

- 6.1 The last initial consultation expiry date was 7<sup>th</sup> September 2022 (site notice) with, prior to that, neighbour consultation period to 19<sup>th</sup> August 2022 and press to 31<sup>st</sup> August 2022. Representations raising objections have been received from seven individuals. One representation has been received in support. Following receipt of further details on 22<sup>nd</sup> December 2022 a further 21 day re-consultation took place with objectors and the two parish councils.
- 6.2 Issues raised in objection are:
- some properties not included in the Council's initial round of neighbouring resident consultations [NB further consultations were sent – case officer]
  - is there going to be a public consultation meeting?
  - site borders garden and visible from the house living room, dining room and kitchen windows
  - concerns regarding the quality and robustness of the application
  - supportive of SMD/2022/0160 for a solar farm on Upper Newton Farm but in combination my property is land-lock/saturated by solar developments
  - changes my residence from rural to what feels like industrial
  - supportive of renewable energy but this feels disproportionate and not aligned with responsible development
  - revised plan for proximity to Horseshoe barn, Highfields Farm does not go far enough
  - interferes with enjoyment of home and living conditions
  - noise assessment not robust as does not model actual site (12.10.2022) and does not consider background noise
  - noise from inverters not considered
  - string inverters sit beneath each panel across the entire site therefore these need to be modelled to understand the potential impacts.
  - submitted drawing from 11/10 indicates 83 inverters. They all require cooling and therefore generate noise, the application fails to mention this.

- not in accordance with BS4142 that all noise assessments must demonstrate impacts on human health WHO guidance
- developers virtual consultation did not include site plans
- No landscape screening just industrial style fencing and panels. This is changing the landscape character that impacts our residential setting.
- No glint and glare assessment – could affect both the A50 major trunk road or residents eg Old Barn, kitchen, dining, family room and bedrooms will face directly onto the panels, and they have no idea what impact this will have on them throughout the year
- landscaping plan is contradictory as you cannot have both wildflower planting and grazing sheep
- solar developments are not appropriate for sheep grazing based on the impact to the grass
- CCTV at 4m high with rotating cameras, therefore giving my property no privacy
- norm for this type of development is 3 metres fixed
- enhancement and mitigation plan is missing from the proposal and is required based on the proximity to my property
- protected species assessment has not been completed and will require a breeding assessment during April-June, this window of opportunity has now been lost
- bio-diversity net gain assessment has not been completed and will be a mandatory requirement soon based on the environmental bill
- no assessment of the disruption to my property during the development/ this will impact the ability to work and run a business from home
- no consideration of the impact on the animals in our properties either
- Why in the past have we been refused having an extra roof light due to it 'not being in keeping with appearance of the local area' in my house but a poor proposal for 36.5 hectares of solar panels seems to be allowed?
- a two-storey extension at the Old Barn also refused
- The ability to sell my property in the future and the devaluation of my property. There is currently no case law to support this but who would want a solar farm 28m from your window?
- saturation of these solar farms in this local area which impacts rural living and a huge impact to public footpaths affecting the right to roam
- losing valuable agricultural land that could be used for growing crops
- at a time when the world is changing we need to consider the ability to grow our own
- introducing solar panels makes the land 'brown field' – what will our rural area look like in 45 years? An industrial park no doubt.
- loss of natural habitat by losing farm land that essentially will never revert back to farm land in the future
- there are no plans/impact assessments for the construction stage to reflect the effect on our residential rights for noise nuisance, disruption and disturbance
- in regard to the updated acoustic specification, this is still not a robust, evidence-based, accurate noise assessment for our specific development.
- the applicant will not develop the site but will sell it on and does not seem to have any interest in community and neighbourhood impact
- wrongly says will not be visible from properties

- posted notifications were only erected on 17<sup>th</sup> August
- no evidence of robust sequential testing, where alternative areas could be used to host the solar development ie roofs of farm buildings or JCB for example
- The solar plan detailed in the request for a screening opinion was significantly smaller than the planning application submitted - the screening therefore is null and void
- the proposed development will turn our area into an industrial operation
- passing this volume of solar farms will change the landscape forever. It creates a change of use in land, meaning that after the solar farm contract concludes, a precedent has been set for industrial use in the future
- the application makes big assumptions on the noise of the equipment and background noise without actually any data, modelling or monitoring. This is very poor practice and not robust at all. String inverters can have an output of around 65-79dB(A) at 1 metre and are dotted across the site so accurate and professional modelling is required.
- Totmonslow is quoted as already having one solar panel farm that is secluded, to have another that would be in view to all would be a blot on the landscape, the Moorlands is been ruined with such developments, councils should be looking to protect such places not let people destroy them for personal gain.
- LPA's landscape assessor has not fully considered impact on residential areas – also described the area as already allocated

### 6.3 Issues raised in support are:

- Surely, with the energy crisis, and the continuing stand-off with Russia, planners must take into account the future energy security of this whole country, part of which lies with renewables.
- Solar farms preserve the land, and sheep may even safely graze round the panels.
- The company concerned, REPD, seems to have a good track record.
- Other solar farms in our district have been discreetly placed and have caused few issues, so I have few concerns about another one.
- They also give income to farmers, whose land is leased for the purpose.

Following the 22<sup>nd</sup> Dec consultation further objection comments were raised as follows:

- concerns with the pre-application process followed by the applicant
- unfavourable comparison with how other nearby similar applications submitted
- many late submissions of documents and amendments
- bird survey by condition in 2023
- Natural England guidance states that surveys should not be attached as planning conditions
- due to late revisions, the effectiveness of the visual impact mitigation for the Highfield dwellings has not been properly assessed and the LVIA does not therefore provide a satisfactory assessment of impacts
- only Highfields farm house and not the other two dwellings assessed in relation to glint and glare
- impact has not been adequately considered for all of the properties



- clarification as to the impact from upper storeys should be understood before a decision can be made
  - A50 glint and glare: The area recommended for screening is indicated by a pink line in Figure 21 in the report [included in Figure 3 in the objection]. However, there is no indication of this screening on the updated revised layout plan (drawing 1107\_02) or the mitigation and enhancement plan (drawing 1107\_11).
  - Noise: In the event the Planning Authority is minded to approve the application, a noise condition should require submission of a validation report to ensure levels are achieved once the solar farm is operational. Suggested amendments to the proposed condition wording are set out.
  - Privacy: The proposed scheme includes CCTV to monitor the development areas. The Planning Statement (dated 29/07/22) states that the location of CCTV cameras is shown on the layout drawings. The location of CCTV cameras is not reflected on the revised layout plan (drawing 1107\_02) or the mitigation and enhancement plan (drawing 1107\_11). The location of the CCTV cameras should be clearly indicated so that the impact on the privacy of the residents at Highfields can be assessed.
  - summarised as: The need for breeding bird surveys to be completed prior to determination of the application, in accordance with Natural England advice; A revised LVIA should be requested to understand how impact on Highfields Farm and surrounding dwellings has been assessed (if this has not been done, an addendum should be requested) and all visualisations made available for consultation; The glint and glare study should assess the impact on neighbouring dwellings to Highfields Farm, or provide robust justification as to why they were not assessed; The mitigation and enhancement plan (drawing 1107\_11) should be updated to include the recommended mitigation to avoid glint and glare impacts on road users and the location of CCTV cameras; The wording of the condition with respect to noise should be amended to require submission of a validation report once the solar farm is operational.
- 
- resale ability will be significantly impacted
  - mental health and well-being to residents
  - no robust construction impact assessment
  - impact of piling or drilling over a period of 26 weeks
  - risk of structural damage to properties
  - sound impact during construction will be unliveable – to the mental and physical detriment of ourselves and animals
  - disruption to working from home due to noise
  - knock on disruption to client revenue / loss of earnings
- 
- inefficient scheme design – in comparison to the other development (Blythe Farm) 28 megawatt over 42 hectares, the proposed development here is only projecting 15 megawatts over 36.7 hectares. A more efficient design would not need such aggressive development to gain a better return.
  - cumulative impact
  - why not government-led though compulsory land purchase if solar is so important?
  - the proposal is significantly larger than the area subject to the initial EIA screening

- applicant offered residents 'an exchange' if support given – what is the Council's policy?

