

NORTH HERTFORDSHIRE DISTRICT COUNCIL

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Date: 28 May 2021
Our Ref: 21/01269/PRE
Contact: Tom Rea
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FAO: Mr Chris Heather

Dear Sir

Pre Application Advice : Proposed Solar Farm with associated battery storage containers, transformers stations, storage buildings, fencing etc including means of access. Land To The North And East Of Great Wymondley, Hertfordshire,,

Please quote the following reference: 21/01269/PRE on all correspondence.

I refer to the above site and your pre-application advice request submitted on 19th April 2021. I apologise for the delay in replying.

Although the application documents are limited and the submission is generally seeking an 'in principle' view on the proposed solar farm I have carried out some limited consultation with external bodies. I will forward any comments made once I have received them.

Please note that this response is not a formal determination of the proposal and is without prejudice to any subsequent planning application.

The following assessment is based upon an assessment of the submitted details which comprise the following:

- Application form
- Drawing comprising the following:
 - 3004-01 -SK001 Site Location Plan.
 - Covering letter dated 19th April 2021

Development Site and surroundings

The pre-application site comprises 116 hectares of land to the north and east of Great Wymondley, land west of the A1 (M) and land north of Little Wymondley.

Proposal

The proposal is for the construction of a solar energy farm comprising 116 hectares of agricultural land located on two parcels of land west of the A1 (M)

National Planning Policy Framework (NPPF) as a whole including:

Paragraph 11 'Presumption in Favour of Sustainable Development'

Section 11 – Making effective use of land

Section 12 - Achieving well-designed places

Section 14 – Meeting the needs of climate change

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Other relevant national guidance:

Climate Change Act 2008 (2050 Target Amendment) Order 2019.

North Hertfordshire District Local Plan No.2 with Alterations

Policy 2 – Green Belt

Policy 14 – Nature Conservation

Policy 16 – Areas of archaeological significance and other archaeological areas

Supplementary Planning Document - Vehicle Parking Provision at New Development

Supplementary Planning Document – Design

North Hertfordshire District Local Plan 2011-2031 (Emerging Local Plan)

Policy SP1 'Presumption in Favour of Sustainable Development'

Policy SP5 'Countryside and Green Belt'

Policy D1 'Design and Sustainability'

Policy D3 'Protecting Living Conditions'

Policy D4 'Air Quality'

Policy HE1 'Designated Heritage Assets'

Policy HE4 'Archaeology'

Policy NE12 'Renewable and low carbon energy development'

Wymondley Neighbourhood Development Plan (2011 – 2031) (Adopted 2018)

The Wymondley Neighbourhood Plan was made on 26/09/19. It now forms part of the Development Plan for North Hertfordshire. The whole of the area the subject of this pre-planning application advice request falls within the Wymondley Neighbourhood Plan area.

Relevant NP policies:

Policy NHE1 Landscape Character

Policy NHE2 Biodiversity

Policy NHE3 Wildlife and Ecology

Policy NHE8 Landscaping schemes

Policy NHE9 Historic Character and Heritage Assets

Policy GB1 Green Belt

Policy FR1 Flood Risk

Policy SLBE1 Business development

Supplementary Planning Guidance
North Hertfordshire Landscape Study 2011 :
Area 216 Arlesey – Great Wymondley

Documents supporting the Emerging local Plan (ELP)
North Hertfordshire Local Plan 2011 – 2031 Green Belt Review Update 2018

Other relevant Council publications:

Council Plan 2020 - 2025

Planning Policy Statements and Guidance can be downloaded from www.communities.gov.uk and the North Hertfordshire District Local Plan No. 2 with Alterations and 2011-2031 documents can be viewed at www.north-herts.gov.uk.

Emerging Local Plan (ELP) update

The Council recently published 'Further Proposed Modifications to the North Hertfordshire Local Plan 2011 – 2031. The consultation will run until 24th June 2021.

