

## North Northamptonshire Strategic Planning Committee 13<sup>th</sup> January 2022

<b>Application Reference</b>	<b>20/00207/FUL</b>
<b>Case Officer</b>	<b>Amie Baxter</b>
<b>Location</b>	<b>Land North Of Old Head Wood Grafton Road Brigstock Northamptonshire</b>
<b>Development</b>	<b>Change of use from agricultural land to solar farm and construction and operation of a solar photovoltaic (PV) development with a capacity of up to 49.9MW with associated infrastructure and landscaping.</b>
<b>Applicant</b>	<b>Dan Ferrier - Scottish Power Renewables</b>
<b>Agent</b>	<b>Naomi Heikalo - Arcus Consultancy Services Ltd</b>
<b>Ward</b>	<b>Lyveden</b>
<b>Overall Expiry Date</b>	<b>20 May 2020</b>
<b>Agreed Extension of Time</b>	

### Scheme of Delegation

This application is brought to the North Northamptonshire Council's Strategic Planning Committee in accordance with Part 4.2, Section 5.4 of the Council's constitution because the proposal involves energy production exceeding 10MW of energy generation capacity with a site area of 10ha or more (but below the relevant threshold for Nationally Significant Infrastructure Projects).

### 1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

## 2. The Proposal

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- 2.1 The application seeks full planning permission to change the use of the site from agricultural land to a solar farm and for the construction of ground mounted solar photovoltaic ('PV') arrays to create the solar farm. Associated infrastructure is also proposed, including housing for inverters, a substation compound as well as fencing, security cameras, cabling and access tracks. The capacity of the solar PV aspect of the Development would not exceed 49.9 Megawatts ('MW'). The anticipated operational life of the proposal is up to 35 years.
- 2.2 The applicant has identified the key criteria which have led to the site being selected for solar development. These include:
- Sun Intensity Levels – the Site comprises arable fields and is well located geographically for solar gain. It is free of any buildings and with the necessary separation distances employed it is free of any landscape features that would cause significant overshadowing, such as tall hedges or trees;
  - Access - The Site is accessible via an existing private track from Grafton Road. The Site is adequately accessible for the needs of the development and with appropriate mitigation strategies the risk to highway safety is considered to be low, as assessed in the Transport Statement at Appendix 6;
  - Environmental Constraints - The Site is not subject to landscape, ecological or conservation designations. As environmental effects and sensitivities have been identified, the layout of the development has undergone a series of modifications to avoid or reduce potential environmental effects through careful design.
  - Landscape Character and Visual Impact – the location of the development has been selected to minimise impacts on the landscape and visual effects, as assessed in the Landscape and Visual Appraisal at Appendix 3. Enhancement measures are proposed through new mixed native shrub, hedge and tree planting to help screen the development further as well as providing ecological enhancement;
  - Agricultural Land Classification – The Site comprises mainly Grade 3b land, as assessed in the Agricultural Land Classification Report at Appendix 8 and will be used for sheep grazing during the operational lifespan of the solar farm. The land will be fully restored and returned to use for crop production at the end of the operational lifespan.
  - Archaeological Potential – The Site will be subject to geophysical surveys prior to construction. In areas with elevated archaeological potential, the solar panels will be mounted on concrete footings to prevent disturbance to archaeological remains, following the approach set out in the Heritage Statement at Appendix 4.

- Residential Amenity – The location of the proposed substation has been chosen based on its distance from residential properties so that they will not have an impact on residential amenity in terms of noise or vibration. The visual impact of the development on residential amenity will be very low given the distance and proposed screening.
- Flood Risk – The Site is located in Flood Zone 1 and is not vulnerable to flood risk, as assessed in the Flood Risk Assessment at Appendix 5. Filter drains will be located between rows of solar panels in order to reduce surface water runoff.
- Site Capacity - The Site is of sufficient size to accommodate a viable solar PV array, capable of exporting sufficient electricity to meet the Applicant's requirements.

### Proposed Solar Panels

- 2.2 The development would consist of rows of solar panels known as strings. The panels or modules are composed of photovoltaic cells (60 or 72 cells per module). Each string of panels would be mounted on a metal frame, with metal supports, pile driven into the ground to a depth of approximately 1 to 2 metres in areas free of significant archaeology. In more archaeologically sensitive areas, it is proposed to sit the frames on concrete footings. In addition, the applicant has agreed to the central part of the site being left free of development so that the most sensitive archaeology can be preserved intact.
- 2.3 Between each frame there would be a distance of between 3 metres ('m') and 6 m to avoid inter-panel shading and provide suitable access, depending on the topography, with less space required on steeper south facing slopes. The panels would be tilted at typically 15 to 25 degrees from the horizontal and would be orientated to face south towards the sun.
- 2.4 The panels would be mounted at approximately 0.6 m from the ground at the lowest point (the southern edge) rising to approximately 2.5 m at the highest point (the northern edge), although the anticipated maximum height could be up to 3 m. Typical elevations of the solar panels are shown in drawing 3571-DR-P-0009 Rev 3.