- inefficiency makes the scheme land-hungry: Solar energy UK (2022) says 'In the UK, new solar farms occupy roughly four acres of land per MW of installed capacity'. This proposed solar farm requires significantly more land than would be necessary for the 15MW of energy stated from this site. This should require only 60 acres as opposed to the 98 acres proposed. The adjacent Blythe Ho Fm site would generate almost double the amount of energy on a similar sized site.

- This has been a significant factor in determining other applications elsewhere  
- in order to meet the agreed deadlines of the PPA shortcuts have been made which significantly undermine the assessment and leave a decision potentially open to a Judicial Review

- A clear example of this is the applicant's failure to undertake breeding bird or wintering bird surveys to actually assess whether the project is likely to displace any protected species under the Wildlife Act.

- The applicant has not provided any surveys but as relied on an adjacent developers surveys which do not actually cover this application site. At this stage the Council cannot know what protected species of birds may use this site as the surveys have simply not been undertaken.

- reliance on tree and hedgerow vegetation for screening is not adequate in winter

- assessments made for public areas but not neighbour properties

- noise impact assessment produced (16.11.22) only has Highfields Farm listed not The Old Barn or Horseshoe Barn

- great concern that only 'proposed' investors [inverters (?)] have been assessed, as we understand that these may not be utilised if the development goes ahead

- SMDC does not have sufficient Enforcement Officers, and therefore, the governance of the plans versus the actual development may be different.

- proposed transformer will produce a 83dB LpA at 1m - permanent hearing loss can occur with 85dB

- this development falls outside of acceptable external noise levels

- applicant's noise assessment took place over a single 24 hour period – insufficient sample time

- an 'initial estimate' is not sufficient evidence of long-term noise impact

- scheme will 'add' to the A50 noise rather than be drowned out by it

- suppose noise from A50 reduces eg through new modern surfacing

- proposal will require a high level of enforcement

- we have first-hand experience of SMDC enforcement failings

- concerned by stated reliance on the land owner – what would be the contractual arrangement between the landowner and scheme operator to ensure all responsibilities are met?

- low levels of biodiversity net gain are projected (29% v 66% on other schemes)

**Checkley Parish Council**

#### 6.4 Objection

- site area is considerably greater than considered under the EIA screening
- proximity to dwellings
- the stress of this detrimental to mental health and well-being
- cumulative impacts along with other solar schemes would lead to 'over-saturation'
- potentially wiping away vast swathes of historic landscape, amenity footpaths and valuable farmland
- The Parish Council is not unsupportive of considered, appropriate and within scale relative to the land area green energy.
- some residents have not received consultation letters from SMDC [NB this was addressed – case officer]

#### **Forsbrook Parish Council**

#### 6.5 Objection

- proximity to the dwellings of some of our neighbouring Parish residents
- the development will encase their properties
- the noise levels of the inverters for the development are unknown and will cause considerable mental and health distress to the residents living within 25m
- no information has been presented on the impact of the glint and glare from the panels on the residents and the adjacent A50
- intrusion into residents' privacy from rotating CCTV cameras
- loss of bio-diversity and habitat by losing farm land that then essentially will never revert back to farm land
- construction of the site will be a disturbance for the residents and the local neighbouring properties

#### **SCC Highways / National Highways**

#### 6.6 No objections on Highways grounds to this proposal – subject to conditions:

- Construction method statement to address
  - i) a site compound with associated temporary buildings;
  - ii) the parking of vehicles of site operatives and visitors;
  - iii) loading and unloading of plant and materials;
  - iv) storage of plant and materials used in constructing the development;
  - v) wheel wash facilities;
  - vi) mechanical road sweeper for existing carriageway; visibility splays as shown on plan 1487-08 to be implemented before coming into use and thereafter to be maintained;
- No mud, other debris or deleterious material shall be deposited on the highway. Any that is shall be immediately removed using mechanical means.

#### 6.7 Development is close to A50. National Highways (NH) should be consulted for their view on the proposal to ensure no reflection towards A50. NH confirm no

issue subject to condition regarding assessment of 'glint and glare'.  
[Subsequently the applicant has submitted a glint and glare study.]

- 6.8 The access off C109 Draycott Road was resurfaced and widened under SMD/2014/0197. The Transport and Access Statement (TAS) has considered access. The conditioned CMP has been largely covered within the TAS. However, it should be extended to clarify that road sweeping should take place on Draycott Road if required.

#### **Severn Trent Water**

- 6.9 Minimal impact on the public sewer system therefore no objections and no requirement for a drainage condition. There are public 225mm and 375mm surface water sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. Applicant is advised to contact Severn Trent Water to discuss the proposals. Easements of 3m and 5m to either side are required respectively.

#### **Environment Agency**

- 6.10 Based on the information submitted the site has been constraint checked on the EA's Flood Map for Planning. The application site does not show any constraints nor is the development an EIA development. The application therefore does not fall within our 'consultation filter' and does not require a response from us.

#### **Natural England**

- 6.11 Natural England is not able to fully assess the potential impacts of this plan on statutory nature conservation sites or protected landscapes or, provide detailed advice in relation to this consultation. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the deciding authority to determine whether or not the plan is consistent with national and local environmental policies.

#### **SMDC Environmental Health**

- 6.12 No objections – six conditions recommended:
- timing of development works
  - control of noise and waste pollution during development
  - reporting of unexpected contamination during development
  - control of artificial lighting
  - plant and machinery noise
  - maintenance of equipment
- 6.13 Noise: A noise assessment (Hepworth Acoustics report ref. P22-471-R01v1 November 2022) has been submitted to determine the impacts of the development on the nearest noise sensitive properties. The predicted levels of noise (rating level) are below background noise levels when assessed under BS4142:2014. The rating level has included a precautionary tonal and intermittent noise feature penalty of +5dB. This prediction indicates the

standard condition advised by the Environmental Health Department would be complied with. We would advise that a condition is imposed on any permission is granted to ensure neighbourhood amenity is protected.

### **SCC Lead Flood Authority**

- 6.14 Satisfied with the proposals but recommend the following conditions be attached to any planning permission to ensure that the intensity of run-off from the solar panel arrays is mitigated against:
- Grass cover shall be established across the portion(s) of the site in which solar photovoltaic panels are to be located.
  - All access tracking and temporary construction compounds shall be formed pre-construction using permeable materials (most likely gravel) to avoid creating impermeable areas across the site, and to limit ground compaction and hence surface water run-off intensification.
  - Temporary compound and access areas shall be reinstated as grass following completion where they are not required for regular maintenance access.
- 6.15 Providing grass cover beneath the solar arrays ensures that the scheme will not increase the surface water run-off rate, volume, or time to peak compared to the site pre-development.
- 6.16 The updated Flood Map for Surface Water (uFMfSW) shows that surface water builds up at the bottom end of the ordinary watercourse which splits the development parcels as it heads under the A50. The extent of the flooding is minor and will not affect the proposed solar panels which are raised off the ground. Please note that any works to the sites ponds or existing watercourses/land drains require consent from the LLFA (SCC in this case).