Key Issues for consideration

The following matters are considered to be the key issues for consideration with this solar farm proposal:

- Principle of the proposed development
- Other material planning considerations

The principle of the development

National and local climate change policies

Climate Change Act 2008 (2050 Target Amendment) Order 2019

In June 2019 the Government amended the Climate Change Act from a target of achieving 80% reduction in emissions by 2050 to a net zero carbon target by 2050 – i.e. 100% reduction.

National Planning Policy Framework – Section 14 : Meeting the challenge of climate change, flooding and coastal change

Section 14 requires Local Planning Authorities to support the transition to a low carbon future and to generally support renewable and low carbon energy and associated infrastructure.

National Planning Policy Practice

Paragraphs 1 , 5 and 7 are relevant. Paragraph 7 is useful in highlighting some of the environmental issues arising from large scale renewable energy developments including large scale solar farms by stating the following:

- the need for renewable or low carbon energy does not automatically override environmental protections;
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

North Hertfordshire Climate Change Emergency

On 21st May 2019 North Hertfordshire declared a climate emergency with the following objectives:

- green space provision
- representing the climate change interests of North Hertfordshire residents on county and regional plans, policies and aspirations
- supporting initiatives that increase the energy efficiency of residents' homes, reduce resource waste, and increase our sustainability for the longer term
- protecting our physical heritage
- finding environmentally sustainable solutions to the challenges.

Hertfordshire County Council

On July 2019 Hertfordshire County Council declared a climate Emergency with a commitment to make Hertfordshire cleaner, greener and more sustainable.

Overall need for renewable energy

Reference is made in the supporting letter with this preapplication submission to the relevance of the Governments Clean Growth Strategy as well as the Climate Change Act target of net zero emissions . In addition reference is made to the need to generate significantly higher levels of electricity to meet the 2050 net zero target and as a consequence capacity in the renewable energy sector particular in solar power will need to be significantly increased.

The country has set itself a challenging target to reach zero carbon emissions by 2050. This will be set against the background of having to de-commission some older electricity generating stations as well as providing new low carbon and energy efficient infrastructure. The magnitude of the increasing demand for renewable electricity supply is substantial and by extension this will require a vast increase in electrical capacity and various forms of renewable energy to meet this demand. Coupled with the demand aspect is the well documented wider environmental benefits associated with increased production from renewable sources and the social , economic and environmental benefits that will flow from these benefits. The urgency to address climate change issues is now clearly demonstrated at international , national and local level as evidenced from the Paris Agreement to the Climate Change Act and by the many local authorities that have declared climate change emergency.

In terms of support for the development it is clear that very significant weight can be attached to the need to provide additional energy from renewable sources and the considerable wider environmental benefits associated with increased production from renewable sources.

Development Plan Policies

The current Development Plan consists of the saved policies of the 1996 North Hertfordshire District Plan No. 2 with Alterations (Saved Local Plan – SLP) and the ‘made’ Wymondley Neighbourhood Plan (WNP).

The majority of the proposed solar farm site is within the Green Belt – only the potential ‘Grid Route 2’ lies within the excluded settlement boundary of Little Wymondley.

Policy 2 of the SLP effectively defers in principle consideration of the appropriateness of Green Belt development back to national policy (as set out in the NPPF and NPPG).

Policy GB1 of the WNP similarly seeks compliance with national policy on Green Belt stating that primary consideration will be given to effective use of brown-field sites, which are not of high environmental value. The NP policy additionally states that development proposals should not impact negatively on Wymondley Parish – particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of North Hertfordshire villages and hamlets.

As recognised in the covering letter with this pre-application request the proposed solar farm scheme at Wymondley does not meet the exceptions set out in paragraphs 145 or 146 of the National Planning Policy Framework and should be considered inappropriate development.

As per paragraphs 143 and 144 of the NPPF, inappropriate development should only be approved in very special circumstances and these will not exist unless harm to the Green Belt and other harms are outweighed by other considerations.

Following the advice set out in paragraph 144 it is necessary therefore to establish in this case what the degree of harm is and what other considerations there are that would be in favour of the development.