### Substation

- 2.5 The substation compound would be located adjacent to the southern boundary of the site as shown in drawing 3571-DR-LAN-101 F, with details of the compound shown in drawing 3571-DR-P-0002 Rev 1. This location has been chosen to be as visually unobtrusive as possible, located far away from residential properties. The 30 m x 30 m compound would contain a control building, a transformer, a storage building and communications mast, surrounded by 3 m high palisade fencing as shown in drawing 3571-DR-P-0006 Rev 2. The control building (drawing 3571-DR-P-0004 Rev 2) would contain a WC which will connect to a sealed septic tank.

2.6 The dimensions of the components within the substation compound are as follows (length x width x height):

- Communications mast: 5 m x 5 m x 15 m
- Control building: 14 m x 6 m x 5.5 m (ridge height)
- Transformer: 7 m x 9 m x 3.8 m
- Spares building: 12.2 m x 2.43 m x 2.6 m

Details of the transformer, control building, spares building and communications mast are shown in drawings 3571-DR-P-0003 Rev 2, 3571-DR-P-0004 Rev 2, 3571-DR-P-0005 Rev 2 and 3571-DR-P-0010 Rev 2 respectively.

2.7 The development would have a construction period of approximately 6 months and an operational period of 35 years.

#### Associated Infrastructure

2.8 The associated infrastructure would comprise the following elements:

- Package inverter and transformer units, (approximately 12 to 15 sets), as shown in drawing 3571-DR-P-0003 Rev 2, with external transformers no larger than 3.5 m x 3.5 m x 2 m (L x W x H);
- Buried cables connecting solar panels to the inverters and substation (as shown in drawing 3571\_DR\_P\_0013 Rev 2);
- Site tracks of stone construction and approximately 5m in width (as shown in drawing 3571\_DR\_P\_0012 Rev 2);
- CCTV cameras located at multiple locations throughout the site, mounted on poles measuring approximately 3 m in height and facing into the site (as shown in drawing 3571-DR-P-0009 Rev 3);
- Solar perimeter stock proof fencing and gate of 3 m in height (as shown in drawing 3571-DR-P-0007 Rev 2) at various locations throughout the site, as shown in drawing 3571-DR-LAN-101 F.

#### Landscaping

2.9 The proposed development includes planting proposals and enhancements are detailed in the Landscape and Visual Appraisal at Appendix 3 and drawing 3571-DR-LAN-101 F.

2.10 The proposed landscape scheme would include the following elements:

- Retention of existing ponds and wildflower grassland areas, to be fenced off to prevent sheep grazing;
- Creation of new pond for biodiversity enhancement along the eastern boundary of the Site;
- Retention of existing trees and hedges around the perimeter of the site;
- Retention of hedgerows within the site, with the exception of small openings for access tracks;
- Enhancement of perimeter hedgerow with additional native hedge and tree planting and an area of denser shrub planting in the northwest corner of the Site to screen views from the nearby Public Right of Way ('PRoW');

- A native species grazing mix will be sown around the solar panels throughout the site; and
- A native species wildflower mix will be sown around the perimeter of the site outside of the fence-line and in the areas to be fenced off around the watercourse in the southwest and around each of the ponds.

Maintenance measures for the landscape scheme are provided on the Landscape Plan (drawing 3571-DR-LAN-101 F).

#### Access

- 2.11 Access to the Development would be via the existing track on the north of the Site, leading to Old Lodge Farm. Full details of the access arrangement are presented in the Transport Statement (Appendix 6) and drawing 3571-DR-LAN-101 F.

### **3. Site Description**

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- 3.1 The application site is currently agricultural land measuring 98.8 hectares in size, positioned to the west of Brigstock, comprising large arable farmland fields punctuated by a small number of farmstead dwellings to the north, east and south-east of the proposed development.
- 3.2 The site is surrounded by areas of woodland to the northwest, southeast, and southwest. Views from within the application boundary are fairly open across the arable land but contained on the horizon by surrounding woodland.
- 3.3 The nearest settlements to the site include Brigstock to the northeast, Geddington to the west, and Stanion to the north. Views between the application site and the nearby settlements are largely screened by the nearby woodland and hedges and trees along the site boundary.
- 3.4 The nearest properties consist of isolated houses and farms, including:
  - Old Lodge Farm, immediately to the north of the Site;
  - Bullymore Lodge, approximately 700 m east of the Site
  - Park Cottages and Fethard Fields, approximately 1km east of the Site
A more detailed description of the site and its surroundings is included in the Landscape and Visual Appraisal at Appendix 3.
- 3.5 The site itself comprises gently undulating arable fields which have been used primarily for the production of wheat. The fields are generally rectilinear in shape with irregular fields created where watercourses cut through in the western areas of the application extent in particular and divided by native hedgerows with the occasional mature native hedgerow tree.
- 3.6 There are several ditches and watercourses within the application site; the largest of which runs northwest to southeast in the western section of the proposed development area and is lined with trees and hedge. The site also contains eight small ponds and other waterlogged and / or sloping areas

which have been left uncultivated, including an area of wildflower grassland of approximately 1.3ha in the western part of the site near the watercourse.

