



PLANNING STATEMENT

Land to the north-west of Westhide
Herefordshire
HR1 3RQ

Prepared on behalf of
Ersun (Westhide SPV) Ltd

December 2021

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1. Introduction

- 1.1. This statement is provided in full support of a full planning application at land to the north-west of Westhide, HR1 3RQ, the “Site”, on behalf of Ersun (Westhide SPV) Ltd.
- 1.2. The application seeks “the installation of ground mounted solar photovoltaic array, together with associated infrastructure, security fencing, CCTV, landscaping, onsite biodiversity net gain and permissive rights of way” (the “Project”).
- 1.3. An EIA Screening Request for a screening opinion from Herefordshire Council pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, was requested for this proposal.
- 1.4. Herefordshire Council advised on 21st July 2021 “The Local Planning Authority, having taken into account the criteria set out in Schedule 3 of the 2017 Regulations, is of the opinion that it is unlikely the proposed development in isolation or in combination would result in significant effects on the environment by virtue of factors such as its nature, size or location. The proposed development is not of more than local importance in terms of its environmental and ecological effects and would not result in unusually complex or potentially hazardous environmental effects that cannot be assessed and addressed within the normal validation requirements and determination of the planning application. The development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.
- 1.5. Accordingly, on balance and based on the assessment above, the Local Planning Authority has adopted the opinion that the development referred to above for which planning permission is sought is **not** EIA development as defined in the 2017 Regulations”.
- 1.6. The Planning Statement follows detailed consideration of the character and context of the application Site, and advice received at the Pre-Application stage to inform the planning merits of the development proposal.
- 1.7. The subsequent sections of this Statement are divided into:

Section 2: Site Location and Context

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

Section 3: Relevant Planning History

1.9. Section 3 details the planning history associated with the application site and relevant planning history in the vicinity of the site.

Section 4: Pre-Application Advice

1.10. This section sets out pre-application advice sought and Herefordshire Council's advice.

Section 5: Community Engagement

1.11. This section advises community engagement was undertaken by the applicant and refers the reader to the accompanying Statement of Community Involvement.

Section 6: Proposed Project

1.12. This section contains a description of the development proposed.

Section 7: The Legislative and Planning Policy Context

1.13. The legislative and planning policy context of the site includes the statutory development plan which comprise:

- Herefordshire Local Plan Core Strategy 2011 - 2031
- Withington Group Neighbourhood Development Plan 11 October 2019
- National Planning Policy Framework, February 2019
- National Planning Policy Guidance

1.14. Key policies pertaining to the proposed Project are contained within this section.

Section 8 - 16: Policy Test and Key Planning Issues

1.15. This section outlines the planning considerations which are important to the determination of the application. Considerations are addressed in turn and explained in the context of the relevant planning policy outlined in the previous section.

Section 17: Conclusions

1.16. This provides the concluding comments in relation to the application for the proposed Project.

1.17. This statement should be considered in conjunction with:

- PP – 09775161 - Application Form and Ownership Certificates

- Documentation and Plans Schedule
- ALC-W1 – Agricultural Land Classification Report v3
- ARB-W1 – Arboricultural Report containing Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
- BEMCC-W1 – Core Strategy Policy SS6 and LD2 – Biodiversity & Ecology measures compliance checklist
- 3352BNG – Biodiversity Net Gain
- 3.0 Metric Westhide BNG
- CIL-W1 - Community Infrastructure Levy (CIL) – Determining whether a development may be CIL Liable Planning Application Additional Information Requirement Form
- CCMCC-W1 - Core Strategy Policy SS7 and SD1 – Climate Change Measures compliance checklist
- Confidential Badger Report – To follow
- CTMP-W1 - Construction Traffic Management Plan Issue 03
- Cumulative Impact Assessment – To follow
- DAS-W1 - Design and Access Statement
- 3352EclA-W1 – Ecological Appraisal fv03
- FRA-W1 – J-14440 Flood Risk Assessment
- HDBA-W1 – Heritage Desk Based Assessment Iss 1
- 3352LVIA-W1 – Landscape and Visual Impact Assessment Fv2
- 3352LVIA Appendices – Appendices A – E Rev A and Appendix F
- Landscape Environmental Management Plan – To follow
- 3352 Westhide Solar Type 3 Visualisations
- 3352 L GA 0 02 Landscape Mitigation and Enhancement Plan Rev B
- 3352 L GA 1 01 Landscape Mitigation and Enhancement Plan Inset 1
- 3352 L GA 1 02 Landscape Mitigation and Enhancement Plan Inset 2

- 3352 L GA 1 03 Landscape Mitigation and Enhancement Plan Inset 3
- 3352NA-W1 – Natural Assets and Environmental Net Gain Report fv1
- NIA-W1 – Noise Impact Assessment V2
- SCI-W1 – Statement of Community Involvement
- P3372 1 of 7 – Topographical Survey
- Full set of planning drawings:
 - 3352 L X LP 1 Site Location Plan Rev A
 - 3352 L GA 0 01 Masterplan Rev F
 - 3352 P DT 3 01 PV Mounting System Detail
 - 3352 P DT 3 02 Fence & Gate Detail Rev A
 - 3352 P DT 3 03 CCTV Detail
 - 3352 P DT 3 04 Access Track Detail
 - 3352 P DT 3 05 Transformer Substation Detail
 - 3352 P DT 3 06 Inverter Detail
 - 3352 P DT 3 07 Spares Container Detail

1.18. The application documentation demonstrates the diligent approach adopted by the applicant and their experienced consultant team in delivering a well-considered proposal based on sound environmental, sustainable and development control considerations.

2. Site Location and Context

- 2.1. The Site is centred on Grid reference: 357718 244466 and located to the northwest of the village of Westhide.
- 2.2. Westhide is approximately 8 km to the northeast of the City of Hereford.



Figures 1 & 2: Site Location

- 2.3. The Site identified on drawing no. 3352 L GA 0 01 Rev F Masterplan (approximately 152.5 acres / 61.7 ha) consists of a network of 8 arable fields bounded by hedgerows and woodland. Several scattered mature trees are present within the fields, as well as three ponds.

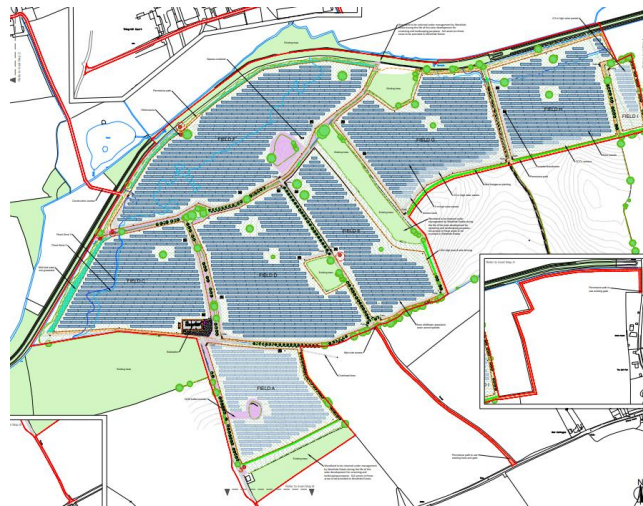


Figure 3: Proposed Project Layout – Drawing no. 3352 L GA 0 01 Masterplan Rev F

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- 2.4. The Site is bound to the northwest, north and northeast by the Herefordshire and Gloucestershire Canal separated from the site by a linear belt of trees and hedgerow. To the east lies further agricultural land, beyond which are several properties and the associated lane that serves the village of Westhide.
 - 2.5. The Site is adjacent to woodland on its western boundary, with further agricultural land to the south beyond which is Withies Road that serves Dodmarsh and the village of Westhide respectively.
 - 2.6. There are no distinguishing features or buildings within the boundary of the Site. There are several properties and the associated lane that serves the village of Westhide to the east.
 - 2.7. The Site is located within the landscape character Estate Farmlands.
 - 2.8. There are no dwellings in the immediate vicinity of the Site and those that are present to the east and south are separated by the intervening landscape.
 - 2.9. There are numerous listed buildings within the surrounding landscape. A Romano-British settlement is recorded within the site. This was found in the 1920s during the laying of a sewer pipe when large amounts of Romano- British pottery, box flue tiles and in-situ foundations were recorded.
 - 2.10. In 2001 the site was subject to limited re-investigation as part of a wider project examining agricultural impacts on archaeological sites (White, P. 'The Impact of Potato Growing on Archaeological Sites: A Preliminary Study' - Herefordshire Archaeology Report No. 44.). The 2001 investigations involved field walking (surface artefact collection), the opening up of 4 trial trenches and a geophysical (resistivity) survey. Whilst the result clearly indicated the presence of Romano-British material, including a possible furnace, evidence for surviving structures was not located and the geophysical survey results were poor, possibly due to heavy rain, poor definition between the fills of features and the surrounding natural and possibly due to truncation of archaeological features through agricultural processes. Whilst 'no direct evidence of the location or form of buildings was recovered', the presence of a substantial Romano-British settlement of the 2nd-4th centuries AD was confirmed. **Section 11** explores this in further detail.
 - 2.11. The land is relatively level with a gentle rise to the southeast of the identified land.
 - 2.12. There are no Public Rights of Way (PRoWs) crossing the Site. The Three Choirs Way is located beyond the site boundary to the north. An ordinary watercourse flows along the northern boundary of the Site. The topography of the Site is undulating.

Flood Zone

2.13. Much of the site is identified within the Environment Agency flood map (extract as below) as Flood Zone 1 an area having a low probability of flooding. However, the northern extent of the site is within Flood Zone 2 and 3 (Flood zone 2 – land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. Flood Zone 3 – land having a 1 in 100 or greater annual probability of river flooding). A Flood Risk Assessment will accompany any forthcoming formal application and address matters of flood risk and drainage.

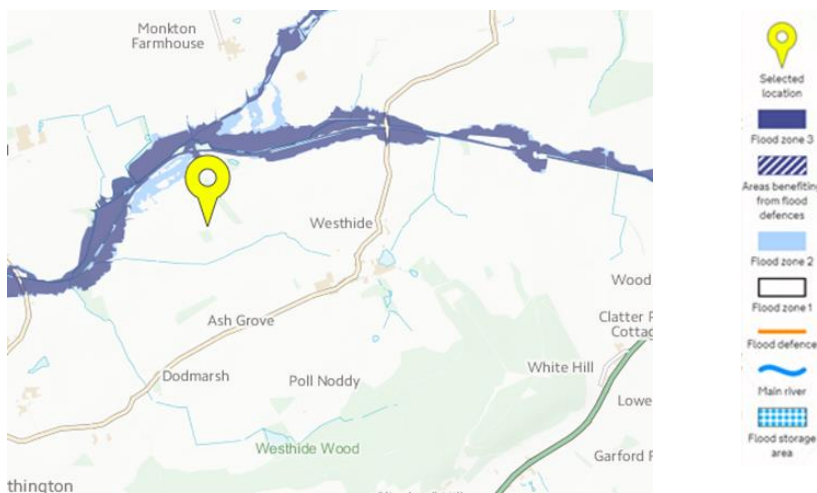


Figure 4: Extract from Environment Agency Flood Map for Planning

2.14. In addition, a review of surface water flooding for the Site has been undertaken. This advises there could be low risk to surface water flooding. This is discussed further below.