### **SCC Archaeology**

- 6.17 The County Archaeologist has reviewed the proposal against the Staffordshire Historic Environment Record (HER) held by the County Council and also by reference to the comprehensive Cultural Heritage Baseline and Impact Assessment (CHA) prepared by the applicant, which has been informed by a geophysical survey, as requested in pre-app advice. These have been produced in line with the relevant Chartered Institute for Archaeologists' Standard and Guidance and have provided a useful understanding of the developmental history and archaeological potential of the application site.
- 6.18 The County Archaeologist in general supports the conclusion in the submitted CHA that there is some, albeit low, archaeological potential/interest in the application site for all periods, with an increased likelihood of groundworks in the area encountering medieval and later archaeological features, particular of an agricultural, or in the case of the more recent periods, industrial nature (associated with an adjacent brickworks). They also highlight the presence of extant earthworks representing medieval ridge and furrow (i.e. evidence of historic ploughing) within parts of the application site, and note that the level of truncation of archaeological earthworks (and by extension any previously

unknown below ground archaeological features within the site) is likely to be less than would be the case on arable land due to its current use as pasture.

- 6.19 Do not raise any archaeological objections to the proposed development, should permission be granted, but a further stage of archaeological evaluation, in the form of archaeological trial trenching should be carried out across the site. This would be appropriate given the presence of ridge and furrow across a sizeable proportion of the site (ridge and furrow can serve to mask earlier sites), the scale of the scheme, the relative lack of intrusive archaeological works in the wider area, and the limitations of magnetometry as a geophysical survey in such geological conditions.
- 6.20 Trial trenching should be undertaken in advance of any groundworks in order for the results to inform the need for further staged works and to inform the scale and extent of these further archaeological works (such as excavation, watching brief etc.), and indeed assist the applicant in developing alternative design or installation options, should the results deem it necessary.
- 6.21 In addition, given the presence of earthworks relating to medieval ridge and furrow within the application site, it is recommended that a Level 2 earthwork survey (as outlined in Historic England's Understanding the Archaeology of Landscapes A Guide to Good Recording Practice (Second Edition), 2007) should be carried out in order to record these and any less visible associated features such as plough headlands or trackways) in advance of the proposed development.
- 6.22 Two conditions are recommended: archaeological site work shall be implemented in full in accordance with the approved written scheme of archaeological investigation submitted in support of the application; the development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the approved written scheme of archaeological investigation and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

### **Public Rights of Way Consultees**

- 6.23 Four public footpath rights of way are affected. These footpaths are used by local villagers and must be accessible at all times. Particular concern about the site access being along the route of PROW 15. The applicant must be made aware of the need to safeguard people using public rights of way and to ensure that no public rights of way are damaged, or obstructed by any other means either during or as a result of development. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by the Council and a suitable temporary alternative route made available.

### **Landscape Consultee Comments**

- 6.24 The Council engaged an external landscape specialist to help assess the landscape and visual aspects of the submitted planning application. Stuart Ryder, a Chartered Landscape Architect of Ryder Landscape Consulting (RLC) visited the site in September 2022.
- 6.25 The most notable characteristic of this group of fields is their small size and demarcation by full hedgerows. The field size, particularly when compared to other larger amalgamated fields nearby provides a positive landscape feature that should be conserved. The hedgerows when viewed from ground level on site provide good visual containment and compartmentalisation between fields. Every field unit within the redline boundary is proposed to receive PV arrays. The filling of the fields appears total with no spaces for mitigation habitat, increased screening or stand-offs from residential properties such as Highlands Farm.
- 6.26 Other Site features include a small area of woodland towards the centre of the proposed Site, mature hedgerow standard trees and a series of field ponds typically surrounded by further tree growth.
- 6.27 Crossing the north eastern field is a high voltage overhead transmission line but no pylons appear to be set within the red line boundary.
- 6.28 The overall landscape character is of rural pastoral fields but there are connecting influences from the A50 road corridor. There are no structures on site but a former farm complex at Highfields Farm comprising the original farm house and two barn conversion dwellings stand in close proximity to the south east corner of the scheme. Totmonslow Farm itself is a handsome three storey farm house set off Draycott Road to the north of the proposals and has no direct physical or visual relationship with the site.

#### Proposal impacts

- 6.29 Clearance of existing trees, hedgerows and central small wood appear not to be required with the caveat placed to this comment that new, or widened hedge openings may be required to allow the access road to run around the Site including the fields not currently linked. The proposals also appear to respect the existing farm ponds that are on Site.
- 6.30 Each set of arrays in each field is surrounded by a 'deer' fence – it could be questioned why every field of arrays requires separate fencing.
- 6.31 Change to solar park on this scale must be seen as a major and adverse effect. It can be considered temporary in landscape change terms as ultimately it could be readily removed and the land unchanged but with a life span of 40 years this will be perceived by people as 'permanent' and indeed should be assessed as such in planning terms. It cannot be considered in-keeping with the wider pastoral landscape character of the Settled Plateau Farmland Slopes. The existing Blythe Farm (Lower Newton) PV facility nearby however provides some local context for the proposals.

- 6.32 Hedgerows on the site are a significant feature and detailed landscape management proposals are needed to show how these will be managed to best effect and not allowed to deteriorate through the life of the scheme – likewise for the ponds.
- 6.33 As regards footpaths, the consultation response advises of some possible discrepancies in the mapped routes. The applicant has made correcting amendments in revised drawings 1107\_02Rev7 and 1107\_12Rev4. Some of the main landscape impacts will be experienced by users of these footpaths. Draycott footpath 27 passes along the northern edge of the development for a distance of 140m and will also have views when approaching from the north east. Draycott footpath 32 follows the north east site perimeter for c.350m then becomes Checkley footpath 4 but is in effect the same walking route and will give views towards the development.
- 6.34 Views from A50. In limited sections of this busy road there is some scope to view the site from the A50. The consultation response suggests some new planting or amendment to layout could reduce this. The applicant has responded: *The southern boundary is already mostly screened from the A50, with a short 100m section where existing screening within highways land hasn't yet fully matured (Plate 9 in RLC comments). It is expected that this will fully screen the site once it does. However, the LEMEP has been revised (Revision 4) to include gapping up of existing hedges on the full extent of the southern boundary...*
- 6.35 A group of three dwellings at Highfields Farm stand in close proximity to the proposed development. Two of the dwellings, The Old Barn and Horseshoe Barn have principal outlooks facing the development. They stand in generous plots with between 25m and 35m of garden depth. In the scheme as first submitted the panel structures would have come to within typically 10m of the garden boundaries. In the latest drawing 1107\_11 rev 02 the closest panels are set away from the garden boundaries by at least 34m and more typically are 40m to 50m into the field. The separation distances from dwelling window outlooks is therefore typically of the order of 70m to 80m. The site 'deer fence' boundary would remain at the c. 5m mark but the plans propose screen planting immediately alongside.
- 6.36 Cumulative effects. There are two sets of cumulative effects to consider. The first with the existing Blythe Farm PV facility (SMD/2014/0197) and the second with the potentially extended Blythe Farm PV facility (SMD/2022/0160). Realistically there is only the A50 where both facilities can be seen from a close distance and possibly from the access drive to Highfields Farm.