- 3.7 A 132kV electricity power line runs in a northwest to south east direction across the eastern extent of the proposed development. Two associated pylons are located within the application boundary itself.
- 3.8 The landform within the application boundary consists of undulating land which falls by approximately 35m Above Ordnance Datum ('AOD') from west to east. The slope varies where it meets the watercourse in the western section of the application boundary forming a small valley in a northeast to southwest orientation. A ridgeline runs from north to south just west of the application boundary, restricting views towards Geddington between the two closest woodland blocks of Geddington Chase and Boughton Wood.
- 3.9 There is an existing single access track within the application boundary which runs from Grafton Road (east of the Development) along the full extent of the northern application boundary, terminating at Geddington Farm on the edge of the village of Geddington to the west of the Development. The location of the Site is shown on drawing 3571-DR-P-0001 – Site Location Plan.
- 3.10 Within a 2km study area surrounding the site, there is one Registered Park and Garden (Boughton House), three Scheduled Monuments, 87 Listed Buildings and two Conservation Areas. Only eight of these assets fall within the Screened Zone of Theoretical View (ZTV) and have been considered for detailed assessment. Boughton Park and Garden were determined to require assessment for changes to setting.

#### **4. Relevant Planning History**

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- 4.1 None relevant to this proposal.

#### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website [here](#)

##### **5.1 Brigstock Parish Council**

Object to the application. The grounds of this objection can be summarised as follows:

- Concerns about the access being from A14, A6116 Sudborough Road and Grafton Road rather than from the Grafton Underwood direction.
- Concerned about the 7.5 tonne weight restriction on Grafton Road as there will likely be 14,000 journeys two way during construction.
- Concerns about the number of accidents on A6116. There are serious highway safety implications anticipated at the site entrance on Grafton Rd.
- Page 29 of the Planning Statement states there would be 84 vehicle movements during construction phase, many of them HGVs, to site

each day and presumably 84 returning from site. This amounts to a vehicle approximately every 4 minutes. This is NOT a 'minor' change to existing traffic.

- The proposed traffic management procedures only address the safety of the access, not safety within the villages.
- Could there be a safer option with a traffic plan that accesses via Boughton Estate land?
- Assuming that the solar farm itself is ground mounted; the parish council have no problem with it in principle. However, concerned that 'Appendix 1 Figure 6' shows 41% to 60% of the installation will be visible from Fermyn Woods Country Park.
- Though the parish council is in favour of new energy systems, the above detracts from the village. A 'solar farm' makes no contribution to the village.

#### 5.2 Geddington, Newton and Little Oakley Parish Council

No comments received.

#### 5.3 Grafton Underwood Parish Council

No comments received.

#### 5.4 Neighbours / Responses to Publicity

No comments received.

#### 5.5 Former Kettering Borough Council

No objection.

#### 5.6 Historic England

Concerns noted but no formal objection. Comments summarised as follows:

Consulted on additional information in the form of a Landscape and Visual Appraisal at Brigstock Solar Farm (LVA).

Concerns raised regarding the level of information to assess the impact to the Grade I RPG of Boughton House as the proposed solar panels would cause a degree of harm to the significance that the Registered Park and Garden derives from its setting.

Given the size of the wider Boughton Estate, there may be alternative sites that would have less or no impact on the historic environment, although consideration of alternative sites was not clear.

If the same benefits could be delivered through a less harmful scheme, we would ask your authority to consider whether the harm would be justified in accordance with paragraph 194 of the NPPF. Encouraged the applicant to look for other less harmful locations within the estate.

Winter viewpoint photography is also required at some viewpoints in order to access visual effects of the Development as a worst-case scenario.

The additional information does not address whether alternative locations have been considered and why the current proposed location has been put forward. We remain of the view that if the same benefits could be delivered by a less harmful scheme alternative locations should be explored.

Further comments:

The applicant has added to the information already submitted by providing a winter landscape photography and an update to the LVA with additional viewpoints and photomontages (e.g. sequential views from Grafton Underwood) to further assess the impact on Boughton House Registered Park and Garden, as requested by Historic England. The revised LVA indicates that the existing dense vegetation around the site still provides a significant degree of visual screening during the winter months and that visibility of the development from south of the site will be very limited. An updated assessment of visual effects based on the latest photography is provided in Sections 8 and 9 of the LVA (v 4-1).

No further comments have been received from Historic England.

5.7 NATS (Aviation) Safeguarding

No objection.

5.8 Ancient Monuments Society

No objection. Defer to Council's Conservation Officer.

5.9 Northamptonshire Police

No objection. Suggest that the following recommendations are included, which if implemented will reduce the likelihood of crime occurring.

- Perimeter fencing and gates should ideally be certified to a security standard of at minimum LPCB LPS1175 SR2. Stock proof fencing will only offer a token resistance to intruders.
- A perimeter intruder detection system should be installed and connected to the proposed CCTV system.
- The CCTV system should be capable of identifying unauthorised persons on site during the hours of darkness and monitored on all alarm activations. The ability to remotely warn off offenders on site by means of loudspeaker transmissions from the control centre will help prevent offences, limit the time offenders stay on site besides detecting offences and offenders.