Figure 5: Extract from Environment Agency 'Risk of Flooding from Surface Water'

Authorised Use

2.15. The authorised use of the land is agricultural arable cropping.

Agricultural Land Classification (ALC)

2.16. The Agricultural Land Classification (ALC) guidelines provide a means of identifying the best and most versatile agricultural land as a strategic resource to the nation. Land is classified in terms of the extent to which physical and chemical characteristics impose long term limitations on agricultural use.

2.17. The principal factors are climate, site, soil and the interaction between these. They are used to classify agricultural land into one of five grades, Grade 1 being excellent and Grade 5 being poor. Grade 3 (amounting to half the land in England and Wales) is split into Grade 3a (good) and Grade 3b (moderate). The overall grade for a location is based upon the single most severe limitation. A cumulative grade cannot be derived from the aggregation of several less severe limitations.

2.18. In this instance the site is classified as Grade 3b.

2.19. Ersun (Westhidge SPV) Ltd, have commissioned Askew Land and Soil Ltd to prepare a Land Classification Report, which accompanies this submission.

2.20. An assessment of agricultural land quality, involving a desktop study and a detailed Agricultural Land Classification (ALC) survey, has been undertaken to determine the quality of agricultural land proposed for solar photovoltaic (PV).

2.21. British Geology Survey (BGS) information at a scale of 1:50,000 indicates that the ALC study area is underlain by the Raglan Mudstone Formation (siltstone and mudstone, interbedded) with a narrow band of Raglan Mudstone Formation (sandstone) in the centre of the Site. The bedrock is covered Head (clay, silt, sand and gravel) and Alluvium (clay, silt, sand and gravel) in the north and western region of the Site. There are no superficial deposits in the south-eastern parts of the Site, where the soils are developed from mudstone.

2.22. The Soil Survey of England and Wales provisional soil map (1:250,000) indicates that the Site is covered by soils in the Bromyard and Middleton Association. The Bromyard Association consists of reddish fine silty soils that are waterlogged for short periods only in winter, depending on slope or long-term use (Wetness Class I to II). Whilst the Middleton Association consists of reddish fine silty

and fine loamy soils that are seasonally waterlogged (Wetness Class III). The ALC soil survey in June 2021 confirmed the occurrence of silty clay and clay soils which are predominantly slowly permeable and seasonally waterlogged (Wetness Class III).

- 2.23. The land classified as Grade 2 (i.e., 11.5ha, or 18.6%), Subgrade 3 a (i.e., 4ha or 6.5%) and Subgrade 3b (i.e., 29ha, or 47%) is limited by soil wetness. Whilst the remaining land is not limited and is placed in Grade 1 (i.e., 12ha, or 19.5%).
- 2.24. The provisional (Pre 1988) ALC information shows that Herefordshire has a high proportion of agricultural land in Grade 1, i.e., 4.1% compared with 2.7% in England as a whole. Therefore, the presence of Grade 1 land at the Site is unsurprising, as it is widespread in the area. However, the high proportion of Subgrade 3b at the Site indicates that it is some of the poorest quality land in Herefordshire.
- 2.25. Of relevance to the proposed Project at the Site, the installation of solar photovoltaic (PV) is reversible, i.e., the agricultural land can be returned to its former agricultural productivity once the generation of renewable electricity has ceased, and the solar panels and associated infrastructure is removed.
- 2.26. The management of the grassland under the solar PV panels can improve soil health, such as increasing soil organic matter (SOM), and hence soil organic carbon (SOC), increasing soil biodiversity, and improving soil structure. This is consistent with aims and objectives for improving soil health in the Government's 25 Year Plan for the Environment.
- 2.27. Therefore, the reversible development of agricultural land at this Site for the proposed Project at Westhide would not significantly harm national interests regarding agricultural land quality and soil.

Statutory and Non-Statutory Designations

- 2.28. A search of statutory and non-statutory designations has been undertaken to identify any designations affecting the Site and the proximity of the Site to nearby designations which may have the potential to be impacted upon by the proposed Project.
- 2.29. Part of this search has been undertaken utilising MAGIC website which provides geographic information about the natural environment across the government. The results found 2km from the Site are summarised below:

Area of Outstanding Natural Beauty	None identified
Green Belt	None identified
Ancient Woodland & Semi Natural Woodland	Westhide Wood
National Nature Reserves	None identified
Local Nature Reserves	None identified
Local Wildlife Site	Westhide Wood
National Parks	None identified
Ramsar Sites	None identified
Sites of Special Scientific Interest	Site is within a SSSI Impact Zone area
Special Areas of Conservation	None identified
Special Protection Area	None identified
Registered Battlefield	None identified
World Heritage Site	None identified
Registered Park and Gardens	None identified
Source Protection Zone	None identified
Scheduled Ancient Monuments	Churchyard cross in St Peter's churchyard 1016122
RSPB Reserve	None identified
Listed Buildings	Threshing Barn at Old Monkton Farm Grade II 1463675 Lower Castleton Grade II 1234256 Barn and Hop Kilns Adjoining south of Lower Castleton Grade II 1276186 Pool Head Cottage Grade II 1099339 The Post Officer Grade II 1348996 Church of St Bartholomew Grade I 1301742 Churchyard Cross about 20 yards south-west of The Church of St Bartholomew Grade II 1099338 Barn and Gateway at North End of Westhide Court Grade II 1099298 Porch House Grade II 1099297 The Glebe Cottage Grade II 1348977 The Diary Grade II 1179899 Thatch Cottage Grade II 1348976 Phoenix Cottage Grade II 1179885 Cider House to rear of Cottage and attached outbuilding Grade II 1180069 Cottage and attached outbuilding Grade II 1099306 Withington Court Grade II 1099313 Farm Buildings complex and adjoining three hop kilns and animal shelter attached to north-west corner of stone house Grade II 1099312 Stone House Grade II 1301630 Church of St Peter Grade II* 1349003 Churchyard cross and base about 12 yards south of the Church of St Peter Grade II 1099308 Lych Gate about 20 yards west of the Church of St Peter Grade II 1301651

	<p>The Green Cottage Grade II 1099310 Withington War Memorial Grade II 1462264 The Green Grade II 1157312 Style House, enclosing walls and front gateway Grade II 1157396 Inglenook Cottage Grade II 1099309 Quarry Cottage Grade II 1099311 Lodge to former Thinghill Grange Estate and adjoining garden boundary to the east Grade II 1099301 Mill Post about 25 yards north-east of Lodge to former Thinghill Grange Estate Grade II 1099302</p>
Conservation Area (CA)	<p>The site is not within or immediately adjacent to a CA. Two CA's have been identified as below: 1. To the southwest of the Site – Withington CA 2. To the northeast of the site – Ocle Pychard CA</p>
National Character Area	Herefordshire Lowlands

Table 1: Statutory and Non-Statutory Designations. Source: <https://magic.defra.gov.uk/magicmaps.aspx>.

2.30. The features disclosed within Table 1 are locally and nationally significant designations. Whilst these features are within the redline boundary, they have been fully assessed as part of the proposed Project.

2.31. A Map Extract which shows the location of the nearest designations relative to the site is provided below:



Figure 6: Extract Map (Red Square: Grade II Listed Buildings, Yellow Square: Grade I Listed Building; Other Coloured Areas: Woodland Designations; Site Location: Red Square. Source: Magic Maps, <https://magic.defra.gov.uk/magicmap.aspx>

3. Relevant Planning History

- 3.1. A review of Herefordshire Council’s website has not identified any planning history related to this Site.
- 3.2. However, several solar photovoltaic Projects have been approved within the authority. Those proximate to the application Site are shown in bold text below:

Application No.	Address:	Description of Development:	Determination & Date:
P152293/F	Lyvers Ocle, Ocle, Pychard, Hereford, Herefordshire, HR1 3QH	Proposed extension to existing installation of ground mounted solar photovoltaic arrays and changes to existing fencing. Approx. 2.22 km north	Approved with conditions. 13.10.2015
N113608/F	Throne Farm, Weobley, Herefordshire, HR4 8TE	Proposed installation of ground mounted solar photovoltaic arrays with active tracking systems in paddock. Approx. 17.8 km north west	Approved with conditions. 08.02.2012
S112693/F	Doyre Cottage, Abbey Dore, Herefordshire, HR2 0AA	Proposed ground based solar photovoltaic array. Approx. 23.5 km south west	Approved with conditions. 07.12.2011
N113032/F	Broxwood Court, Broxwood, Leominster, Herefordshire, HR6 9JJ	Installation of ground mounted photovoltaic array. Approx. 23.2 km west	Approved with conditions. 15.12.2011
S112695/F	Bower Farm, Madley, Herefordshire, HR2 9PA	Proposed installation of ground mounted solar photovoltaic array. Approx. 18.3 km South west	Approved with conditions. 08.11.2011
N111393/F	Canon Frome Court, Canon Frome, Ledbury, Herefordshire, HR8 2TD	Installation of ground mounted photovoltaic (PV) array. Approx. 6.7 km east	Approved with conditions. 17.08.2011
DS042233/F	Lyonshall Barn, Stockley Hill, Peterchurch, Hereford, HR2 0ST	Installation of free-standing array of Solar Photovoltaic panels and a wind turbine. Approx. 21.7 km east	Approved with conditions. 16.06.2004.
212457	Land to the west of Dormington Substation, Off Langport Lane, Herefordshire	Request for EIA Screening Opinion Approx. 4.4 km south	Non EIA 15.09.2021

Table 2: Solar schemes identified in proximity to the Site

3.3. The above approved and operational ground mounted solar photovoltaic Projects are identified on the aerial image below:

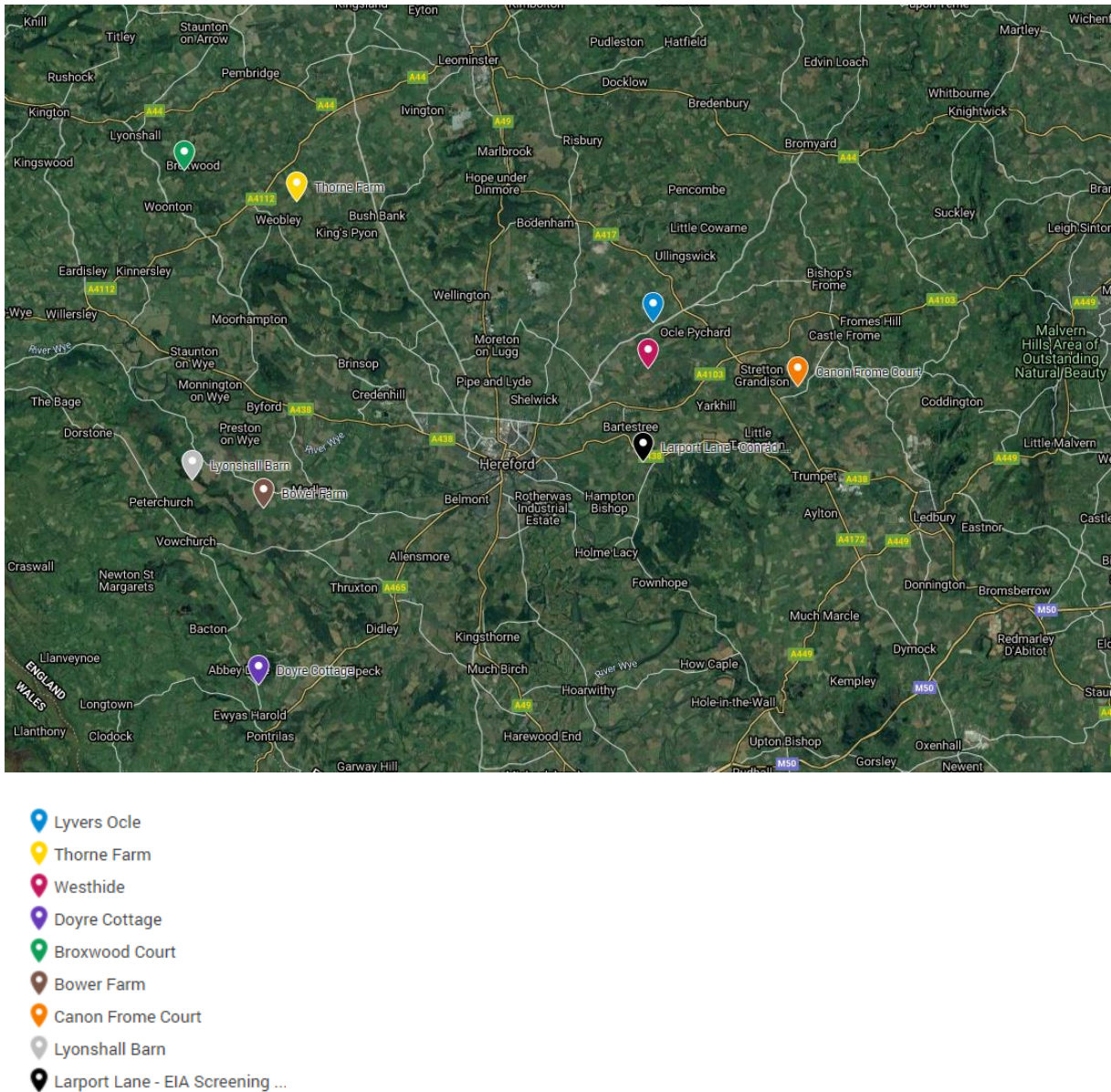


Figure 7: Operational Projects

3.4. A Request for EIA Screening Opinion for a solar PV with associated infrastructure including housing for inverters, transformers, and electrical equipment as well as fencing, security cameras, cabling and access tracks (approx. 5 miles south of the application Site), was submitted to Herefordshire Council by Conrad Energy.

3.5. The target determination date for the EIA Screening Opinion (Application No. P212457/EIA) was the 13th August 2021. The Screening Opinion was issued on the 15th September 2021 advising

“Accordingly, on balance and based on the assessment above, the Local Planning Authority has adopted the opinion that the development referred to above for which planning permission is sought is not EIA development as defined in the 2017 Regulations”.

- 3.6. In October 2021, a formal application was submitted to Herefordshire Council by Conrad Energy, application number P213963/F. The application was validated on 25th October 2021 and is now under consideration pending a decision.
- 3.7. The planning history review indicates that numerous other solar photovoltaic farms have been approved within the authority. Whilst every application is required to be determined on its own merits, an in-principle acceptance of such installations in the District has been previously accepted.

4. Pre-Application Advice

- 4.1. Pre-Application advice was sought from Herefordshire Council during February 2021 which sought officers' initial views of the principle of development comprising "the installation of ground mounted solar photovoltaic array and potential energy storage system, together with associated infrastructure; security fencing; CCTV; cable route and landscaping for a period of up to 30 years".
- 4.2. The Pre-Application submission was accompanied by a Planning Supporting Letter, seeking advice on a range of topics, and accompanied by a suite of drawings.
- 4.3. The proposed Pre-Application development area is shown on the extract below:

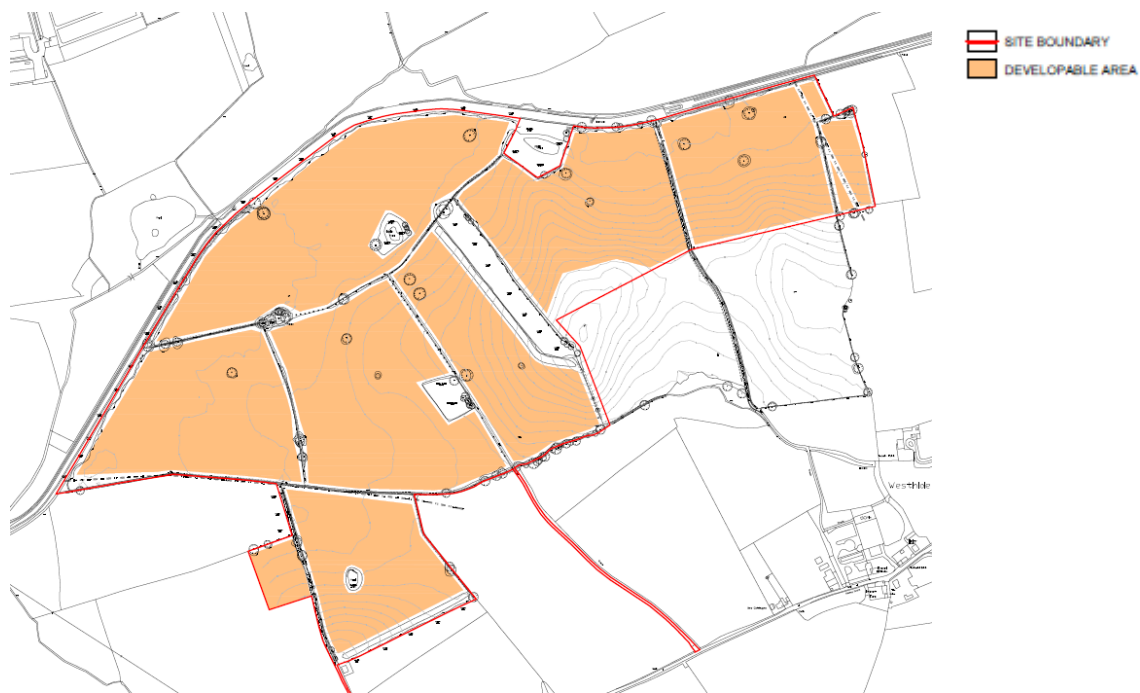


Figure 8: Site Layout Plan – Pre-Application Stage

- 4.4. An initial written response to the Pre-Application request was received on 12 April 2021, advising:
 - There are still very few solar farm developments within Herefordshire, especially ones of this size. Each proposal must be considered on its own merits and no precedence is set by any approved project. Such developments introduce a development of industrial appearance into an otherwise rural/ agricultural landscape, and although the application stresses that it is only temporary for a 30-year period, this is at least a generation. The Council do acknowledge that there is the potential for the site to remain in agricultural use

through the use of grazing. It is also recognised that all options for renewable energy entail some compromises, particularly on visual impact.

- In the case of this wider site put forward under this pre-application submission, it is felt that a balance will need to be made between visual and heritage impact with that of drainage and flooding. As the scheme develops, we would be happy to work with you in assessing the landscape and visual impact further. However, it is crucial that any submission acknowledges and assess the cumulative impact of the development with other similar developments in the wider area, which include a large polytunnel development recently approved to the north. The scheme should ensure that as far as possible the visual impact is localised and that a scheme of mitigation is provided to limit the visual impact from surrounding public vantage points. The application should also provide enhancement for wildlife provision.
- The Council acknowledges that cumulatively the contribution from individual renewable and low energy scheme will contribute to the government's climate change policy objectives. There is also clear support in Government policy for the delivery of renewable and low carbon energy and associated infrastructure, with the NPPF confirming that this is central to the economic, social, and environmental dimensions of sustainable development. A formal submission however will need to identify and assess all of the environmental impacts discussed above and demonstrate that these impacts can be satisfactorily mitigated against.
- This advice is given in the context of your request and the information provided in support and has regard to the Council's planning policy. Should you wish to submit a planning application I would recommend that this advice is taken into account. I would also recommend that you consult separately with the Environment Agency, Natural England, and the local community (Parish Council and adjoining landowners and properties) on the proposal prior to a submission. However, this advice is offered without prejudice to any future decision the Council may make following the formal consideration of a planning application.

4.5. The landscape and tree officer consultation comments were subsequently received via the planning officer on the 14th July 2021.

4.6. The scheme has been reviewed following the receipt of Herefordshire Council's advice, with the following revisions being made:

- The field to the most westerly side of the Site has been removed from the proposal, as indicated on the images below:

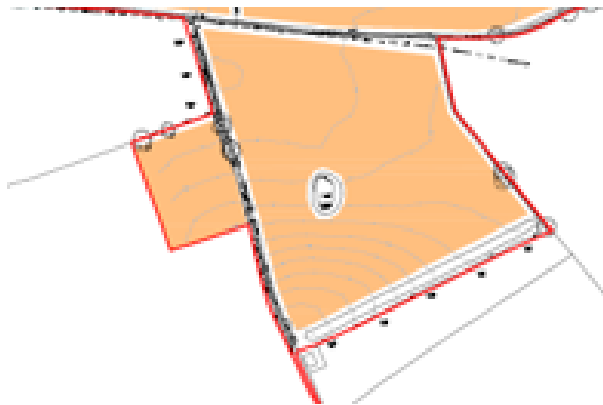


Figure 9: Pre-application layout

Figure 10: Removal of western area of Site

- Panels have been pulled back from the field boundaries, especially those to the north of the Site to enable the incorporation of wild bird seed mix grassland areas.
- A Great Crested Newt (GCN) ecological buffer has been incorporated within the development.
- Using topographical data, the landscape consultant has been able to identify areas where we are now proposing to have lower panel heights to ensure minimal visual impact.
- Most of the Site will have panels of 3m but several sections in the south and east of the Site will have areas with a reduced panel height of 2.5m.
- Whilst it is proposed that all existing hedgerows will be managed to a height of 3m to help screen the site, new hedgerows are proposed to be planted alongside the proposed new trees, either to create additional screening or to infill gaps in existing locations with trees.
- Additional planting has been incorporated within the Site to help break up medium or long-distance glimpse views.
- Central inverters have been positioned as far as possible from residential properties.
- In direct response to comments received at the public consultation stage, a temporary permissive path will be located alongside the Project for the operational duration of the scheme (30 years). The proposed route presents an opportunity for a circular walk around the solar farm, providing approximately 4km of extra walking path in the vicinity of Westhidge for the duration of the scheme.

5. Community Engagement

- 5.1. The applicant has undertaken extensive public consultation and stakeholder engagement with the local community, Parish Councils, and unitary authority councillors.
- 5.2. A full programme of the public consultation and stakeholder engagement undertaken and by what means is set out within the Statement of Community Involvement report, prepared by TEKSS Ltd and accompanies the application.

6. Proposed Project

Introduction

- 6.1. The Project comprises the installation of ground mounted solar photovoltaic farm circa 34.6 MW (DC).
- 6.2. Driven by a multi-layered political framework at both national and international levels, the UK's Energy infrastructure is on a rapid path to decarbonisation. This path involves the transition away from traditional fossil fuel generation to more sustainable methods such as solar PV and wind.
- 6.3. Solar energy is a renewable free source of energy that is sustainable and totally inexhaustible. It is a non-polluting source of energy and can make a significant contribution to both Herefordshire's and the national carbon reduction targets, with no adverse effects to the environment.
- 6.4. Land developed for solar arrays can continue to be farmed, whilst also providing a net biodiversity enhancement.