### **Trees and Hedgerows consultee comments**

- 6.37 The Council engaged an external arboriculture specialist (W J Lawton of Lawton Arboriculture) to advise on the tree impacts – including impacts on hedges. He raises no objections subject to conditions to cover:



- Appointment of an Arboricultural Clerk of Works and associated supervisory requirements;
- The use of suitable fencing and barriers to protect retained trees and hedges;
- Specialized working methods within identified Root Protection Areas and Construction Exclusion zones;
- Extent, scope and specification for tree and hedge works that are needed to facilitate the development.

6.38 He summarises the scheme impacts as follows: With the exception of the removal of one category U (poor quality) hedge and two category C (low quality) trees, the intention is essentially to retain all other trees and hedges, with various pruning / reduction works advocated to accommodate aspects of the security fencing, solar arrays (including shade reduction), and internal access routes. In places gaps will be created in existing hedges to allow for internal access routes. Existing retained hedging will be reduced to and maintained at 3m. There is the potential need for future reduction of trees / hedges at G140 (eastern corner) subject to shading on the nearest solar arrays.

### **Ecology and Biodiversity consultee comments**

6.39 Staffordshire Wildlife Trust (SWT) has acted as the Council's consultee for wildlife and biodiversity impacts. There has been an extensive negotiation between SWT and the applicant's ecology advisers to reach a scheme that SWT supports. From the submitted National Vegetation Classification (NVC) study of the grassland species it has been found that herb layer species richness has been lost and the county site of biological interest no longer survives. Measures can be introduced within the development to promote new species richness. Particular consideration has been given to nesting birds especially the possibility of ground nesting birds and adjacent areas of grassland are to be managed to provide increased ground nesting bird opportunities. The very extensive and substantial hedgerow pruning work will need to be limited to periods outside the bird nesting season (ie 1<sup>st</sup> September to 1<sup>st</sup> March) avoiding March to August inclusive. There is high potential for Great Crested Newts to be present given the six ponds within the site and more beyond and the developer has opted to follow the Natural England General Licensing procedure to ensure appropriate safeguard and mitigation. Ultimately the scheme is able to demonstrate a suitable level of Biodiversity Net Gain can be achieved – all subject to conditions.

## **7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE**

### **Principle of Development and Main Issues**

7.1 When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with

the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.

7.2 In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Of specific and particular relevance to this proposal SS1 seeks to deliver:

- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;
- development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, [including the Peak District National Park], both now and for future generations;
- and to support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.

7.3 Policy SS2 defines a settlement hierarchy for the District comprising its three principal towns, the larger villages, smaller villages and 'other rural areas'. Policy SS10 sets the development principles by which to determine planning proposals in the 'other rural areas' and is the relevant strategic policy for this application.

7.4 Policy SS10 for the rural areas outside of development boundaries is that "These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council and its partners will achieve this through the following actions: [inter alia]

1) Meet housing requirements and specific needs restricting house building in the countryside to that which has an essential need.

2) Sustain the rural economy by enabling limited expansion or development of business or employment uses where a rural location can be justified.

3) Enhance and conserve the quality of the countryside by:

- Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;
- Ensuring renewable energy schemes are of an appropriate scale, type and location;
- Encouraging measures which protect and enhance the biodiversity, geological resources and heritage of the District.

7.5 It can perhaps be seen that a solar generation scheme of this scale has "an essential need to be located in the countryside" in which case, if this is accepted, the proposal stands to be considered as acceptable in principle under SS10. Against this some would say, including in the public objections, that these developments need not be on farmland but could use the roofs of

buildings such as farm and industrial buildings. Nevertheless SS10 evidently anticipates renewable energy schemes in the countryside given the reference under its third delivery objective that they should be of an appropriate scale, type and location.

- 7.6 If it is agreed that the development can be accepted in principle, the main issues in respect of this solar farm proposal are:
- loss of agricultural land
  - landscape impact
  - impact on residential living conditions
  - ecology and biodiversity
  - archaeology
  - outputs / benefits – renewable energy
  - other matters – heritage / flood risk

- 7.7 The Council's specific Sustainable development policy SD2 states that:

The Council will strive to meet part of the District's future energy demand through renewable or low-carbon energy sources [including solar energy], in line with current evidence which identifies the feasibility of [solar energy]. The Council will support small- and large- scale stand-alone renewable or low-carbon energy schemes subject to:

- landscape impact [refer to landscape character assessment etc];
- demonstration of environmental/economic/social benefits of a scheme, as well as impacts mitigation;
- impact on residential amenities; and
- 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

- 7.8 Section 14 of the NPPF is headed "Meeting the challenge of climate change, flooding and coastal change" and says that the planning system "should support renewable and low carbon energy and associated infrastructure". NPPF 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."

- 7.9 The NPPF glossary defines Renewable and low carbon energy: “Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).”
- 7.10 The government’s Planning Practice Guidance (PPG) addresses Planning for renewable and low carbon energy saying that:
- “Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.”
- 7.11 Schemes that would generate more than 50MW are considered by the Secretary of State. At c. 15MW this proposal is well within the 50MW limit for the scheme to be determined by the Local Planning Authority.
- 7.12 The PPG specifically addresses buffer zones and separation distances at paragraph 008 (2014) saying:
- “Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis.”
- 7.13 Particular considerations for large scale ground-mounted solar photovoltaic farms are set out at PPG paragraph 13 (27.03.2015). This opens by saying:
- “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.”
- 7.14 There are then listed a series of ‘Particular factors a local planning authority will need to consider’:
- a) focussing large scale solar farms on previously developed and non-agricultural land;
  - b) 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.

c) 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

d) the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;

e) the need for, and impact of, security measures such as lights and fencing;

d) 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;

e) the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;

f) the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

7.15 The PPG says: “The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.”

7.16 A further source of guidance is the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) September 2021 which is also a material consideration. This notes that “Along with associated infrastructure, generally a solar farm requires between 2 to 4 acres for each MW of output.” Proximity of a site to dwellings is referenced noting “Utility-scale solar farms are large sites that may have a significant zone of visual influence. The two main impact issues that determine distances to sensitive receptors are therefore likely to be visual amenity and glint and glare.” These are considered in Landscape, Visual and Residential Amenity (Section 2.51) and Glint and Glare (Section 2.52) impact sections of EN-3.

#### EIA Screening

7.17 EIA screening was completed by the LPA under reference SMD/2021/0384. As noted at 4.1 above this initially was submitted for a slightly lesser area. Revisions to the boundary and overall site area were received during the screening and the decision refers to the area considered as being some c.40 hectares.