5.10 Local Highway Authority (LHA)

Objection. Comment as follows:

Whilst the applicant considers intensification negligible the LHA still notes an intensification is present on an access that will contravene policy DM15 and the LHA therefore confirms an objection on this basis. Please be mindful that



the applicant suggests that there will merely be an additional 6 vehicle movements per month, this is post completion and does not account for construction traffic.

Further Comments:

The LHA has concerns regarding highway safety for the use of temporary traffic lights at the proposed access, the maximum distance between the "wait here signs" is 300m, The LHA believes that the applicant will not be able to secure the required visibility splays to ensure these temporary traffic lights are effective to highway users. The applicant will need to liaise with the NRSWA team for a compliant traffic management scheme (to be secured by a suitably worded condition). The proposed traffic management scheme associated with the delivery of the construction traffic access would need approval from the Council's Network Manager prior to any commencement, should the application be approved these requirements should be secured by a suitably worded condition.

The LHA accepts that the widths demonstrated are satisfactory, however to clarify they would require a suitably worded condition for all construction traffic leaving the access to turn left only with appropriate signage inside the site.

Due to the proposals demonstrating a considerable increase of traffic flows on Sudborough Road / Grafton Road the LHA will require a suitably worded condition to secure a Section 59 agreement with the applicant. This is to facilitate the recovery of extraordinary expenses that may be incurred by the authority in maintaining the highway by reason of the damage caused by excessive weight passing along the highway. The details of required condition surveys will need agreeing but in the first instance it is suggested that pre - commencement surveys with video evidence post completion are provided.

The LHA would confirm that the 6.5m access is satisfactory on this occasion as the tracking demonstrated is acceptable.

I note that the applicant states that the development is not an intensification of vehicle usage and it is anticipated that there will be a reduction in large agricultural vehicle movements

#### 5.11 Lead Local Flood Authority (LLFA)

No objection subject to conditions to secure a varication report for the proposed surface water drainage system.

#### 5.12 Environmental Protection

No objection subject to conditions to secure the following:

- a noise monitoring programme for any pilling,
- limit on construction work operational times.

### 5.13 Council's Ecologist

No objection. Comments summarised as follows:

- Satisfied that biodiversity impacts can be mitigated provided the measures outlined in the Phase I survey report are implemented.
- The report has suggested an 'Ecological Mitigation and Enhancement Plan', which would effectively combine a CEMP and LEMP into a single document which should be produced pre-commencement.

Further general advice:

- The reptile mitigation strategy provided should be integrated into this EMEP document.
- No planting mixes have yet been proposed. The two commercially available wildflower grassland mixes which are ecologically appropriate to this location are Emorsgate EM1 and John Chambers Basic 8 mix.
- Any new shrub and hedgerow planting should reflect the existing habitat. Therefore hawthorn, blackthorn, elder, dog rose, hazel, elm, oak, field maple and apple would all be suitable.
- This is one of the few areas of the county in which sessile oak *Quercus petraea* can be found; if desired one or two specimens could be included in the planting mix.
- If possible, new planting should not include shiny-leaved species like holly or privet; if the mixes are to include these they should be limited to 1% at most to retain the rural character of the habitats.

### 5.14 Council's Archaeologist:

No objection subject to a pre-commencement condition to secure suitable construction and decommissioning management plan has been provided and approved by the LPA, for the protection of the archaeological exclusion area referred to as Zone 3.

### 5.15 Planning Policy Team:

No objection. Comment as follows:

The proposal is supported given that the following issues appear to be addressed:

- The siting of the proposal would not adversely affect the amenity of residents;
- The proposal would not create any significant adverse cumulative noise or visual impacts;
- The proposal includes a managed programme of measures to mitigate against any adverse impacts on the built and natural environment;
- The proposal retains and enhances on-site biodiversity;
- The proposal for Solar PV on medium 3 (b) grade land would avoid the best and most versatile agricultural land;

- The development would not have a negative impact on the highways network or
- public rights of way.

## **6. Relevant Planning Policies and Considerations**

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### 6.1 Statutory Duty

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

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
 National Planning Practice Guidance (NPPG)  
 National Design Guide (NDG) (2019)

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development  
 Policy 2 – Historic Environment  
 Policy 3 – Landscape Character  
 Policy 4 – Biodiversity and Geodiversity  
 Policy 5 - Water Environment, Resources and Flood Risk Management  
 Policy 8 - North Northamptonshire Place Shaping Principles  
 Policy 11- The Network of Urban and Rural Area  
 Policy 25 - Rural Economic Development and Diversification  
 Policy 26 – Renewable and Low Carbon Energy

### 6.4 Emerging East Northamptonshire Local Plan (LPP2 – Submission Version) (March 2021)

EN1 – Spatial Development Strategy  
 EN13 - Design of Buildings/ Extensions  
 EN14 - Designated Heritage Assets  
 EN15 - Non-Designated Heritage Assets

### 6.5 Brigstock Neighbourhood Plan (BNP) (2018)

Policy B6 - Countryside  
 Policy B9 – Rockingham Forest  
 Policy B10 – Ecology and Biodiversity  
 Policy B18 – Rural Economy

## 6.6 Other Relevant Documents

The Wind and Solar Energy Supplementary Planning Document (SPD) (2014).