Solar Photovoltaic

- 6.5. The electricity generated from solar photovoltaic array is direct current which requires the conversion to alternating current prior to being fed into the National Grid. The Project will therefore utilise circa 14 transformer inverters, spaced evenly across the Site as identified on drawing 3352 L GA 0 01 Rev F Masterplan.
- 6.6. Electricity is then passed via two substations / switchgear rooms, one owned and operated by the Ersun (Westhide SPV) and the other operated by the Distribution Network Operator (DNO), before final connection to the national grid. Details of a typical 66kV substation compound are provided within the drawing 3352 P DT 3 05 Transformer Substation Detail.

Layout

- 6.7. The solar photovoltaic panels will be ground mounted solar modules, laid out in parallel rows (arrays) running east to west orientation, facing south usually at 25° from horizontal to maximise exposure to solar radiation, as shown on drawing 3352 P DT 3 01 – PV Mounting System.
- 6.8. To assist with views into the Site, panels within fields A, G, H and I will have a maximum trailing edge of 2.5m with a front leading edge of 0.7m. The remaining fields will have a maximum trailing edge of 3.0m with a front leading edge of 1.2m.

- 6.9. Arrays will be clustered together to minimise ground footprint but will be spaced (approximately 4.5m, this may vary) to avoid shadowing from panel to panel.
- 6.10. Arrays will be sited a minimum distance of 5 m from field boundaries and further if trees are present, to safeguard the health of the hedgerows / trees and to provide enough distance to protect ecological features or features of conservation value identified along the boundaries. Setting the panels back will also prevent shading by adjacent trees and hedges.
- 6.11. The fence specification and distance proposed from the field boundaries and solar array is discussed in detail below.

Height

- 6.12. The solar photovoltaic panels will be ground mounted on angle racks. Panels with a maximum trailing edge of 2.5m will have a front leading edge of 0.7m. Furthermore, panels with a maximum trailing edge of 3.0m will have a front leading edge of 1.2m. The angled nature of the solar photovoltaic panels ensures the best solar absorption, and the height of the front leading edge will vary so that despite the undulation in the ground, the solar photovoltaic panels will all remain level with each other.

Routing and Site Access

- 6.13. A Construction Traffic Management Plan prepared by Cotswold Transport Planning accompanies this formal submission.
- 6.14. Most construction vehicles will travel to / from the site via and from the A465, to the north of the Site to a farmstead, where materials will be stored and then transported to the development Site via smaller vehicles.
- 6.15. Larger pieces of equipment, such as the transformer will be delivered on an articulated low loader. Due to the swept path of this vehicle, it cannot be transported along the main construction access track by a smaller vehicle. As such the transformer will be delivered via the C1131, to the south of the Site.
- 6.16. Whilst the majority of construction vehicles will travel to / from Site via the main construction access route to the north of the Site, it is envisaged that some construction vehicles will need to access the site from the south, alongside the transformer delivery.

6.17. Two potential points of access are available from the C1131 and these supplementary construction access points are currently utilised for agricultural purposes, with large agricultural vehicles accessing and egressing regularly.

Internal Access Tracks

6.18. There are two types of internal tracks proposed – Distribution Network Operator (DNO) access track and internal access tracks.

6.19. The DNO requires a 4.5m wide access track comprising GeoGrid (or acceptable equivalent) laid on the existing ground level, 100mm of compacted recycle Type 1 stone and 300mm of cement stabilised clean Type 1 stone. This track will be constructed to this specification and set away from field boundaries to protect tree and further where any ecological sensitive features are identified.

6.20. The internal access tracks are required to provide easy access to the inverters which support the solar arrays.

6.21. The internal access track will form a 4m wide track comprising 300mm of compacted recycled stone.

Fencing

6.22. A fence of an approximate height of 2.5m made of heavy galvanised steel wire, with a plain or barbed wire top, timber fence post will be installed around the perimeter of the site to provide security to the solar arrays.

6.23. The fence will be erected on the inside of the existing field boundaries and offset by at least 5 m from the existing perimeter hedgerows. Existing openings will be utilised where practical and possible to move from one field to another, to avoid the need to create new gaps in hedgerows.

Security Cameras

6.24. 84 standalone 3m high security cameras will be placed around the perimeter of the solar array, within the fenced area. The location of the cameras is identified on drawing 3352 L GA 0 01 Rev F - Masterplan.

6.25. In some instances, day/night cameras are located at the entrance of the Site, which are capable of viewing in colour during the daytime and switch to back to black and white at night.

6.26. The cameras will work 24 hours a day but only record when motion is detected.

6.27. The cameras will all be fixed and will be inward facing, covering certain areas within the fenced boundary of the Site only.

6.28. The height of the camera poles will be a maximum of 3 m. The cameras will be mounted on a slimline pole as shown on drawing 3352 P DT 3 03 CCTV Detail.

Landscaping

6.29. To assist with integrating the Project into the landscape a Landscape and Visual Impact Assessment (LVIA) and cumulative landscape and visual assessment (CLVIA) has informed the proposed landscaping scheme, which also accompanies this submission and identifies where additional planting (on boundaries of the site) will be required, including taking into consideration distant views achieved of the Site.

6.30. Reinforcement native species planting is proposed to the field boundaries. To complete the screening of views into the Site, a small number of field boundaries will be allowed to grow above their current height.

Construction methods / maintenance

6.31. The Project will consist of solar photovoltaic module rows mounted on top of each other in a landscape orientation, joined at the short edge. The modules will be mounted using a galvanised steel frame. They will be mounted on steel posts driven into the ground, the exact depth will be dependent on ground conditions, by way of a geotechnical report.

6.32. It is possible that in some locations within the Site, a small number of the steel posts will instead sit above ground, secured in place with concrete ballast blocks, to avoid damaging sensitive underground features. Underground concrete will only be required as a base on which the central inverters, substation buildings, and spares container will be sat.

6.33. Cables associated with the development will be concealed in trenches (depth to be in accordance with industry guidance) which will run along the side of the tables connecting all rows of panels with each other and linking to an inverter.

6.34. The cabling will have a minimal impact on the ground surface and will be fully removable at the decommissioning stage together with the steel frames, solar and photovoltaic panels, inverters, substations, and fencing.

6.35. Once the solar park is constructed and commissioned, there is minimal onsite activity required, with only occasional routine maintenance visits expected.

7. Policy Context

Introduction

- 7.1. This section discusses the relevant legislative and planning policy context associated with the site and proposed Project.
- 7.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.3. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.
- 7.4. The Development Plan for Herefordshire Council is:
 - Herefordshire Local Plan, Core Strategy 2011 – 2031
 - Neighbourhood Planning Guidance Note 25, Renewable Energy, April 2013 – Revised July 2015
 - Withington Group Neighbourhood Development Plan, October 2019
 - National Planning Policy Framework July 2021
 - Planning Practice Guidance (PPG)
 - National Planning Practice Guidance – Renewable and Low Carbon Energy June 2015
 - Other Material Considerations

Location and Designation

- 7.5. The site has no designations but sits adjacent to a designation on its northern boundary, which is identified as Herefordshire and Gloucestershire Canal. To the south and outside the site area is a Local Wildlife Site. A Scheduled Ancient Monument is also identified to the west and east of the site.

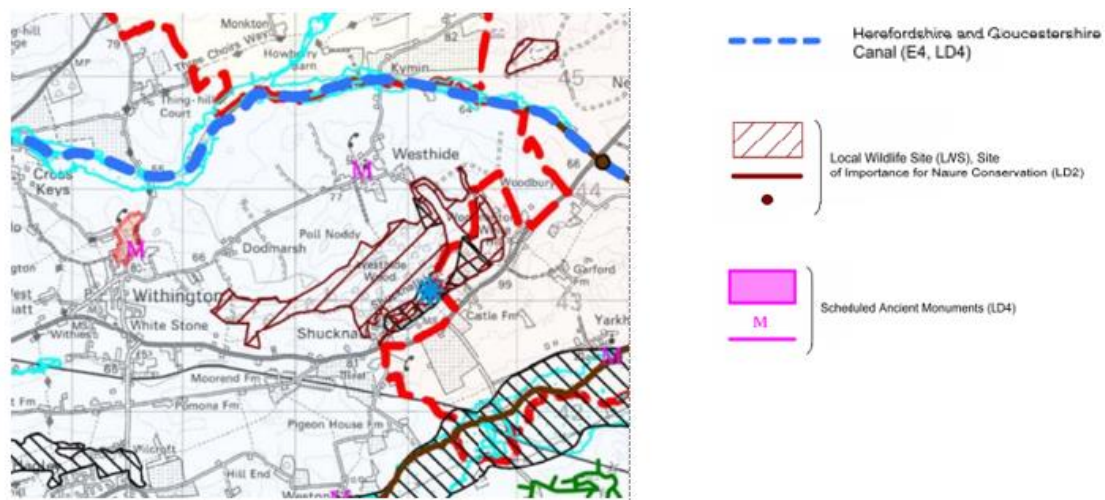


Figure 11: Herefordshire Council Proposals Map Extract

7.6. Hereford Council’s ‘Vision for environmental quality’ states “the wider impacts of climate change will be addressed by reducing carbon emissions, minimising pollution and the risk of flooding, ensure availability of natural resources. The provision of waste management and recycling facilities and renewable energy schemes will be guided through policies.”

Policies of relevance to this proposal

7.7. Policy SS1 – Presumption in favour of sustainable development, advises “when considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic, and environmental conditions in Herefordshire.

Planning applications that accord with the policies in the Core Strategy will be approved, unless material considerations indicate otherwise”.

7.8. Policy SS6 – Environmental quality and local distinctiveness, states “development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy”.

7.9. Policy SS7 – Addressing climate change, advises “development proposals will be required to include measures which will mitigate their impact on climate change. At a strategic level, this will include:

- Promoting the use of decentralised and renewable low carbon energy where appropriate.
- Protecting the best agricultural land where possible.

Key considerations in terms of responses to climate change include:

- Taking into account the known physical and environmental constraints when identifying locations for development.
- Minimising the risk of flooding and making use of sustainable drainage methods.
- Reduction, re-use, and recycling waste with particular emphasis on waste minimisation on developments sites.

7.10. Policy RA6 – Rural economy, states “employment generating proposals which help diversify the rural economy such as environmental technologies will be supported”.

7.11. Policy MT1 – Traffic management, highway safety and promoting active travel, advises, “development proposals should incorporate the following principle requirement covering movement and transportation:

7.12. Policy E4 – Tourism, states “Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county’s unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:

5. the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted”.

7.13. Policy LD1 – Landscape and townscape, advises, “development proposals should:

- Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas.

- Conserve and enhance the natural, historic and scenic beauty of important landscapes and features.
- Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings”.

7.14. Policy LD2 – Biodiversity and geodiversity, advises “development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:

1. Retention and protection of nature conservation sites and habitats, and important species in accordance with their status.
2. Restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks, and
3. Creation of new biodiversity features and wildlife habitats.

Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.

7.15. Policy LD3 – Green infrastructure, sets out how development proposals should protect, manage, and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:

1. Identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain.
2. Provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network, and
3. Integration with, and connection to, the surrounding green infrastructure network.

7.16. Policy LD4 – Historic environment and heritage assets, advises “the scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them”.