Harm to the Green Belt arising from the proposed development

The contribution of the proposed site at Wymondley to the purposes and openness of the Green Belt has been assessed in the evidence underpinning the new local plan (North Herts Emerging Local Plan 2011- 2031) (ELP) . The Green Belt Review Update (ELP document ED161) was published in 2018 and is available on the Council's web site :

<https://www.north-herts.gov.uk/files/ed161a-nhdc-green-belt-review-update-main-reportpdf>

<https://www.north-herts.gov.uk/files/ed161b-nhdc-green-belt-review-update-appendicespdf>

The Green Belt review document takes a sequential approach looking first at the role and function of strategic land parcels before subdividing these down into smaller areas.

In the Green Belt Review document the main elements of the proposed Wymondley solar farm site (i.e. excluding the potential grid routes) are assessed in two parts. The area lying south of Graveley Lane falls within Strategic Parcel 10 / sub parcel 10a whilst the area north of this road falls within Strategic Parcel 14 / sub-parcel 14a.

Overall, both the larger strategic parcels and the smaller sub parcels are assessed as making a significant contribution to Green Belt purposes. This is principally by virtue of maintaining the strategic separation and open countryside between the major towns of Stevenage, Hitchin and Letchworth Garden City. By extension, substantive inappropriate development such as the proposed solar farm that would have an adverse impact upon the openness and purposes of the Green Belt in this area would be assessed as causing significant harm, to which substantial weight should be given.

It is acknowledged that detailed drawings are not provided at this pre-application stage however the supporting statement dated 19th April 2021 does give an overview of the key elements of the scheme . This includes the following:

- Photovoltaic (PV) solar panels (up to 3m high) and associated support frames and cabling
- Inverter & Transformer Stations
- Battery Storage Containers
- Control Building
- Switchgear Building
- Storage buildings
- Access tracks
- Security fencing
- CCTV security cameras & supports
- Cable connection to substation

Although it is not possible to take a full assessment of harm at this stage a substantial solar farm incorporating the above elements and scale (116 hectares) would clearly have a significant impact in terms of introducing extensive built form and urbanising materials and apparatus into this area and it would appear likely that any detailed assessment of harm

would conclude that the proposal would result in significant harm to the Green Belt to which substantial weight in the planning balance should be given.

Summary on the principle of the development

It is clear that there is now an established and emerging policy case for addressing climate change through moving to low carbon and carbon neutral development and that to facilitate this decision makers need to be mindful of this and to support development provided any adverse impacts can be appropriately mitigated. The climate change factor carries very significant weight in favour of the proposal.

Notwithstanding the climate change case for supporting a solar farm scheme the proposal would be inappropriate development in the Green Belt requiring very special circumstances to be demonstrated. In this case the harm to the Green Belt is considered to be substantial particularly as a result of the scale of the proposal, its location in an area which makes a significant contribution to Green Belt purposes and also to the high visual impact of the site as a result of the site contours and visibility from surrounding land, roads and footpaths.

Other material planning considerations

Other harm to the Green Belt

Alongside Green Belt harm, the NPPF (paragraph 144) also requires consideration of other harms arising from the scheme to be considered and weighed in the planning balance. These are harms would be assessed both on their merits and against relevant local and national policies relevant to the various topic areas. Other harms would include but are not necessarily limited to :

- landscape impact
- loss of agricultural land
- traffic impacts
- ecological impact
- heritage impact
- residential amenity

At this stage consideration of these harms and the weight that can be given to them would need to be informed by detailed technical evidence and the responses that the Council may receive from relevant consultees to any such evidence submitted in support of a future planning application.

Without prejudice to any future studies on the impact areas mentioned above the following preliminary comments on some of these matters is set out below:

Landscape and visual impact

The application site is set within a landscape of undulating form and character and is generally on higher ground than much of the surrounding landscape. There are many public vantage points (both at close quarters and in distant views) from which the solar farm will be experienced. It is likely that the development will have a substantive visual and landscape impact across a wide area that will need to be fully assessed. This would need to include

agreement of appropriate viewpoints with the Council. In addition to the immediate surrounds of the site it would be necessary to include (but not necessarily limited to) views / impacts from within the Chilterns Area of Outstanding Natural Beauty (AONB) which affords open views from various vantage points eastwards across Hitchin towards Stevenage and the proposed solar farm site.