North Northamptonshire Sustainable Design Supplementary Planning Document (SPD), 2009

Trees and Landscape SPD, 2013

Biodiversity SPD for Northamptonshire, 2016

Upper Nene Valley Gravel Pits Special Protection Area SPD, 2016

Planning Out Crime in Northamptonshire (Supplementary Planning Guidance (SPG)), 2003

Local Highway Authority Standing Advice for Local Planning Authorities, 2016

Tree Management Guidance and Principles, 2018

## 7. **Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Sustainable Energy Generation
- Impact on Neighbouring Amenity
- Highway Matters
- Environmental Matters
- Flood Risk and Drainage
- Ecology
- Archaeology
- Heritage
- Landscaping

### 7.1 **Principle of Development**

7.1.1 Policy within the National Planning Policy Framework (NPPF), the North Northamptonshire Joint Core Strategy (JCS) and the Brigstock Neighbourhood Plan (BNP) should be applied to the proposal.

#### The National Planning Policy Framework (NPPF) (2021)

7.1.2 Section 2 - Achieving Sustainable Development supports a presumption in favour of sustainable development to be achieved by considering three overarching objectives: economic; social and environmental. The environmental objective lists, within its criteria, making effective use of land and adapting to climate change, including moving to a low carbon economy, which this proposal would achieve.

7.1.3 Section 11 - Making effective use of land states that planning policies and decisions should encourage multiple benefits from rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains. The applicant has described this site as cultivated agricultural land which would support the solar park as well as its continued use for the grazing of sheep.

- 7.1.4 Section 14 - Meeting the challenge of climate change, flooding and coastal change: encourages the planning system to support the transition to a low carbon future in a changing climate (148); to help increase the use and supply of renewable low carbon energy which maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts) (151). The applicant considers that this site could accommodate the proposed solar park due to the undulating topography, the screening afforded by existing vegetation and proposed additions to the landscape such as native hedgerows and tree planting to provide natural, "visual layers" to the landscape and the surrounding countryside.
- 7.1.5 Section 15 - Conserving and enhancing the natural environment states that policies and decisions should protect and enhance valued landscapes, recognise the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile agricultural land, trees and woodland (170). The application has addressed questions (see above) for the mid-grade agricultural land with regard to conserving the natural environment - by presenting mitigation and minimisation measures to the site which would not cause harm to heritage assets or to the amenity of existing or proposed residential dwellings and/or businesses.

The North Northamptonshire Joint Core Strategy (2011 -2031) (JCS)

- 7.1.6 Policy 1 - Presumption in favour of Sustainable Development - seeks to secure sustainable development - to reflect the presumption in favour of sustainable development contained in the NPPF. In the context of the JCS, development should contribute to delivering the plan, visions and outcomes through compliance with its relevant policies.
- 7.1.7 Policy 2 - Historic Environment - states that proposals should demonstrate an appreciation and understanding of the impact of development on heritage assets and their setting in order to minimise harm. This siting for the proposal, the applicant has stated, avoids harm to the significance of any heritage asset or its setting. This will be covered in more detail later in the report.
- 7.1.8 Policy 3 - Landscape Character - the applicant states that the site has the capacity to contain the Development due to the undulating topography, the screening afforded by existing vegetation, such as native hedgerows and woodland blocks, which provide natural visual layers to the landscape and the surrounding horizon line.
- 7.1.9 Policy 4 - Biodiversity and Geodiversity - requires a net gain in biodiversity and features of geological interest by refusing development proposals where significant harm to an asset cannot be avoided, mitigated or mitigated. A Phase 1 Habitat Assessment has been submitted in support of the application in which mitigation and enhancement measures are presented. The County Ecologist will offer a full response with regard to weighing any adverse impact on biodiversity against the provision of a source of renewable energy.

- 7.1.10 Policy 11 - The Network of Urban and Rural Areas - Several criteria for development in rural areas are outlined in this policy, including: limiting development in rural areas to that required to support a prosperous rural economy and supporting rural diversification and renewable energy developments but discouraging other types of development within the open countryside.
- 7.1.11 Policy 25 - Rural Economic Development and Diversification - states that sustainable opportunities to develop and diversify the rural economy, that are an appropriate scale for their location and respect the environmental quality and character of the rural area, will be supported. Given that the site is currently agricultural land and that the proposal would address the government's low carbon objectives, as well as support grazing for livestock, this proposal would be supported by this policy.
- 7.1.12 Policy 26 - Renewable and Low Carbon Energy - This is a detailed policy which does support sensitively located renewable and low carbon energy generation, where it can be demonstrated that the proposal meets several criteria, including:
- The landscape impact of the development is minimised and mitigated;
  - The development links to a specific demand through a decentralised energy network or where this is not possible, the necessary infrastructure is provided to supply power to the National Grid;
  - The siting of the proposal avoids harm to the significance of a heritage asset; does not significantly adversely affect the amenity of existing or proposed dwellings / businesses by visual impact; safety of highways network and public rights of way; provides a managed programme of measures to mitigate against adverse impacts on the built and natural environment resulting from the construction, operation or decommissioning of equipment / infrastructure; does not create a significant cumulative noise or visual impact when considered in conjunction with other proposed developments in the area; the development retains and enhances on-site biodiversity and supports enlargement of / connection to existing biodiversity assets such as wildlife corridors.
- 7.1.13 This application has sought to address these requirements by means of the supporting documentation. The statutory consultees will analyse the measures / mitigation proposed in conjunction with this policy. However, one aspect of Policy 26 is that proposals for Solar Photovoltaic farms should avoid the use of the "best and most versatile" agricultural land. An Agricultural Quality of Land Assessment has been provided in support of the proposal which grades the land as subgrade 3b (land is measured from grades 1-5, where 1 is the highest quality), as good to moderate quality agricultural land.