7.17. Policy SD1 – Sustainable design and energy efficiency states, “development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:

- Ensure that proposals make efficient use of land – taking into account the local context and site characteristics.
- Safeguard residential amenity for existing and proposed residents.
- Ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution.
- Utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials.

7.18. Policy SD2 – Renewable and low carbon energy, advises “development proposals that seek to deliver renewable or low carbon energy will be supported where they meet the following criteria:

1. The proposal does not adversely impact upon international or national designated natural and heritage assets;
2. The proposal does not adversely affect residential amenity;
3. The proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and
4. The proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user”.

7.19. Policy SD3 – Sustainable water management and water resources, advises “measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, to avoid an adverse impact on water quality; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensure that:

1. Development proposals are located in accordance with the Sequential Test and Exception Test (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire.
3. Where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime.

5. Development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible.
10. In particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading or Wastewater Treatment Works”.

7.20. Policy SD4 – Waste water treatment and river water quality, states “development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.

In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:

- Incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3.

Other material considerations

Neighbourhood Planning Guidance Note 25, Renewable Energy

- 7.21. Originally published in 2013 and revised in 2015, the Guidance Note, explains the basis of renewable energy, the need for renewables and its potential role within the District.
- 7.22. With respect to solar photovoltaic (PV) developments, it advises this is the most abundant of installed renewable energy technologies in Herefordshire.

Neighbourhood Development Plan

- 7.23. Withington Group Neighbourhood Development Plan (WNDP) was made on the 11 October 2019 and forms part of the statutory development plan. The relevant policies in connections with the proposed Project are as follows:

7.24. Policy P7 – Conserving Historic Character, advises, “all application affecting heritage assets in the Group Parish will be required to consider the significance of any heritage asset affected including any contribution made by their setting.

Significant weight will be given to the conservation of a designated heritage asset and any harm or loss will require clear and convincing justification in line with national policy.

Development adjacent to heritage assets, including conservation area, listed buildings and scheduled monuments, their curtilage and their settings, should be carefully considered to ensure that no harmful effects arise”.

7.25. Policy P8 - Herefordshire and Gloucestershire Canal, advises “the line of the Herefordshire and Gloucestershire Canal will be protected from development that would compromise the route of the canal in accordance with Core Strategy E4 – Tourism, paragraph 5. This protection extends to the historic line of both the canal along its length and the former canal basin at Withington Marsh as shown on the Policies Map”.

7.26. Policy P13 – Renewable Energy, states “renewable energy that will benefit the community will be encouraged where:

- a. They respect the rural character of the locality.
- b. They do not adversely affect local heritage such as archaeological sites and historic buildings, including their settings.
- c. They will not adversely affect biodiversity.
- d. Local and residential amenity is protected.
- e. Their scale reflects the community’s needs.

Other measures aimed at carbon reduction will also be supported where the criteria outlined above are met”.

National Planning Policy Framework (Revised July 2021)

7.27. The National Planning Policy Framework (“NPPF”) sets out the Government’s current planning policies for England and how these are expected to be applied. The NPPF is important as it provides policies to guide both decision taking and plan making and is a material consideration in determining applications. Paragraph 7 makes clear that “the purpose of the planning system is to contribute to the achievement of sustainable development. At a similarly high level, members of the United

Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection”.

- 7.28. At the heart of the NPPF is a presumption in favour of sustainable development which, unless material considerations indicate otherwise, requires local planning authorities to approve development proposals that accord with the development plan.
- 7.29. Paragraph 10 of the NPPF emphasises that “a presumption in favour of sustainable development” lies at the heart of the framework so that sustainable development is pursued in a positive way. Paragraph 11 elaborates that for decision-taking this means “c) approving development proposals that accord with an up-to-date development plan without delay.”
- 7.30. Chapter 4 ‘Decision-making’ requires local planning authorities to approach decision on proposed development in a positive and creative way and should seek to approve applications for sustainable development where possible.
- 7.31. Chapter 11 ‘Making efficient use of land’ emphasises the role of planning in promoting the effective use of land. Paragraph 119 states that planning policies and decision should promote an effective use of land in meeting the need for development whilst safeguarding and improving the environment and ensuring healthy and safe living conditions.
- 7.32. Chapter 14 ‘Meeting the challenge of climate change, flooding and coastal change’ emphasises that the planning system should “support the transition to a low carbon future in a changing climate” and should help to “shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the use of existing resources...; and support the delivery of renewable and low carbon energy and associated infrastructure.”
- 7.33. Paragraph 155 states that to help increase the use and supply of renewable and low carbon energy and heat local authorities should, inter alia, “provide a positive strategy to promote energy from these sources” and “identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems.”
- 7.34. Paragraph 158 describes that when determining planning applications for renewable or 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.”

7.35. Chapter 15. Conserving and enhancing the natural environment requires that planning decisions contribute to and enhances the natural and local environment and protects valued sites of biodiversity in a manner commensurate with their statutory status or identified in the development plan.

7.36. Chapter 16. Conserving and enhancing the historic environment sets out planning policies relating to conserving and enhancing heritage assets. It defines heritage assets (paragraph 184) as ranging from “..... sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.”

7.37. In relation to this paragraph (189), the policy states in Footnote 67 “The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.”

7.38. The NPPF states (paragraph 190) that: “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place”.

7.39. Paragraph 194 – 197 of the NPPF states that “in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

7.40. The NPPF continues “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”.

7.41. Paragraph 196 adds “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision”.

7.42. Of consideration importance to the planning process, paragraph 192 states that “in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.43. In respect to impact assessment, paragraph 193 sets out that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. Paragraph 200 continues “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.44. Of considerable importance is para 201 which states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all [AH emphasis] of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use”.
- 7.45. Paras. 202-205 set out additional policy in this regard: “(202) Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (203) The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. (204) Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (205) Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive

generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted”.

Planning Practice Guidance (PPG)

7.46. Planning Practice Guidance was issued in 2019 in respect of the revised NPPF.

7.47. Planning Practice Guidance (Reference ID: 5-001-20140306) elaborates on Paragraph 148 of the NPPF and states “increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses.

7.48. The PPG emphasises that “all communities have a responsibility to help increase the use and supply of green energy” and the planning system is recognised as having an important role to play in the delivery of new renewable and low carbon energy infrastructure in locations where the environmental impact is acceptable.

National Planning Practice Guidance – Renewable and Low Carbon Energy June 2015

7.49. In June 2015, the Government updated the Planning Practice Guidance for Renewable and Low Carbon Energy. It complements the NPPF and instead of making new policy, seeks to clarify the issues relevant in the planning context. It seeks to provide guidance on the location of sustainable development and reiterates the NPPF’s objective that ‘all communities have a responsibility to help increase the use and supply of green energy’.

7.50. Paragraph 001 emphasises the important role planning has in the delivery of new renewable and low carbon energy infrastructure to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change in locations where the local environmental impact is acceptable.

7.51. Paragraph 013 sets out the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms which include the following, summarised below:

- Where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

- That solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.
- The proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety.
- The extent to which there may be additional impacts if solar arrays follow the daily movement of the sun.
- The need for, and impact of, security measures such as lights and fencing.
- Great care should be taken to ensure heritage assets are conserved in a manner that appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.
- The potential to mitigate landscape and visual impacts through, for example, screening with native hedges.
- The energy generating potential, which can vary for a number of reasons including latitude and aspect.

Renewable Energy Directive (2018)

7.52. The Renewable Energy Directive (2018) includes a binding EU overall target for 2030 of at least 32% of energy from renewable sources.

Energy Act 2013

7.53. The Energy Act was granted assent on 18th December 2016. Through the Energy Act, the Government aims to further its objectives to meet the UK's decarbonisation and renewable targets. The Bill will establish a legislative framework for delivering secure, affordable and low carbon energy.

7.54. One of the key elements of the Bill is the introduction of new long-term contracts to provide stable financial incentives to invest in all forms of low carbon energy generation.

Climate Change Act 2008

7.55. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 amended the targets set out in Section 1 of the Climate Change Act 2008 to require the net UK carbon account for the year 2050 to be at least 100% lower than the 1990 baseline.

7.56. The Committee on Climate Change has advised the government in recent 'Reducing UK emissions: progress report to parliament' reports (2019,2020) that electricity generation from low carbon sources will need to quadruple in order to deliver the UK's commitment to become a Net Zero emissions economy by 2050 and that the deployment of large scale solar has a large role to play in delivering the plans to decarbonise the power system. The reports further highlight that the sustained and increased deployment in renewable required will necessarily require improvements in system flexibility provided by storage systems such as that offered by battery storage technology.

The UK's Draft Integrated National Energy and Climate Plan (NECP), January 2019

7.57. The 'Clean Growth Strategy (2017)' published by the UK Government sets out the ambitious policies and proposals, through to 2032 and beyond, to reduce emissions across the economy and promote clean growth.

7.58. In November 2017, the UK published its modern Industrial Strategy, which includes a Clean Growth Challenge. The Grand Challenge aims to put the UK at the forefront of industries of the future, by maximising the advantages for UK industry from the global shift to low carbon.

Net Zero Strategy

7.59. Ahead of the United Nations Climate Change conference in Glasgow (COP26), the UK government published their 'Net Zero Strategy' which includes fully decarbonising the UK's power system by 2035. The Strategy references 'more onshore, solar and other renewables... that takes account of the needs of local communities' like those in Herefordshire.

7.60. By the end of COP26, 151 countries had submitted new climate plans to slash their emissions by 2030. This strengthens the national and global policies to reduce the impact of climate change with new initiatives to help achieve the goal of net zero carbon.

8. Policy Test and Key Planning Issues

8.1. Considering the context of the site, its location, local and national planning policy, it is considered that the key planning issues in the determination of this application are as follows:

- Is the principle of development acceptable?
- Does the proposal alter the landscape character and visual amenity of the area?
- Have matters of heritage been satisfactorily addressed?
- Have matters of ecology and Biodiversity Net Gain been satisfactorily addressed?
- Have flood risk and drainage issues been satisfactorily addressed?
- Is accessibility, traffic movements generated by the proposal acceptable?
- Does the proposal give rise to unacceptable issues in terms of noise?

8.2. The issues are addressed in the following sections.

Is the principle of development acceptable?

8.3. The development of renewable forms of energy generation is a critical component of the Government's decarbonisation strategy for the UK.

8.4. The proposed Project will benefit from the 'presumption in favour of sustainable development' set out within the NPPF and would make a positive contribution towards 'supporting the transition to a low carbon future'.

8.5. Consequently, the Project is supported in principle within Chapter 14 of the NPPF and should benefit from the provision made within paragraph 154 that local planning authorities should 'approve the application if its impact are (or can be made) acceptable'.