#### Agricultural land status

- 7.18 In the government's published regional mapping (via Natural England) the site lies within an area of entirely Grade 3 'Good to Moderate' quality agricultural land. The application is accompanied by a specialist agricultural land classification report supported by on-site survey. This is described as "a detailed soils and agricultural quality survey [was] carried out in October 2021 in strict accordance with MAFF (1988) guidelines". It was based on observations at intersects of a 100m grid, giving a density of one observation per hectare. During the survey, soils were examined by a combination of pits and auger samples to a maximum depth of 1.2m." Agricultural land classification divides land into five grades numbered 1 to 5, with grade 3 divided into two subgrades (3a and 3b). Grade 3a is grouped with grades 1 and 2 as being 'best and most versatile agricultural land'. Based on the submitted site-specific survey the land comprises 10.6% Grade 3a; 42.8% Grade 3b and 35.6% grade 4 with a further c.11% ponds, woodland and tracks.
- 7.19 Also with the application is a site-search analysis which sets out to show why farmland is unavoidable for this particular scheme. The search area was 1.8km either side of the available 33kV national grid circuit. The search found no potential sites within the study area in areas of Grade 4 land. Through Natural England the government has published a 'Guide to assessing development proposals on agricultural land'. Government policies aim to protect the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals.
- 7.20 The government's Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) September 2021 states:
- Solar is a highly flexible technology and as such can be deployed on a wide variety of land types. Where possible, ground mounted Solar PV projects should utilise previously developed land, brownfield land, contaminated land, industrial land, or agricultural land preferably of classification 3b, 4, and 5 (avoiding the use of "Best and Most Versatile" cropland where possible). However, land type should not be a predominating factor in determining the suitability of the site location.
- 7.21 Maps 1 and 2 with the submitted agricultural land classification report show how the 10% Grade 3a BMV land falls within parts of four separate fields the remainder of which are grade 3b. The applicant points out that a degree of continued agricultural use will be possible across the site through sheep grazing. It may be added that even though the scheme has a long lifespan of 40 years it does not eradicate or fundamentally alter the underlying soil resource. Taken together these points mean it can be concluded that the proposal does conform well with the parameters in the various guidance and in policy SD2.

### Landscape impact

- 7.22 The site is within the 'Settled Plateau Farmland Slopes' Landscape Character Type (LCT) as defined in the Council's 'Landscape and Settlement Character Assessment (2008). In a County-wide assessment context the site is within an area classed as having 'moderate' landscape quality (level 3 on a five point scale where 5 is highest). The key characteristics are stated as comprising:
- 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
  - Urban fringe farming with horsey-culture
  - Incongruous A50 dual carriageway corridor and mainline railway
- 7.23 The above summary relates well to the application site and surroundings. The Landscape and Settlement Character Assessment goes on to identify the key planning issues as being: impact of conurbation [not especially relevant here]; urban fringe farming and increase in horsey-culture; replacement of hedgerows by fencing; busy roads and mainline railway; loss of some semi-natural vegetation (ancient woodland, hedgerows and semi-natural grasslands), several of which are applicable to the application land and its setting. Also relevant to this application is the following stated planning guideline: *The loss of semi-natural vegetation should be checked and remaining habitats should be protected, managed and where possible extended to create sustainable [ecological] communities.*
- 7.24 A further stated land management guideline refers to the condition of the semi-natural vegetation characteristic of this landscape type as generally deteriorating and recommends that these habitats require protection and management. Very relevant to this application: *It is highly important that ancient and diverse hedgerows, particularly the hedgerow trees along them, are maintained and managed. Where hedgerows are planted or restored it is important that they should be species rich reflecting local indigenous hedge mixes and that the plants where possible should be grown locally. Consideration should be given to how the current practice of the erection of stock proof fencing rather than maintenance and management of hedgerows can be checked and the retention and maintenance of hedgerows be encouraged.* Ponds, woodlands and species-interest grasslands are also picked out for attention.
- 7.25 The applicant's Landscape assessment, (LVIA) says: *The fabric of landscape within the site represents a relatively intact agricultural landscape...* It is evident to the LPA that much of the Totmonslow site is of a significantly higher quality than the wider LCT due to its surviving dense hedgerows with standing trees, ponds and small traditional field sizes.
- 7.26 Remarkably, although an extensive site, the development visibility will be contained from wider prominence as the further surroundings fall away and due also to the numerous high hedges and, on the south side, due to the boundary created by the A50 corridor. The main effects are therefore local impacts on immediate 'receptors' – users of the footpaths, A50 and residents of dwellings at Highfields. The impact for footpath users in particular will be very marked

and represent a major change where the paths run alongside – Draycott 27 and Draycott 32. The applicant's LVIA notes at 5.23: *panels that are located to the south of the public footpath Draycott in the Moors 32 (DM32) will be visible to walkers that travel along it in both directions. The magnitude of change will be large leading to major likely significance of effects.* The LVIA says at 5.24 *panels are set back from the footpath alignments by a minimum of 6-8m and in these instances new hedgerows and wildflower margins will be introduced to provide substantial and effective mitigation.* This needs to be secured by an appropriate condition as the plans are not sufficiently clear in the detail on this matter. The issue however is limited to relatively short sections of fp 27 and 34 as noted at above.

- 7.27 In the planning assessment it would be reasonable to conclude that the impacts for users of the A50 will be fleeting and therefore minor. The Local Planning Authority do not accept the applicants contention that *“there is no visual connectivity due to the dense and abundant roadside vegetation”* LVIA 5.36. Whilst largely screened there are sections from the A50 where the solar panels would be visible.
- 7.28 Aside from Highfields (considered below), the locations of dwellings with some scope to view the development – eg Totmonslow and Oakhill are at sufficient distance and separation for the impacts not to be overbearing or otherwise unduly harmful to their living conditions. The layout in relation to dwellings at Highfields is summarised at 6.35 above. The LPA visited all three dwellings and met residents. In visual impact terms there are no, or very minimal impacts for the original Highfields farm house. For the converted farm buildings now dwellings at Old Barn and Horseshoe Barn there will be some directly visible effects which will change the outlook character and appearance especially from first floor level. The Landscape Consultant advising the LPA commented: *The view will exist from the garden spaces around the properties and from first floor level rooms facing south and west. If the PV arrays are considered to be too incongruous or overpowering to the outlook and setting of these homes there is sufficient space within the field to develop a suitably sized stand-off, possibly planted and still retain a large area of PV's.*
- 7.29 The applicant's LVIA concludes at 5.35: *The proposed development is closer to the dwellings associated with Highfields Farm and therefore the applicant has amended the layout to create a 25m wide landscape buffer between the residents boundary and the solar panels. Furthermore, the Landscape and Ecology Mitigations and Enhancements Plan (See Appendix A) demonstrates that an additional thick hedge and planting will provide further screening on the development side of the existing Boundary vegetation. The magnitude of change will be medium leading to moderate significance of effects at the operational stage and this will be reduced to minor moderate residual effects when the screening potential of the mitigation fully matures.*
- 7.30 It is judged reasonable to conclude that in visual terms the development would not be overbearing and would not be so close as to directly undermine the living conditions for occupiers of these dwellings, including enjoyment of their gardens.



- 7.31 Cumulative impacts are found to be low or negligible and this is due to the marked change in topography on the line of the A50 with the existing / recently approved solar developments to the south west being on land which drops away whereas this proposal is on a relative plateau. It will generally not be seen at all from the south west (where the other schemes will be visible). Where the proposal scheme is visible from surrounding areas, the south west schemes will generally not be seen.