The proposed site lies within an area designated as Landscape Character Area (LCA) Arlesey – Great Wymondley (Area 216 of the North Hertfordshire. The site would be located in the southern part of the LCA which is acknowledged as containing historic enclosed rolling arable landscape. The LCA advises that the south of the character area would be vulnerable to loss of its historic character.

Heritage assets

There are numerous heritage assets within the vicinity of the site and it is acknowledged that these are referred to in the covering statement . Some of these assets are quite significant such as the scheduled monument at the Priory and the Grade 1 listed Priory itself. The proximity to the solar farm is also of some significance particularly in terms of setting. A full assessment of the significance of these and the impacts of the scheme upon the assets and their setting will be required to allow a full assessment of harm. It is noted that a small element of the listing / scheduling of Wymondley Priory lies within the southern parcel of the proposed site associated with the conduit head.

If it is concluded that the harm to the heritage assets arising from the solar farm is less than substantial (with reference to paragraph 196 of the NPPF) then it is acknowledged that the main public benefit will be contribution of the proposed development to addressing climate change. This will be a matter to be weighed in the planning balance.

Loss of agricultural land

As identified in the pre-application submission, high-level mapping indicates that the site covers a mix of Grade 2 / Grade 3 (undifferentiated) agricultural land. In response to the particular query in the supporting letter, Policy NE12 of the emerging Local Plan has been subject to proposed modifications through the examination process to state that proposals for solar farms involving the best and most versatile agricultural land will be determined in accordance with national policy, as set out in particular in Paragraphs 170 and 171 of the NPPF. An updated version of the Local Plan as presently proposed to be modified is available on the Council's website.

It is noted that the vast majority of the land the subject to this solar form proposal is currently in active agricultural production and amounts to a significant area of the best and most versatile agricultural land. The extent of the loss will need to be evaluated against the remaining availability of such land in the district. A factor to consider in this analysis will be the extent to which the planned housing sites within the Green Belt forming part of the Emerging local Plan will also diminish the supply of high grade agricultural land.

Considerations that may weigh in favour of the proposals

Having considered potential harms above it is necessary to balance this against a consideration of the potential advantages of the scheme.

The supporting statement outlines a range of benefits arising from the scheme principally in relation to local and national climate change aspirations and targets. A substantial solar farm would make positive contributions to renewable energy production in line with policy

aspirations, in turn reducing reliance upon fossil fuels and other sources of energy. In particular the scheme has the potential to be in conformity with North Hertfordshire Council's stance as a Climate Emergency authority and to embrace the principles set out in the North Herts Council Plan 2020 – 2025 especially the commitment to responding to the challenges to the environment and the target of achieving net zero carbon emissions by 2030.

From a laymans viewpoint there would appear to be potential advantages in providing such a facility close to the strategic distribution infrastructure of the National Grid at Wymondley, including minimising the potential impacts of connective infrastructure. Equally the broad topography / orientation of the site, outlined above in relation to landscape, may also allow for more optimum energy generation. These are clearly potential benefits to be weighed in the balance and it will be necessary for these to be quantified and / or expressed in the supporting documentation for any scheme.

There are other potential benefits which might weigh in favour including (but not necessarily limited to) the employment / economic benefits of the scheme, any biodiversity net gains that might arise from management of residual land within the red line and the provision of any other supporting infrastructure that might represent a net 'betterment' to the site or wider area over and above the requirements generated by the scheme itself. For example, there is the opportunity for increased recreational routes around or near to the site, interpretation boards / signage in respect of heritage assets and ecological enhancement areas.