8.6. Core Strategy Policy SS1 – Presumption in favour of sustainable development explains that when considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic, and environmental conditions in Herefordshire. Furthermore, planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and

Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

- 8.7. Core Strategy Policy SS7 – addressing climate change advises “development proposals will be required to include measures which will mitigate their impact on climate change. At a strategic level, this will include:
- Promoting the use of decentralised and renewable or low carbon energy where appropriate
 - Protecting the best agricultural land where possible.
- 8.8. Core Strategy Policy SD2 – Renewable and low carbon energy generation, advises “development proposals that seek to deliver renewable or low carbon energy will be supported where they meet the following criteria:
1. The proposal does not adversely impact upon international or national designated natural and heritage assets
 2. The proposal does not adversely affect residential amenity
 3. The proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and
 4. The proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.
- 8.9. Policy P13 of the Withington NDP advises:
- “Renewable energy proposals that will benefit the community will be encouraged where:
- a. They respect the rural character of the locality.
 - b. They do not adversely affect the local heritage such as archaeological sites and historic buildings, including their settings
 - c. They will not adversely affect biodiversity
 - d. Local and residential amenity is protected
 - e. Their scale reflects the community’s needs.
- 8.10. Furthermore, Herefordshire Council’s Neighbourhood Planning Guidance Note 25 – Renewable Energy supports such installations advising “solar PV can make a significant contribution to both Herefordshire’s and the national carbon reduction targets, with no adverse effects to the environment.”

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- 8.11. Officers at the pre application stage considered the proposal in principle would be consistent and in accordance with both National and Local policy with regards to improving sustainability.
- 8.12. The proposed Project has met the pre-requisites for identifying a suitable site to accommodate a solar photovoltaic farm in that the Site provides sufficient area (increasingly approx. 3-4 acres of land is required for every 1MW of installed capacity), to gain the most efficient solar absorption the land is required to be relatively level with minimal shading and in relative proximity of the point of electricity connection.
- 8.13. Furthermore, officers at the pre application stage advised ‘the success of any proposal falls to that of the technical material planning considerations, which the key one with this proposal is considered to be that of Landscape and Visual Impact. However, issues of Ecology, Drainage, Heritage and Highways are also issues which could influence the success of the application’. These matters are discussed below.
- 8.14. The proposed Project will contribute towards the securing of an energy supply in Herefordshire through the provision of local, renewable energy supply and assist with reducing greenhouse gas emissions in line with the local and national targets, in addition to supporting its strategy for its Climate Emergency declaration.
- 8.15. There is overriding support at both national and local level for ‘renewable energy’ such as solar. It is considered that the principle of development in this location, accords with Core Strategy Policies SS1, SS7, SD2, Withington NDP Policy P13 and Herefordshire Council’s Neighbourhood Planning Guidance Note 25: Renewable Energy.

Does the proposal alter landscape character and visual amenity of the area?

- 8.16. Core Strategy Policy LD1 – Landscape and Townscape, states “development proposals should:
- Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of the settlements and designated areas.
 - Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area’s character and by enabling appropriate uses design and management.
 - Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings.

- Maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

8.17. The Site does not lie within a protected landscape; however, the Site does fall within National Character Area (NCA) 100 Herefordshire Lowlands. Key relevant characteristics include 'Gently undulating landscape with localised steep-sided hills in the centre and wide agricultural flood plains', 'Low hedgerows with sparse tree cover', 'Dispersed rural settlement pattern throughout', and 'Tranquil and relatively undisturbed by major infrastructure'.

8.18. Furthermore, Herefordshire Landscape Character Assessment (2004, Updated 2009) identifies the Site within two Landscape Character Type's (LCTs). The majority of the Site, including fields to the centre, east and south, falls within LCT Estate Farmlands. Key relevant characteristics include:

- '...medium to large fields defined by hedgerows...
- mixed farming land use
- planned woodland character
- small geometrically shaped plantation woodlands
- medium-framed views
- clustered settlement pattern.'

8.19. The management objectives are prescribed for LCT Estate Farmlands as Conservation/Enhancement, which includes 'Conserve the enclosure pattern of sub-regular hedged fields' and 'Enhance tree cover through further planting of small scale plantations and tree belts'.

8.20. The north-western most fields of the site fall within LCT Riverside Meadows. Key relevant characteristics include:

- '...flat, generally well defined, alluvial floodplain, in places framed by steeply rising ground.
- pastoral land use
- well defined linear patterns of willow and alder
- tree cover represented by stream side and hedgerow trees
- unsettled landscape
- wetland habitat

- river channel
- hedge and ditch boundaries.'

8.21. The management objectives are prescribed for LCT Riverside Meadows as Conservation/Restoration/Enhancement, including 'Conserve, restore and enhance continuous linear tree cover along hedge lines, ditches and watercourses' and 'Seek to retain the strongly linear form of the landscape'.

8.22. The Landmark Practice were commissioned by the Applicant to carry out a Landscape and Visual Impact Assessment (and a Cumulative Impact Assessment) for the proposed Project. The LVIA that accompanies the application comprises the findings of a desktop study, complemented by site survey work undertaken at the baseline in December 2020, and considers the following:

- The landscape character of the Site, and its relationship to its surroundings
- Landscape-related planning designations
- Views towards the Site, and
- Assessment of landscape and visual effects.

8.23. The study area was defined and shown to extend 3km from the Site. The Site visit and Zone of Theoretical Visibility (ZTV) confirmed that the potential effects of the proposed Project beyond the study area are likely to be limited due to the nature of intervening topography and vegetation.

8.24. 13 publicly accessible viewpoints (receptors) were selected to provide a representative sample and spread of typical views towards the Site and to inform the layout and design (panel heights) of the proposal.

8.25. Local views can be summarised as those within close proximity of the Site, taken from local roads, PRoW and the church yard in Westhide where portions of the Site are visible. This includes the road between the villages south of the Site, from Westhide to the south-east of the Site and from the road at Kymin to the north-east.

8.26. A medium distance, elevated view from PRoW WT31, on the edge of Withington to the south-west of the Site, provides the most visibility of the Site. All other medium distance views of the Site are limited by vegetation and landform, resulting in infrequent glimpsed views. This includes views from the churchyard and PRoW WT10 in Withington to the south-east and views from the Three Choirs

Way and PRow on higher ground to the north, generally restricted by the surrounding vegetation and topography.

- 8.27. No distant views were afforded.
- 8.28. Mitigation measures are incorporated by iterative design to ensure that any adverse landscape and visual effects of the proposed Project are minimised. These include primary (embedded) mitigation which including the siting, design and choice of materials and secondary mitigation, informed by the LVIA assessment to address outstanding effects.
- 8.29. The visual sensitivity section of the LVIA (Section 11.0) explains the visual effects of the proposed Project on the roads between Westhide and Withington, views from the PRow across the study Site, views from the Three Choirs Way, north of the Site and view from St Bartholomew's Church, Westhide, and the Church of St Peter, Withington.
- 8.30. The proposed Project will have a Moderate adverse effect on LCT Estate Farmlands. The development will introduce solar PV arrays to the north-east edge of the LCT. Mature vegetation and landform provide a high level of containment from the north, east and west of the Site. The more open southern boundary affords inter-visibility between the western end of the site and the wider LCT to the south and the changes will be noticeable.
- 8.31. The proposed Project is unlikely to greatly impact on the character of LCT Riverside Meadows. The two fields in the north-west of the Site are well contained by surrounding mature vegetation which separate them from the wider LCT. Any changes will be highly localised to the site and the immediate vicinity of the site to the south. The landscape effects are assessed as Minor adverse.
- 8.32. The character of the site will experience a Medium magnitude of impact resulting from the addition of the solar PV arrays and associated ancillary infrastructure. The Project will retain and enhance all landscape features, together with introducing new hedgerows along historic field patterns. Due to the openness of the southern boundary, changes will be noticeable, and the landscape effects assessed as Moderate adverse on the Site and local environs.
- 8.33. In all cases, mitigation planting will assist in supporting management guidelines for the LCTs by enhancing key features of LCTs and the Site, such as woodland planting, field patterns and hedgerows.

- 8.34. Due to surrounding vegetation, topography and built form, the Site forms little to no part of the landscape setting of local heritage assets and the landscape effects are assessed as No Change to Minor Adverse.
- 8.35. The Site is well contained to the north by mature vegetation across the local landscape, which limits the visual effects on views from PRow and the Three Choirs Way, north and north-east of the Site to Negligible adverse or No Change. The Site is also well contained to the south by the higher ground of Shucknall Hill and White Hill, restricting views to local roads and PRow around Westhide and Withington where the effects are typically Negligible adverse to Minor adverse, due to intervening vegetation, topography and built form. The mitigation planting will assist in screening the Project in the majority of views, reducing the visual effects.
- 8.36. The largest effects include views from the eastern end of the road to Westhide and from PRow WT31 on the eastern edge of Withington. Receptors in these locations are afforded direct views into the western part of the Site due to the openness of the southern boundary. Due to the greater elevation on of PRow WT31, the construction activities and development will be noticeable from this part of the route. From the eastern end of the road between Westhide and Withington construction activities and development will also be noticeable. The visual effects are assessed as Moderate adverse for both locations on completion. Mitigation planting will contribute to filtering views of the development in these locations, breaking up the expanse of panels and reducing the visual effects to Minor adverse from the road to Westhide.
- 8.37. Due to surrounding vegetation, landform and built form, few private properties or heritage assets have visibility of the Site and the visuals effects are not anticipated to be harmful.
- 8.38. The thrust of planning policy is a requirement for proposed development to respect and enhance local landscape character including distinctive landscape features and environmental assets, together with residential amenity and the setting of heritage assets.
- 8.39. The Project responds to this in terms of the siting in a well enclosed location, and the retention and enhancement of key landscape features. Proposals include a landscape masterplan which will provide enhanced boundaries, restoration of historic boundaries, new green infrastructure links and appropriate hedgerow and tree planting.
- 8.40. Based on a review of the evidence considered within the LVIA, and subject to the application of the mitigation measures it is contended that the Project is acceptable in landscape and visual terms.

Have matters of heritage been satisfactorily addressed?

- 8.41. Core Strategy Policy LD4 – Historic environment and heritage assets advises “development proposals affecting heritage assets and the wider historic environment should:
- Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management.
- 8.42. There are no designated or non-designated heritage assets within the Site boundary, however, there are several listed buildings to the west and east of the Site.
- 8.43. Cotswold Archaeology were commissioned in October 2020 by Ersun (Westhide SPV) Ltd to undertake a heritage desk-based assessment (HDBA) in respect of the proposed Project and accompanies the submission.
- 8.44. The objectives of the assessment were:
- The composition and development of the historic environment within the Site and the wider landscape
 - A determination of the significance of any heritage assets located within the Site, and any heritage assets beyond the Site boundary that may potentially be affected by the Project
 - Any potential development effects upon the significance of these heritage assets (both adverse and/or beneficial)
- 8.45. The HDBA has identified high potential of previously unrecorded remains of Romano-British date occurring within the Site, associated with the known settlement in the central southern area of the Site. However, the level of survival of any potential archaeology is not yet known, and is suspected to differ across the Site. Away from the focus of the previously recorded Romano-British farmstead, archaeological remains are unlikely to be of the highest significance.
- 8.46. There is also some potential for remains of late prehistoric date, and former agricultural features, such as field boundaries, dating to the post-medieval period to be present.
- 8.47. Agricultural activity across large parts of the Site, including subsoiling and the cultivation of potatoes, will have had an impact on the upper level of any archaeological features present. The evidence from the investigations of the Romano-British site appears to support this conclusion.
- 8.48. In view of the identified archaeological potential, field investigation may be required prior to the determination of planning application. However, it is not considered that the significance of the

known and potential archaeological resource within the Site is of such a level that would require preservation in situ, or influence development design.

8.49. The HDBA has considered the potential effects of the Project on surrounding designated heritage assets, through the alteration of their settings. It was established that, on account of intervening development, vegetation, and topography, the Project would not result in any harm to the significance of any of the Listed Buildings in the study area.