#### Noise

- 7.32 Residents at Highfields (three dwellings) are concerned about the noise impacts both during construction eg piling work and once in operation. They have also referred to the noise output from transformers around the site. Transformer 2 (TR02) would be c. 275m from the nearest building and TR03 c. 300m. Ultimately the EHO is satisfied that noise disturbance would not be significant, subject to condition setting limits. An objector (through their appointed planning adviser) has requested a variation to this condition which the applicant has welcomed which would require a validation assessment to be conducted within three months of the site becoming operational to verify that noise impacts are within the required limits.
- 7.34 The applicant acknowledges that during construction: *Noise from on-site activities will vary across the construction period, with noisier activities such as the piling close to residential properties confined to around 1 week. The management plan will include details of when these periods will be, how disturbance will be minimised and will include contact details for the site manager, should the need arise.* These matters will need to be covered in a construction management method statement which will need to be prepared and submitted for LPA approval (through condition).

#### Glint and glare

- 7.35 During the assessment it became apparent that glint and glare from the surfaces of the panels could impact on both residential properties at Highfields and for stretches of the A50. At the request of the LPA the applicant commissioned a specialist study of potential glint and glare impacts. At page 47 this document defines grades of significance for impact from glint and glare in five categories: no impact, low impact, moderate and high impact. For the first two no mitigation will be required or recommended. When moderate impacts are identified mitigation is recommended and where high impacts are identified mitigation will be required.
- 7.36 The study says: *Solar reflections are geometrically possible along a 0.9km section of the A50. For 0.8km, screening in the form of existing vegetation and/or terrain is predicted to obstruct views of reflecting panels, and therefore no impact is predicted. For the remaining 0.1km section of the A50, solar reflections are possible inside the road user's primary field of view<sup>15</sup>. No screening or other mitigating factors have been identified and therefore a moderate impact is predicted, and mitigation is recommended (see Section*

- 6.4). A 1.5m height above ground level is taken as the typical eye level of a road user – but higher vehicles need also to be factored in.
- 7.37 The consultation response from National Highways (NH) requires a condition for details to be submitted. The application will need to meet NH requirements.
- 7.38 With regard to dwellings, the study has considered three dwellings at Highfields Farm (six buildings in total, taking account of ancillary buildings). The study finds that solar reflections are ‘geometrically possible’ towards all 6 of the assessed buildings at heights of both 1.8m and 5.0m above ground level. Horseshoe Barn is identified as building C, The Old Barn as building E and the former farm house as building A (and B). In all cases: solar reflections are found geometrically possible for more than 3 months per year but less than 60 minutes per day. Existing vegetation is found to be fully effective for Horseshoe Barn (ie ground and first floor.) Views of reflections above ground floor are possible for dwellings A and E – the former farm house (A) and the Old Barn (E). The study says: *any solar reflections predicted towards the first floor of the dwellings would not cause a significant impact to residential amenity at these dwellings as the timings are predicted to occur between 17.30 and 18.30 GMT.*
- 7.39 The study report does not find a need to recommend mitigation measures. The applicant however has committed in Drawing 1107\_11 to the addition of a thicker screening hedge along the boundary between the development and the Highfield properties. The study concludes: *If implemented, it is expected that this would reduce the effect upon the properties from low impact to no impact.*

### Ecology

- 7.40 Covered at 6.39 above, the use of appropriate conditions will be critical to achieving successful outcome. The very extensive hedge pruning which must be anticipated means that this must be conducted outside of bird nesting season, to take account of the scale of the work. Overall the development can be seen as a stabilising or conserving effect. A net gain will be achieved. In percentage terms this may inevitably be a lower gain than with some sites as this land starts from a potentially relatively high level.

### Archaeology

- 7.41 The County Archaeologist in general supports the conclusion in the submitted applicants’ archaeological assessment, noting that there is some, albeit low, archaeological potential/interest in the application site for all periods, with an increased likelihood of groundworks in the area encountering medieval and later archaeological features, particular of an agricultural, or in the case of the more recent periods, industrial nature (associated with an adjacent brickworks). They also highlight the presence of extant earthworks representing medieval ridge and furrow (i.e. evidence of historic ploughing) within parts of the application site, and note that the level of truncation of archaeological earthworks (and by extension any previously unknown below ground archaeological features within the site) is likely to be less than would be the case on arable land due to its current use as pasture. In conclusion, the County

Archaeologist recommends the imposition of two conditions requiring compliance with the written scheme of archaeological investigation submitted in support of the application and that the development shall not be brought into use until the site investigation and post-fieldwork assessment has been completed and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

#### Other matters – heritage / flood risk

7.42 As noted above the closest heritage assets can be found at Upper Team and St Margaret's Church (Grade II listed) in Draycott in the Moors. Both of these heritage assets are located over 600m to the north east, and 2km to the west respectively. At this separation distance it is considered that the development would not harm the setting of these heritage assets. The site is also located within flood zone 1, an area which has the lowest probability of flooding. The Lead Local Flood Authority recommends a number of conditions, including the use of permeable surfacing to limit ground compaction and the reinstatement of grass over temporary compound and access areas to minimise surface water run off. Flooding is not considered to be a constraint to the development and the development would have no impact on the setting of the above heritage assets.

#### Response to Public comments

7.43 The majority of the issues raised can be seen to have been covered in the report. A point has been raised about property values but the planning consideration must focus on the impacts on living conditions. The changes which this development will bring must not be under-stated but with the mitigations proposed it can reasonably be concluded that the effects on living conditions would be made acceptable.

7.44 The installation of security cameras is an understandable possible concern and needs to be subject to agreement with the LPA by condition to control the proximity to dwellings.

7.45 Both Parish Council and local residents are concerned that the development will have an adverse impact on mental health and well being.

## **8 Conclusion and Planning Balance**

8.1 There is clear national policy support for renewable energy which weighs heavily in favour of the development, supported by local as well as Government policy. Wide economic and environmental benefits attach to renewable energy proposals are significant material considerations which have to be given substantial weight. The delivery of renewable and low carbon energy and associated infrastructure is identified as being central to the economic, social and environmental dimensions of sustainable development. In this case the

proposal could be capable of generating 15MW of energy. Nevertheless, the Government's intention is not that all renewable energy schemes should be supported irrespective of any harm that might be caused. The NPPF makes clear that approval should not be granted where material considerations indicate otherwise.

- 8.2 The National Planning Policy Framework (NPPF) at paragraph 158, in respect of renewable and low carbon energy schemes, states that "when determining planning applications, local planning authorities should... approve the application if its impacts are (or can be made) acceptable" [subject to footnote 54 regarding wind energy (N/A)]. Local planning authorities should 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.
- 8.3 The following key issues have all been considered in this report:
- design
  - landscape and visual impacts
  - impact on residential living conditions
  - ecology and biodiversity
  - archaeology
  - loss of agricultural land
  - outputs / benefits
  - other matters – heritage / flood risk
- 8.4 As set out above it is considered that although the development would have some adverse impact on the landscape, particularly when viewed from the local footpath network, planning conditions, to secure additional soft landscaping would mitigate its impact.
- 8.5 The revised plans, which have repositioned the solar panels further away from the closest residential properties, supplemented by intervening soft landscaping would ensure that there would be very limited visual harm neighbouring properties. With respect to noise, the Councils EHO has confirmed that the operation of the site would not cause harm to the neighbours, and with the agreement of the applicant, a validation report will be submitted to demonstrate that noise levels are within acceptable limits. The impact on neighbouring properties can be mitigated by the imposition of planning conditions. Any residual impact on the wellbeing and public health of local residents are considered to be outweighed by the environmental benefits of low carbon energy and the contribution this scheme will make towards cutting greenhouse emissions.
- 8.6 Matters relating to ecology, archaeology, heritage and flood risk are considered acceptable, subject to the imposition of conditions. Detailed planning conditions will be critical to securing an acceptable scheme but subject to their inclusion, in combination with the various mitigations proposed and benefits identified, the scheme is recommended for approval.