- 7.1.14 The report describes the land as comprising heavy soil with "impeded drainage", with wetness as the principle limitation to agriculture - as access for farm machinery can be limited in the winter and spring months. The current use is described as being restricted to autumn-sown cereal based rotations. Based on this assessment the land could not be described as the best and most versatile agricultural land - which should be avoided for this proposed use.

Brigstock Neighbourhood Plan (BNP) (2018)

- 7.1.15 Policy B6: Countryside: This policy protects the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. Development in the countryside will be limited. However, this application would be supported under reason K which allows for development by statutory undertakers or public utility providers. It could be argued that this proposal would satisfy this criterion as the applicant could be described as a public utility provider.
- 7.1.16 Policy B9: Rockingham Forest: this policy is concerned with the regeneration of Rockingham Forest and the strengthening of the Harper's Brook Sub-Regional Green Infrastructure Corridor. The applicant's Planning Statement refers to Defra's selection of Rockingham Forest as one of five sites nationally to be included in a climate change project to support the UK Low Carbon Transition Plan, to pilot a carbon sink forestry project. The Rockingham Forest for Life project aims to protect and enhance ancient woodland, reinstate woodland on previously wooded sites and capture carbon dioxide. The policy supports the regeneration of Rockingham Forest and the strengthening of the Harper's Brook Sub-Regional Green Infrastructure Corridor by linking fragmented habitats, reinforcing ancient woodland and safeguarding and enhancing green links. Areas of medium and high forest potential are identified in the map accompanying the policy. A very small portion of the site, along the western boundary, lies within the area of medium forest potential. It should be noted that as a renewable energy proposal this use would complement the adjacent climate change project.
- 7.1.17 Policy B10: Ecology and Biodiversity: Development should not harm the network of local ecological features and habitats. A Phase 1 Habitat Assessment has been submitted in support of the application, in which mitigation and enhancement measures are presented. The expert advice of the County Ecologist will evaluate these.
- 7.1.18 Policy B18: Rural Economy: The sustainable growth and expansion of all types of business and enterprise in the countryside will be supported, where the development is in keeping with the scale, form and character of its surroundings and does not generate significant additional traffic through Brigstock Village. Whilst this policy does not refer to proposals for a solar photovoltaic development, as a rural diversification project the supporting documents provided argue that the weighting to be given for such a scheme, in support of meeting the challenge of climate change, includes measures to ensure that adverse impacts are addressed satisfactorily - as outlined in national policy.

The Wind and Solar Energy Supplementary Planning Document (SPD) (2014).

- 7.1.19 The development contributes to the overall supply of renewable energy and meets the criteria set out in the SPD in relation to environmental impacts. This proposal would significantly contribute to North Northamptonshire becoming more self-reliant and resilient, by ensuring that it generates a significant proportion of its own energy requirements from renewable sources.

National Commitment to Renewable Energy

- 7.1.20 On 27 June 2019, the Climate Change Act 2008 was amended to introduce a target for at least a 100% reduction in greenhouse gas emissions in the UK (compared to 1990 levels), by 2050. This 'net zero' target is likely to affect and increase future Government renewable and low carbon energy targets. One of the most sustainable forms of energy production worldwide is the production of solar energy through the use of solar PV arrays.
- 7.1.21 The NPPF is clear that planning has a key role in supporting renewable energy and associated infrastructure. Paragraph 152 proposes that the planning system should 'support the transition to a low carbon future in a changing climate' and 'support renewable and low carbon energy and associated infrastructure'.
- 7.1.22 In order to increase the supply of renewable and low carbon energy and heat, Paragraph 155 states that plans should provide a positive strategy for renewable and low carbon energy development. The NPPF is also clear that Local Planning Authorities (LPAs) should not require applicants 'to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions' (Paragraph 158). Applications for renewable and low carbon development should be approved if the impacts are (or can be made) acceptable.
- 7.1.23 The NPPF contains policies on a number of environmental issues in achieving sustainable development and is a material consideration in planning decisions. Meeting the challenge of climate change is at the core of the NPPF and it sets out how planning plays an intrinsic role in supporting the delivery of renewable and low carbon energy developments.
- 7.1.24 The approach to encouraging sustainable transport and managing impacts on transport networks is set out in Paragraphs 104 to 113. Paragraphs 174 to 208 emphasise the importance of preservation and enhancement of the built and natural environment. They set out detailed requirements for the assessment of the impact on the landscape value, agricultural land, ground conditions, biodiversity and habitats, and the historic environment. A requirement for development to provide measurable net gains for biodiversity is set out in Paragraphs 174 and 180.