8.50. The proposed Project has been assessed and is in accordance with the revised NPPF, The PPG, local planning policy, and guidance issued by Historic England.

Have matters of ecology and Biodiversity Net Gain been satisfactorily addressed?

8.51. Core Strategy Policy LD2 – Biodiversity and Geodiversity advises “development proposals should conserve, restore and enhance the biodiversity assets of Herefordshire, through the:

- Retention and protection of nature conservation sites and habitats, and important species
- Restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and
- Creation of new biodiversity features and wildlife habitats.

Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.”

8.52. Furthermore, Paragraph 177 of the Framework advises local planning authorities should apply the following principles, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

8.53. The Landmark Practice were commissioned by Ersun (Westhidge SPV) Ltd in October 2020, to assess the potential ecological impacts associated with the proposed Project. The Ecological Appraisal that accompanies the submission describes the ecological survey work undertaken, considers the impacts of the proposed Project on the ecology of the Site and environs and describes suitable avoidance, mitigation, and enhancement measures to address predicted impacts.

8.54. A desk study was undertaken to find details of designated sites and legally protected and notable species records within the zone of influence of the Site. A Phase 1 habitat survey and protected species assessment was conducted of the application Site in October 2020 to map the habitats

present and highlight potential for protected species to occur. A further Phase 1 survey was undertaken in June 2021 of an access track route to the north to be utilised by construction traffic. This Ecological Appraisal Report assesses the potential impacts of a solar development at this site on biodiversity.

8.55. The site comprises a network of eight arable fields bounded by hedgerows and woodland. Several scattered mature trees are present within the fields, as well as three ponds. The construction access track leads across the edge of an arable field and across two semi-improved grassland fields, joining an existing access point in a strip of woodland to the north of the site.

8.56. Potential for a range of protected species was noted, with the following further survey work undertaken, in accordance with industry guidance, for species which could be affected by the proposed development, as follows:

- Badger monitoring surveys
- Bat activity surveys
- Breeding bird surveys
- Wintering bird scoping surveys
- Great crested newt eDNA survey and population size-class assessments

8.57. Bat activity across the site was moderate, with nine different species of bats being present. The majority of passes represented pipistrelle species, with much smaller number of passes made by Annex II species lesser horseshoe and barbastelle.

8.58. An assemblage of bird species typical of the arable landscape was identified during the breeding bird surveys with the site providing opportunities to a number of species of conservation concern including skylark, linnet, dunnock, song thrush and yellowhammer.

8.59. A small population of great crested newts (GCN) was identified in Ponds 1, 2, 4 and 6, with ponds containing small (i.e., less than 10 individuals noted) peak counts of GCN.

8.60. No impacts on any other statutory or non-statutory designated sites from the proposed development are expected. Key Avoidance/Mitigation/Enhancement Measures outlined within this report are as follows:

- Creation of buffers between sensitive boundary habitats and development footprint
- Creation of wildlife corridors within the site (buffer for all woodland, hedgerows and ponds)

- Creation of circa 48 ha of species rich grassland
- Extensive enhancements to the landscape including 1.24 km of new hedgerow as well as 2.2 km of hedgerow enhancement and 190 new trees planted throughout the site
- Adherence to Arboricultural Method Statement and Tree Protection Plan to prevent damage to boundary features and retained trees
- Landscape planting proposals incorporate native species of local provenance with known wildlife benefit
- Hedgerows to be managed to allow significant structure to develop benefiting foraging and commuting bats
- Production of Landscape and Ecological Management Plan (LEMP) to ensure longterm safeguarding and management of new habitats
- Production of Construction Environmental Management Plan (CEMP) to safeguard wildlife during construction
- Pre-commencement badger survey
- Pre-commencement bat tree roost assessments
- No artificial lighting expected. Should it be required during construction, sensitive lighting only
- Precautionary Working Method for Dormice, in order to create three 1 m gaps in hedgerow for permissive pathways
- Sensitively timed site clearance to protect any nesting birds
- Provision of wild bird seed mix 0.5 ha in parts of the buffer areas (to be specified within LEMP)
- Incorporation of 10 no. bat and 10 no. bird boxes on retained trees throughout the site to increase roosting/nesting opportunities
- Production of Non-Licensed Method Statement for GCN, including specific ecological enhancements including 25 m GCN buffer wildlife corridor
- Provision of 5 no. reptile hibernacula, and
- Adherence to a Reptile Mitigation Strategy to prevent any reptile being killed or injured.

- Biodiversity Net Gain calculations using Defra metric 3.0
- General good working practice should be adhered to.

8.61. A range of ecological surveys have been undertaken to inform the proposed Project. Appropriate measures to avoid and/or mitigate impacts on protected species and to provide enhancements where feasible have been included in the assessment within the Ecological Appraisal in accordance with National and Local planning policy.

8.62. The Project is not considered to have the potential to result in any significant impacts on protected species, habitats, or designated sites, and have been demonstrated to provide considerable biodiversity net gain.

8.63. By virtue of the relatively limited ecological constraints posed by the Site's habitats coupled with the scale of the proposals and mitigation measures, the Project is capable of compliance with relevant planning policy and legislation for the conservation of the natural environment.

Have flood risk and drainage issues been satisfactorily addressed?

8.64. Core Strategy Policy SD3 – Sustainable water management and water resources advises “measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.

This will be achieved by ensuring that:

1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire
3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime
5. development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible.

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- 8.65. The Fluvial Flood Risk Review of the Environment Agency's (EAs) Flood Map for Planning indicates that the majority of the Site is located within the low probability Flood Zone 1. However, areas of the Site along the northern boundary adjacent to the watercourse are within Flood 2 and 3, medium to high probability of flooding respectively.
- 8.66. As the proposed development is located within Flood Zone 2 and 3 and is more than 1ha, in accordance with the EA standing advice, the application will need to be supported by a Flood Risk Assessment (FRA).
- 8.67. Nijhuis Industries have therefore been commissioned to prepare a Flood Risk Assessment; the full report accompanies this submission.
- 8.68. The primary aim in this situation is to address the risks of flooding and provide proposals for minimising risks to acceptable levels if practicable.
- 8.69. The development Site is located in an area of relatively flat countryside. The surrounding area comprises mainly of agricultural land and small hamlets. There is a watercourse at the northern boundary which comprises of a network of tributaries to the River Cale.
- 8.70. Several possible flooding mechanisms have been considered at the Site such as groundwater flooding, overland sheet flow, fluvial (river) flooding, tidal flooding, flooding as a result of development and land usage effects on flood risk.
- 8.71. Given the nature of the development, with vulnerable infrastructure raised above the ground level, it is considered that groundwater flooding does not pose a significant risk to most of the development Site. Therefore, groundwater flooding has not been considered further within the FRA.
- 8.72. The assessed overall low risk of flooding on the site, and the nature of the development infrastructure being at least 0.8m above the ground, it is considered that surface water flooding will not cause issues relating to the operation of the Site and has not been considered further within the FRA.
- 8.73. The Site is shown to be partially location within Flood Zone 3 (high risk). Therefore, fluvial flooding is considered further within the FRA.
- 8.74. The Site is shown to be located 37 miles from the sea. Therefore, tidal flooding has not been considered further within the FRA.

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- 8.75. The proposed Project has the potential to introduce impermeable area around the Site where the land was previously permeable. This could have the potential to increase the runoff rates across the Site which could increase the flood risk to adjacent Sites.
- 8.76. The drainage system need only contend with the volume of runoff from this area to ensure flood risk is not increased, however, additional storage should be provided to allow for inconsistencies and provide betterment. The potential for a sustainable drainage system to be installed within the development is therefore proposed.
- 8.77. In terms of land usage effects on flood risk, changing the site's primary function to solar power generation will have benefits regarding runoff rates if there is an inclusion of drainage features. These drainage features would provide betterment to the existing situation in terms of runoff rates and flood risk.
- 8.78. An ICM Infoworks model has been constructed with a view to quantifying the risk of fluvial flooding during a 1 in 100 year plus + 40% Climate Change (CC) event.
- 8.79. The production of the model has shown that during the 1 in 100year + CC fluvial flood event the maximum predicted flood depth is 0.22m.
- 8.80. The proposed panels are situated a minimum of 0.8m above the ground level and as such are not at risk of flooding. Furthermore, all inverters, substation and the containers are within Flood Zone 1 and free from flooding. It is therefore anticipated that all vulnerable infrastructure is outside of the flood zone extents.
- 8.81. The study has identified several mitigation proposals to reduce the risk of flooding to the areas in the flood zone to an acceptable level. These include:
- Sufficient spacing between piles supporting the panels to minimise flow disruption during a flood event.
 - The security fencing mesh sizing should be made as large as reasonably practical to reduce the change of blockage and obstruction of flow routes.
- 8.82. The FRA has investigated the impact the proposed Project will have on runoff rates from the Site. The additional runoff from the impermeable areas is minimal, however, calculations have been made to determine a suitably sized conveyance swale system to capture the additional runoff anticipated. These swales have been designed to capture and store surface water runoff with the possibility of infiltration occurring at a slow rate due to the soil types identified at the Site location.

- 8.83. A proposed development either entirely or partially within Flood Zone 2 or 3 would be required to pass the Sequential Test; demonstrating that there are no other reasonably developable sites at a lower risk of flooding. However, where NPPF does not cover areas within the superseded PPS25, then PPS25 is still considered relevant. Paragraph 3.49 of PPS25 states that renewable energy projects such as this do not require the application of the Sequential Test.
- 8.84. The proposed Project is classified as ‘essential infrastructure’, in which the development would be required to pass the Exception Test before being deemed appropriate. It is anticipated that the Site would pass the Exception Test as it provides wider sustainability benefits and can be developed safely with regards to flood risk.
- 8.85. Provided the mitigation measures as set out within the FRA are considered / implemented during the detailed design stage of the Project based on the flood depths and development proposals, it is anticipated that the flood risks can be suitably mitigated.
- 8.86. It is considered that the flood risk to the Site can be managed, and the Site can be developed safely and in accordance with Core Strategy Policy SD3, the thrust of the NPPF and PPS25.

Is accessibility, traffic movements generated by the proposal acceptable?

- 8.87. Core Strategy Policy SS4 – Movement and transportation, states “new developments should be designed and located to minimise the impacts on the transport network”.
- 8.88. In addition, Paragraph 113 of the Framework advises ‘development that will generate significant amounts of movements should be accompanied by a transport statement or transport statement’.
- 8.89. Pre-application advice was sought with Herefordshire Council (HC) and initial written comments were provided in April 2021 (Ref: 211010/CE). It was recommended that a Transport Statement and Construction Traffic Management Plan (CTMP) be submitted to support any forthcoming formal planning application to include the following:
- i) Details of the construction access points
 - ii) Details of ongoing maintenance access points
 - iii) Delivery methods and types of vehicles used
 - iv) Construction period/phasing and number of vehicle movements
 - v) Swept path assessment of delivery vehicles
 - vi) Visibility splays at any access points, and

vii) Method of preventing mud from transferring onto the highway.

8.90. Following the pre-application comments, Cotswold Transport Planning agreed with HC Highways Development Management that all the above could be adequately covered off in one report, which would be a CTMP.