## **9 RECOMMENDATION**

### **A. Approve subject to the following conditions:**

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

**Reason: To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.**

- 2. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:**

**1107\_01 Rev 2 (submitted 20/7/22)**

**1107\_02 Rev 7 (submitted 2/12/22)**

**1107\_03 Rev 1 (submitted 29/7/22)**

**1107\_04 Rev 1 (submitted 29/7/22)**

**1107\_05 Rev 1 (submitted 29/7/22)**

**1107\_06 Rev 1 (submitted 29/7/22)**

**1107\_07 Rev 2 (submitted 29/7/22)**

**1107\_08 Rev 2 (submitted 29/7/22)**

**1107\_09 Rev 1 (submitted 29/7/22)**

**1107\_10 Rev 2 (submitted 29/7/22)**

**1107\_11 Rev 2 (submitted 2/12/22)**

**1107\_12 Rev 4 (submitted 22/12/22)**

**Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.**

- 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 the submitted Landscape and Ecology Mitigation Plans [tbc] 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 shall also include for:-

a) 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 to those first planted. 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

**Arboricultural Clerk of Works and Supervision:**

6. No development shall take place until the arrangements for provision of a suitably experienced Arboricultural Clerk of Works (ACW) and associated arboricultural supervision must be in place as detailed within the applicant's submitted Arboricultural Method Statement (AMS) (\*Salopian Consultancy, Arboricultural Method Statement section 3 of the Arboricultural Appraisal Document and plans, Ref: SC:510 AA\_V2,dated 10/11/2022). \*Hereafter referred to as 'the submitted AMS'.

b. Pursuant to the above, this will include a pre – commencement site meeting between the site manager(s), the ACW and Local Planning Authority (LPA) representative to formalise the arrangements including auditable documents to demonstrate compliance through the development.

**7. Tree Protection Measures, Barriers / Fencing:**

No development shall take place (including preparatory work, site stripping, clearance or establishment) until temporary protective barriers (fencing) and advisory notices, delineating Root Protection Areas (RPA) and / or Construction Exclusion Zones(CEZ) for the protection of the existing trees to be retained shall be erected and installed in accordance with the guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations and as set out in the submitted AMS. Protective Barriers and or fencing shall be retained in position for the duration of the period that development takes place, unless otherwise dictated by the submitted AMS or agreed by the ACW or in writing by the LPA. 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 unless otherwise agreed with ACW or in writing by the LPA.

**Works within RPA / CEZ:**

8. Works within RPA's and or CEZ shall proceed only in accordance with the arrangements specified in the submitted AMS including direct supervision by the ACW, unless otherwise agreed in writing with the LPA. In the case of the tree identified as T21 a tree and site specific approved (civil engineer/ manufacturer) design for the intended cellular confinement system must be provided for ACW and LPA representative approval in writing prior to installation.

**Development Facilitation Tree and Hedge Works:**

9. Development facilitation tree and hedge works shall proceed only in accordance with the specification and arrangements detailed within the submitted AMS. Works identified at section 3.6 as 'breach, erosion and removal' must be confined to the location and extent shown on the Tree Protection Plan accompanying the submitted AMS unless otherwise agreed in writing by the ACW or the LPA. Trees shown within hedgerows on the Tree Constraints and Tree Protection shall not be reduced in height, uprooted, or removed unless otherwise agreed in writing by the ACW or the LPA representative.

**Reasons Conditions 6-9**

Reason: Reasonably required to satisfy the Local Planning Authority that retained trees and hedges will not be damaged either prior to or during construction, and to protect and enhance the appearance and character of the site and locality, in accordance with Staffordshire Moorlands Local Plan (adopted September 2020), Policy NE 2 Trees, Woodlands and Hedgerows and pursuant to section 197 of the Town and Country Planning Act 1990. Reason 7: To avoid any doubt

10. All tree and hedgerow pruning shall take place only in the period 1<sup>st</sup> September to 1<sup>st</sup> March in any year unless otherwise agreed in writing with the LPA.

Reason: due to the extensive work required and in the interest of nesting birds.

11. No tree felling is to be undertaken on site or excavation within root protection areas without the express written agreement of the LPA and after consideration of tree sensitive construction processes.

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

**Archaeology**

12. No development shall take place until the scheme of archaeological site investigation work has been implemented in full in accordance with the written scheme of archaeological investigation submitted with the application and post-fieldwork assessment has been completed in accordance with the approved written scheme of archaeological investigation and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To protect archaeological interests.

**SCC Highways**

13. No development shall take place, until a traffic Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) a site compound with associated temporary buildings;
  - ii) the parking of vehicles of site operatives and visitors;
  - iii) loading and unloading of plant and materials;
  - iv) storage of plant and materials used in constructing the development;
  - v) wheel wash facilities;
  - vi) mechanical road sweeper for existing carriageway;
- Reason: To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC3; in the interests of highway safety.

14. 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 DC3; in the interests of highway safety.

#### National highways

15. The recommendations contained in the applicant's submitted Glint and Glare assessment shall be implemented subject to being accepted by National Highways along with any amendments or revisions required by National Highways which shall be notified to the developer in writing by the Local Planning Authority.

Reason To Ensure the Safe Operation of the Strategic Road network.

16. No development shall take place until details of boundary treatment to the A50 have been approved in writing by the Local Planning Authority, in consultation with National Highways. No solar panels shall be erected until boundary treatments have been implemented in accordance with the approved details.

Reason: To Ensure the Safe Operation of the Strategic Road network

17. No development shall take place until a Construction Traffic Management Plan (CTMP) for the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways and with the area Highways Authority. Development shall only take place in accordance with the Construction Traffic Management Plan as approved.

Reason: To ensure the efficient and reliable operation of the Strategic and local road network during construction.

18. 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

19.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**

20.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 and include Ground-nesting Bird Mitigation and the Landscape/Ecological Mitigation Plan drawing... The LEMP shall amongst other matters provide detailed off-site ground nesting bird mitigation on the land identified... adjacent to the 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

21.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**

## **22. The development hereby permitted**

### **Temporary Compound**

**23. 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**

**24. 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**

**25. 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**

**26. 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**

**27. 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**

**28. During the construction phase the following must be adhered to at all times:**

- a) 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;**
- b) all waste transfer records shall 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**

**29. 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**

**30.** Within three months of the solar farm becoming operational an assessment shall be undertaken and submitted to the local planning authority for approval. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises).

All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed upon in writing with the local planning authority.