Summary on other material planning considerations

The NPPF advises that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and other harm resulting from the proposal is clearly outweighed by other considerations. It is acknowledged however that paragraph 147 of the NPPF states that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

The potential advantages of the scheme carry significant weight and these may be reinforced by a more strategic analysis of existing renewable energy supply and needs and the opportunity for solar farms in the district where one of the key components of such schemes is a suitable grid connection.

Planning Obligations

At this stage it is not envisaged that any planning obligations in association with the proposed solar farm scheme. Matters of de-commissioning can be dealt with via a planning condition.

Screening Opinion

It is recommended that a screening opinion, under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, is sought to establish whether an Environmental Impact Assessment and Environmental Statement would be required should a planning application be submitted .

Overall conclusion

The proposals represent a solar farm of considerable scale in terms of site area that would have a significant visual impact. With an operational period of 40 years the development

would not be considered to have a temporary effect nor could it be considered to be permanent. It would however have a long term impact.

It is common ground that the development would be inappropriate development and it would be necessary to demonstrate very special circumstances.

The very special circumstances put forward in the covering letter are primarily predicated on the need for the development to meet international, national and local expectations to achieve zero carbon emissions by 2050 (or earlier in the case of the North Herts Council Plan). The benefits of renewable energy production for the wider environment are also advanced. These combined are compelling arguments that can be given substantial weight in favour of the proposal. The availability of a suitable Grid connection and the apparent availability of the site to deliver the urgently required increase in demand for electricity from a renewable resource further adds to the very special circumstances.

There is undoubtedly a change in circumstances since the appeal decision in 2017 on land nearby at Sperberry Hill, St. Ippolyts (NHDC planning ref: 15/01532/1) Climate change has become a pressing issue and this has led to significant shift in targets towards zero carbon emissions as evidenced through the Climate Change Act 2008 (Amendment) Order 2019 and declarations of climate emergency in local authorities across the country. The Emerging Local Plan has also been further refined through public consultation and may be subject to further modifications prior to adoption to reflect up to date strategies and studies in respect of renewable energy.

The proposal is a substantial development in the Green Belt and therefore very special circumstances will need to be demonstrated through a planning exercise that considers both the harms and the benefits. As referred to above the North Herts Green Belt Review 2018 concludes that the proposed site makes a significant contribution towards preserving the openness of the Green Belt given the location of the site between Hitchin, Letchworth and Stevenage. This, together with the high visual prominence of the site and the impact on heritage assets sets a very high bar that the benefits of the scheme will need to clear to demonstrate that they clearly outweigh the adverse impacts.

With regard to the harms and benefits of the proposal at Great Wymondley at this stage significant additional detail would be required on both sides of the equation to allow an informed judgement to be made as to whether very special circumstances exist.

Reference is made in the supporting letter to the approval of a similar sized solar farm in South Gloucestershire. Whilst this site is within the Green Belt and the local Council has similarly announced a Climate Emergency there are some different circumstances between that site and the proposed site at Great Wymondley that could be crucial factors in the planning balance. These include the fact that the South Gloucestershire site is relatively flat and therefore not as visually prominent and arguably the contribution of the site towards the openness of the Green Belt in that location is not as strong. Furthermore, the site does not contain the best and most versatile agricultural land (being Grade 4) and is not as constrained by the proximity of and setting of heritage assets as the Great Wymondley site.

Planning application documents

Should a planning application be considered the following information / documents should be submitted:

- Site Location Map

- Planning, Design & Access Statement
- Heritage and Archaeology Assessment
- Topographical / Geophysical Survey
- Landscape and Visual Impact Assessment
- Agricultural Land Classification Survey
- Flood Risk Assessment and Drainage Strategy
- Statement of Community Involvement
- Sample elevation details of key components such as battery storage containers and means of enclosure.

I trust these comments are of assistance. I would emphasise that the above comments do not constitute a formal determination and are without prejudice to the determination of any subsequent formal planning application which may be submitted. Please do not hesitate to contact me if you require any further clarification on any of the above.

Yours sincerely

Yours faithfully



Simon Ellis
Development & Conservation Manager

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