8.91. Furthermore, the applicant has undertaken extensive public consultation with the local community and the CTMP that accompanies this submission has been produced to address the comments and issues arising from the pre application consultation and public consultation processes.

8.92. The Site is within an agricultural area, having large farm machinery utilising the road networks surrounding the Site and taking access into the Site.

Routing to Site

8.93. The majority of the construction vehicles will travel to / from the site via and from the A465, to the north of the Site to a farmstead, where materials will be stored and then transported to the development Site via smaller vehicles.

8.94. Larger pieces of equipment, such as the transformer will be delivered on an articulated low loader. Due to the swept path of this vehicle, it cannot be transported along the main construction access track by a smaller vehicle. As such the transformer will be delivered via the C1131, to the south of the Site.

8.95. Whilst most construction vehicles will travel to / from Site via the main construction access route to the north of the Site, it is envisaged that some construction vehicles will need to access the site from the south, alongside the transformer delivery.

8.96. Two potential points of access are available from the C1131 and these supplementary construction access points are currently utilised for agricultural purposes, with large agricultural vehicles accessing and egressing regularly.

Internal Access Tracks

8.97. There are two types of internal tracks proposed – Distribution Network Operator (DNO) access track and internal access tracks.

8.98. The DNO requires a 4.5m wide access track comprising GeoGrid (or acceptable equivalent) laid on the existing ground level, 100mm of compacted recycle Type 1 stone and 300mm of cement

stabilised clean Type 1 stone. This track will be constructed to this specification and set away from field boundaries to protect tree and further where any ecological sensitive features are identified.

8.99. The internal access tracks are required to provide easy access to the inverters which support the solar arrays.

8.100. The internal access track will form a 4 m wide track comprising 300mm of compacted recycled stone.

Vehicle Trip Attraction – Construction Phase

8.101. Construction at the site will be carried out Monday to Friday 08:00 to 18:00, and Saturdays 08:00 to 13:30. No construction or deliveries will take place on Sundays or Bank Holidays. To be considerate to residents, construction traffic associated with the solar farm will be co-ordinated to avoid vehicle movements during the AM (08:00 to 09:00) and PM (17:00 to 18:00) local highway network peak hours, as well as the School PM peak (15:00 to 16:00).

8.102. A maximum of up to 20 – 30 construction workers are anticipated to be on site during peak times during the construction period. A temporary construction compound area will be provided in the same location as the material storage. Ample parking space will be provided within the farmstead for construction workers; as such, no overspill car parking will occur on the local highway network.

8.103. The construction phase is proposed at 25-weeks, the actual construction process will not see a constant flow of vehicles from the outset of the development. Peak vehicle movements are suggested in the middle of the build process for three to four months.

Construction Compound

8.104. A construction compound area has been identified to the north of the Site as part of the agreement with the landowner. This compound will provide space for facilities, storage, and parking.

8.105. Delivery vehicles will transport equipment and materials to this location, unloading and loading at the predetermined location, from there, smaller vehicles will be utilised to transport the required construction elements to the Site along with the temporary access track to the Site.

Operational Phase

8.106. Once the park is fully operational there are anticipated to be approx. 2 visits a month to the site a year for equipment maintenance and management of the landscaping. These visits will be made by light vans or 4x4 vehicles. Access to the site for maintenance and management would be off the C1131 to the south of the site.

8.107.Space will remain within the site for such vehicles to turn around to ensure the vehicle can leave in a forward gear.

Public Access

8.108.There is no public access into or across the solar Site. However, as part of the Project, it is proposed to create a circular permissive path around the perimeter of the Site, which will be created on the practical completion of the Project to avoid conflict between users of the permissive paths and construction vehicles.

8.109.The CTMP has assessed a number of construction traffic related matters with reference to the development of the Site. The CTMP demonstrate the following:

- There are no inherent highway safety concerns in the vicinity of the Site
- Junction visibility from the access points to the north and south of the Site are suitable to accommodate the low proposed increase in vehicle trips
- An area of land (off-Site) will accommodate storage and welfare facilities
- The temporary construction works will not attract a significant level of vehicle trips, with the future operation of the Site only attracting a low volume of trips per year. Overall, vehicle trips will not result in a severe impact on the local highway network.

8.110.The CTMP has addressed the key construction traffic related issues arising from the proposed Project.

8.111.It is concluded that the vehicle movements attracted by the Project are safe and suitable, and they will not result in a significant impact on highway safety or a severe impact on the local highway network, it is in accordance with Core Strategy Policy SS4 and Paragraph 111 of the Framework.

Does the proposal give rise to unacceptable issues in terms of noise?

8.112.Core Strategy Policy SS6 – Environmental quality and local distinctiveness, advises development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:

- Local amenity, including light pollution, air quality and tranquillity.

8.113.Furthermore, Section 15 of the Framework entitled ‘Conserving and enhancing the natural and local environment’ addresses noise as a requirement of planning. Paragraph 174 states:

- e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basic management plans.

8.114.Paragraph 183 states:

Planning policies and decision should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should

- a) Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason’.

8.115.To address these matters the applicant commissioned ionacoustic to prepare a Noise Impact Assessment, the full report of which accompanies this submission.

8.116.The scope of the report is set out below:

- A sound monitoring survey was undertaken at discrete locations adjacent to the closest noise-sensitive receptors to the Site
- A 3-dimensional noise modelling exercise, in order to quantify the potential noise generation of the proposed Site uses
- An assessment of potential noise impacts with respect to the prevailing acoustic conditions at existing off-site receptors, and
- Recommendation of mitigation measures, where necessary, to comply with the requirements BS4142:2014+A1:20191.

8.117.The nearest noise sensitive receivers are located west, south west, south, south east and east of the Site (6 in total).

- 8.118. Plant noise data has been supplied and a noise impact assessment undertaken in accordance with the guidance in the NPPF, Noise Policy Statement for England (NPSE), National Planning Practice Guidance (NPPG), British Standard 4142:2014 (BS4142).
- 8.119. The prevailing background noise conditions in the area have been determined by an environmental noise survey conducted during both daytime and night-time periods between Thursday 3rd of June and Tuesday 8th June 2021. Predictions of plant noise emission have been undertaken based on manufacturer noise data.
- 8.120. The assessment identifies that the proposed Project will give rise to rating noise levels that are typically equal to or below the measured day and night-time background sound levels in the area, at the closest assessed residential receptors, thus giving rise to a Low Impact as per the significance criteria from NPPG in England: Noise.
- 8.121. Consequently, the assessment demonstrates that the development will give rise to impacts that would be categorised as No Observed Adverse Effect Level (NOAEL) within the PPG Noise guidance.
- 8.122. Given that the proposed Project conforms to National and Local Planning Policy requirements, it is recommended that noise should not be a constraint to the approval of this Planning Application, providing that the plant is constructed and operated in accordance with the acoustic assumptions of this report.
- 8.123. The Project is therefore considered acceptable in terms of noise emissions to the sensitive receptors in the vicinity of the Site and therefore accords with local and national planning policy.

9. Conclusions

- 9.1. The proposed Project is a 'renewable energy' solution, a critical component of the Government's commitment to become carbon neutral by 2050.
- 9.2. Herefordshire Council pledged in 2019 to work with strategic partners, residents, and local organisations to develop a revised countywide carbon dioxide reduction strategy aspiring for carbon neutrality by 2030.
- 9.3. The Project can be regarded as beneficial in respect of these targets and is supported by Policy SS7, Policy SD2 and Paragraph 155 of the revised NPPF.
- 9.4. Policy SS6 advises development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity, and heritage assets.
- 9.5. The visual sensitivity section of the LVIA explains the visual effects of the proposed Project on the roads between Westhide and Withington, views from the PRoW across the study Site, views from the Three Choirs Way, north of the Site and view from St Bartholomew's Church, Westhide, and the Church of St Peter, Withington will experience a Medium magnitude of impact resulting from the addition of the solar PV arrays. The mitigation planting will assist in screening the development in the majority of views, reducing the visual effects.
- 9.6. The proposed Project will retain and enhance all landscape features, together with introducing new hedgerows along historic field patterns. Due to the partial openness of the southern boundary, changes will be noticeable, and the landscape effects assessed as Moderate adverse on the Site and local environs. Due to the limited public access within the local landscape, however, the changes will be experienced from limited areas within the immediate vicinity of the Site. Mitigation planting will contribute to filtering views of the development in these locations.
- 9.7. The thrust of planning policy is a requirement for proposed development to respect and enhance local landscape character including distinctive landscape features and environmental assets, together with residential amenity and the setting of heritage assets.
- 9.8. Based on a review of the evidence considered within the LVIA, and subject to the application of the mitigation measures it is contended that the Project is acceptable in landscape and visual terms and accords with local and national planning policy.

- 9.9. The proposed Project has been assessed in terms of the significance of any heritage assets located within the Site, and any heritage assets beyond the Site boundary that may potentially be affected by the Project and any potential development effects upon the significance of these heritage assets.
- 9.10. The Heritage Desk Based Assessment considers the potential effects of the Project on surrounding designated heritage assets, through the alteration of their settings. It concludes that on account of intervening development, vegetation, and topography, the Project would not result in any harm to the significance of any of the Listed Buildings in the study area.
- 9.11. On this basis, the proposed Project, is in accordance with the revised NPPF, the PPG, local planning policy and guidance issued by Historic England.
- 9.12. An Ecological Appraisal has been completed in accordance with recognised industry guidance. Appropriate measures to avoid and/or mitigate impacts on protected species and to provide enhancements where feasible have been included within the Ecological Appraisal in accordance with National and Local planning policy.
- 9.13. The Project is not considered to have the potential to result in any significant impacts on protected species, habitats, or designated sites, and have been demonstrated to provide considerable biodiversity net gain in line with relevant National and Local planning policy.
- 9.14. The Flood Risk Assessment concludes that it is considered the flood risk to the Site can be managed, and the Site can be developed safely and in accordance with Local Plan Policy SD3, the thrust of the revised NPPF and PPS25.
- 9.15. A Construction Traffic Management Plan (CTMP) accompanies the application and demonstrates that there are no inherent highway safety concerns in the vicinity of the Site. Junction visibility from the access points to the north and south of the Site are suitable to accommodate the low proposed increase in vehicle trips. An area of land (off-site) will accommodate storage and welfare facilities. The temporary construction works will not attract a significant level of vehicle trips, with the future operation of the Site only attracting a low volume of trips per year. Overall, vehicle trips will not result in a severe impact on the local highway network.
- 9.16. It is concluded that the vehicle movements attracted by the Project are safe and suitable, and they will not result in a significant impact on highway safety or a severe impact on the local highway network, it is in accordance with Local Plan Policy SS4 and Paragraph 111 of the Framework.

- 9.17. A Noise Impact Assessment has been undertaken. The assessment demonstrates that the development will give rise to impacts that would be categorised as No Observed Effect Level (NOAEL) within the PPG Noise Guidance.
- 9.18. Given that the proposed Project conforms to National and Local Planning Policy requirements, it is recommended that noise should not be a constraint to the approval of this Planning Application, providing that the plant is constructed and operated in accordance with the acoustic assumptions of this report.
- 9.19. The Project is therefore considered acceptable in terms of noise emissions to the sensitive receptors in the vicinity of the Site and therefore accords with local and national planning policy.
- 9.20. This statement has demonstrated that the proposed Project is fully in accordance with the relevant policies of the development plan and the thrust of national planning policy and should be approved.