**Reason:** To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

#### **Protection and enhancement of public footpaths**

**31.** 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 measures to protect the public footpaths Draycott and Checkley during construction 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

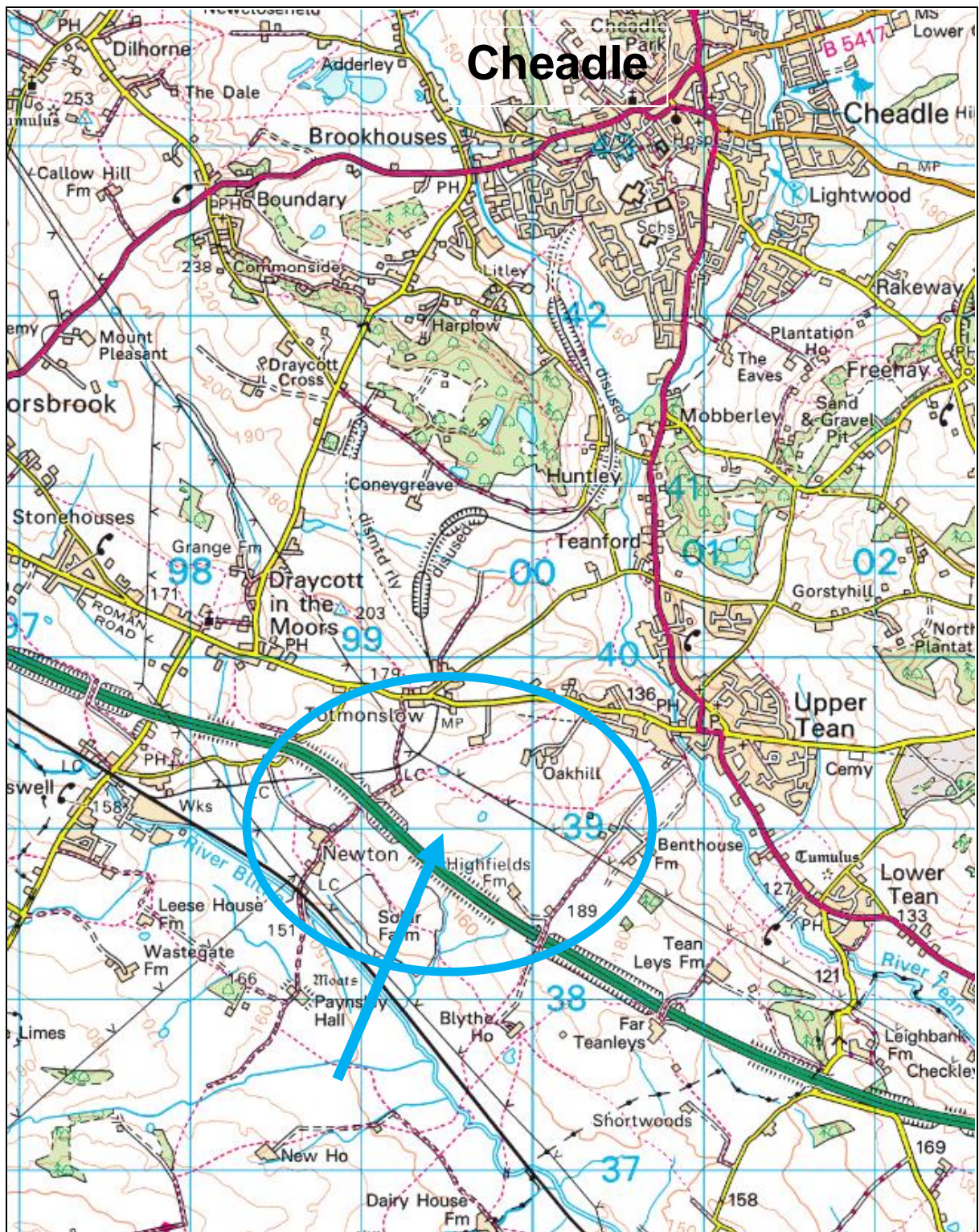
**B In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in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

## **10. APPENDICES TO THE REPORT**

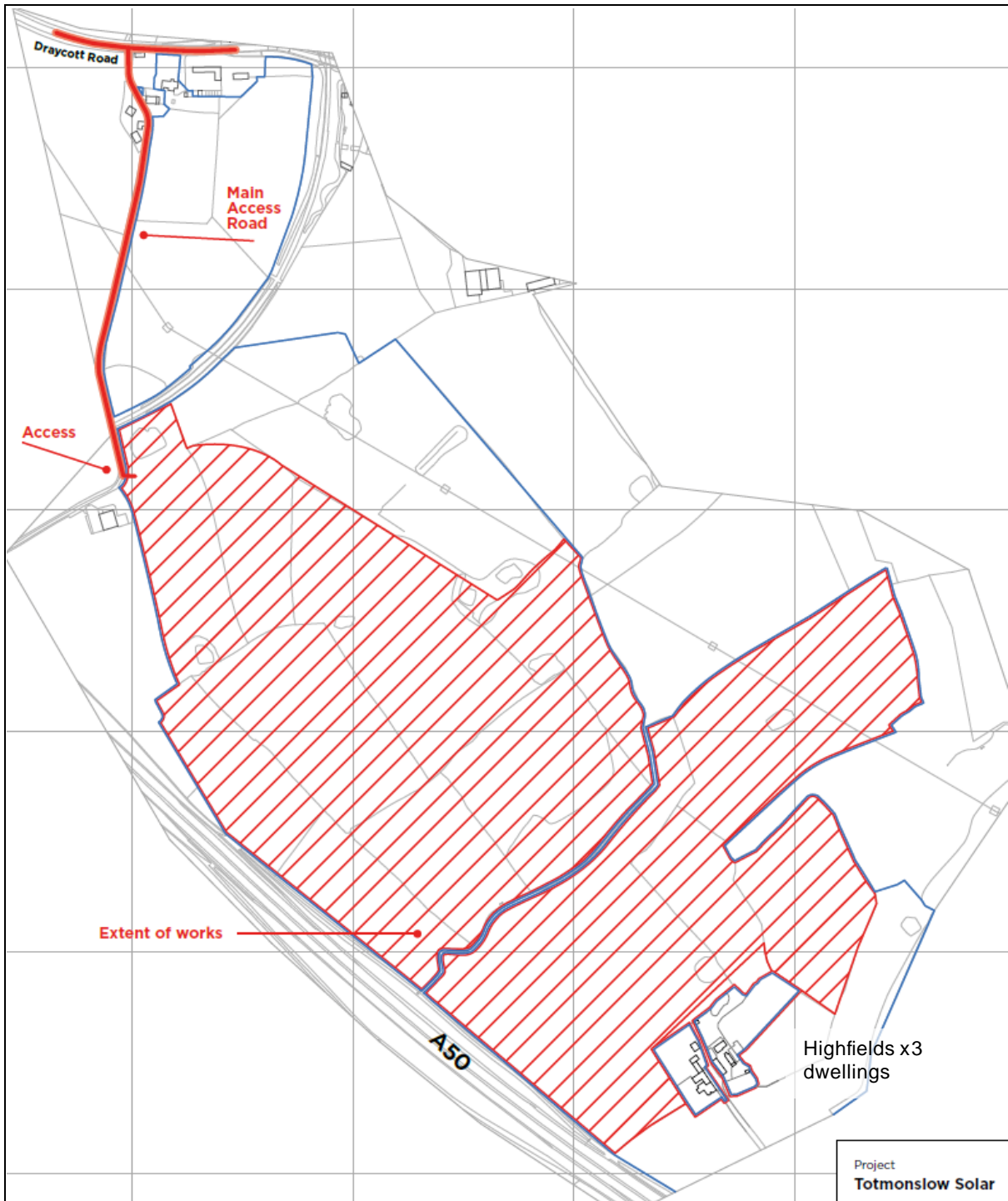
**10.1 The link below to the Council's website is where the detail of this application can be viewed:**

**<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=162105>**

## 10.2 – location plan



### 10.3 Application Site plan – taken from drawing 1107\_01 rev 2



Public footpaths added in green