- 7.1.25 Paragraphs 209-214 set out the approach to facilitating the sustainable use of minerals. Long-term conservation of mineral resources is encouraged, and planning authorities are to safeguard existing, planned and potential sites for minerals, both through policies and the determination of planning applications.

#### Energy White Paper – Powering Our Net Zero Future

- 7.1.26 The UK Government published its Energy White Paper ('the Paper') in December 2020. The Paper builds on the Prime Minister's Ten Point Plan to set the energy-related measures consistent with net zero emissions by 2050. One of the key aspects of achieving net zero identified in the paper is the modernisation of the energy system.
- 7.1.27 The Paper confirms Government's expectation that electricity demand in the UK will double by 2050 due to the electrification of transport and heating. The energy system will need to adapt accordingly to support the deployment of clean energy technologized and more decentralised energy generation, and this "would require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target".
- 7.1.28 The Paper acknowledges that the energy system is still dominated by the use of fossil fuels and will need to change dramatically by 2050 to achieve net zero emissions. The Government therefore aims to replace the fossil fuels with clean energy technologies.
- 7.1.29 The Government is not planning for any specific technology solution but the Paper states that "onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind". The Paper therefore calls for sustained growth in the wind and solar sectors to ensure that the UK is on a pathway to net zero emissions in all demand scenarios.

#### Net Zero Strategy – Build Back Greener

- 7.1.30 The Government's Net Zero Strategy ('the Strategy'), published in advance of COP26, is the Government's long-term plan for the transition to a low carbon economy. The Strategy highlights the significant progress made since 1990 in reducing greenhouse gas emissions from the power sector and introduces a commitment to ensure that all electricity comes from low carbon sources by 2035, subject to security of supply.
- 7.1.31 The Strategy calls for the accelerated deployment of low-cost renewable generation and states that a low-cost net zero electricity system is likely to be composed predominantly of wind and solar generation. The Strategy recognises the centrality of solar to delivering net zero at the lowest cost to consumers. The Strategy emphasises that the planning system will play an important role in supporting the deployment of renewable energy.

## 2021 Committee On Climate Change Progress Report To Parliament

- 7.1.32 The 2021 Committee on Climate Change (CCC) Progress Report to Parliament was published in June 2021 and provides a review of Government efforts over the previous 12 months with regards to Climate Change and presents recommendations for reducing emissions and adapting to climate change. While UK emissions fell by 13% in 2020, much of this decline was likely a result of the Covid-19 pandemic and as such, lasting changes are far from certain. Furthermore, it sets a target to phase out gas-fired electricity generation in the UK by 2035, subject to ensuring security of supply.
- 7.1.33 The CCC Report notes that solar generation sources are now producing the cheapest electricity in history and that the International Energy Agency Net Zero Energy 2050 pathway calls for the rapid build-out of renewables, particularly solar and wind.

### Principle of Development: Conclusion

- 7.1.34 The proposal is supported given that the following issues appear to be addressed:
- The siting of the proposal would not adversely affect the amenity of residents;
  - The proposal would not create any significant adverse cumulative noise or visual impacts;
  - The proposal includes a managed programme of measures to mitigate against any adverse impacts on the built and natural environment;
  - The proposal retains and enhances on-site biodiversity;
  - The proposal for Solar PV on medium 3 (b) grade land would avoid the best and most versatile agricultural land;
  - The development would not have a negative impact on the highways network or public rights of way.
- 7.1.35 The location of the proposed solar development has been selected to minimise the loss of high-quality agricultural land and to avoid disturbance to residential properties. It is integral to planning decision-making that a balancing exercise has to occur in respect of considering the benefits of development against the impacts. In this case, there are clear benefits which arise from the renewable energy credentials of the development which clearly outweigh the modest impacts.
- 7.1.36 Pending the response from statutory consultees with regard to proposed mitigation measures, and if the proposal satisfies all other material considerations, the application would be supported in policy terms.

## **7.2 Visual Impact and Heritage**

- 7.2.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

- 7.2.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.
- 7.2.3 Historic England (2008) Conservation Principles document states that significance means the heritage value of an asset due to its heritage interest, i.e., why a place matters from a heritage point of view. According to this definition, significance is encompassed by four values: evidential, historical, aesthetic and communal. Managing change to heritage assets and their setting largely takes place within the planning system. Change is only harmful if (and to the extent that) the asset's heritage significance is reduced.
- 7.2.4 Furthermore, the NPPF states that when determining planning applications, the local planning authority decision should be weighted in regard to the heritage asset's significance and conservation. Specifically, 'the more important the asset, the greater the weight should be'.
- 7.2.5 The NPPF states that substantial harm to nationally designated heritage should be 'exceptional' to 'wholly exceptional'. Where development proposals lead to less than substantial harm, this harm should be weighed against the public benefits of the proposals. This public benefit often needs to be reconciled with other, usually interrelated environmental interests. In regard to non-designated heritage, the NPPF requires a balanced judgement in regard to the scale of any harm or loss and the significance of the asset.
- 7.2.6 As defined in the NPPF, the setting of a heritage asset is:  
*'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*
- 7.2.7 Further guidance is provided by Historic England in regard to setting. Historic England's 'The Setting of Heritage Assets' along with the PPG20 established the twin roles of setting: its contribution to the significance of the heritage asset and how it allows the significance to be appreciated. This will almost always include consideration of views. Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.
- 7.2.8 Consequently, simple intervisibility of a particular heritage asset with the development or visibility of a heritage asset in the same view as the development is not considered harmful in itself. In line with the NPPF, there has to be a defined effect upon setting so as to change the heritage significance of the asset and its appreciation. The application site is not within a designated landscape area or designation.

- 7.2.9 In the Heritage Statement submitted by the applicant in support of the proposed development, the applicant notes that the impact of the proposed development in terms of visual impact (including heritage setting) has been assessed in two study areas. The first study area is a 1km zone around the application site and the second study area extends to 2km.
- 7.2.10 Within the 1km Study Area, there is one Registered Park and Garden, and 172 HER records (archaeological records).
- 7.2.11 Within the 2km Study Area, there is one Registered Park and Garden, three Scheduled Monuments, 87 Listed Buildings and two Conservation Areas. Only eight of these assets fall within the Screened Zone of Theoretical View (ZTV) and have been considered for detailed assessment. Boughton Park and Garden were determined to require assessment for changes to setting.
- 7.2.12 The historic landscape character is of medieval parkland and woodland. A number of elements of this historic parkland survive within the 1km Study Area, as shown in Figure 3 of the Heritage Statement. The Core Study Area comprises modern enclosed land with no remains elements of this historic landscape character.
- 7.2.13 The Heritage Statement sets out that the landform within the application site consists of undulating land which falls by approximately 35m Above Ordnance Datum ('AOD') from west to east. The slope varies where it meets a small watercourse in the western section of the application boundary forming a small valley in a northeast to southwest orientation. A ridgeline runs from north to south just west of the application boundary, restricting views towards Geddington between the two closest wooded areas of Geddington Chase and Boughton Wood. In brief, the application site falls within a dip in the landform and is surrounded by large areas of dense woodland, so its visibility is limited from many significant viewpoints across the landscape.
- 7.2.14 The appraisal of indirect effects considers changes in setting which have the potential to affect the significance of the heritage asset or the ability to appreciate that significance as a result of the Development. In order to undertake the assessment of indirect effects, the following methodology was employed:
- Identification of heritage assets that might be affected to include a summary of their cultural significance;
  - Definition of the setting of the heritage assets and how this contributes to its cultural significance; and
  - Assessment of the way in which the Development may affect the cultural significance of the heritage asset.

- 7.2.15 To identify cultural heritage assets with the potential for their settings to be affected by the Development, an initial search area was defined based on distance from the Core Study Area (i.e. those within a 2km radius). Due to the limited height of the Development (which consist of panels with a maximum height of 3 m) and intervening distance, heritage assets beyond 2km are unlikely to receive a change in setting unless they are at prominent elevated locations and for which long-distance views contribute to their setting. The applicant notes that Historic England were consulted on this approach on 03/07/2019, and no response was received as of 11/11/2019. All designated assets (i.e. Scheduled Monument, Listed Buildings and Conservation Areas) within the 2km Study Area which fell within the ZTV were assessed.
- 7.2.16 The table below is set out in the submitted Heritage Statement and details the key heritage assets most closely related to the site and proposed development. The table explains what the assets are, their position and the likelihood of impact as a direct result of the proposed development. The remainder of the table, which includes heritage assets set further away from the site, can be seen in the submitted Heritage Statement but is not included here.

Heritage Asset Type	Reference	Name	Distance and Direction from Core Study Area	Bare Earth ZTV	Screened ZTV	Effect of the Development
Registered Park and Garden	1000375	Boughton House	100 m SW and 350m NW	Only the very edge of the designation park lies within the ZTV	No	Only the very edge of Boughton House Park and Garden falls within the Bare Earth ZTV. However, given the proximity and sensitivity of this heritage asset, it has been assessed in full below.
Registered Park and Garden	1001037	Lynden New Field	4.4km NE	Only the very western edge of the designation park lies within the ZTV	The screened ZTV does not extend beyond 3 km	Only the very western edge of the Park and Garden falls within the Bare Earth ZTV. It is very unlikely given the natural topography and screening provided by Fernyn Woods, Cats Head Wood, and Lady Wood, all of which are ancient woodland, that the Development will be visible. As such, further assessment has been scoped out.
Registered Park and Garden	1001031	Drayton House	3.8km NE	Only the very western edge of the designation park lies within the ZTV	The screened ZTV does not extend beyond 3 km	Only the very western edge of the Park and Garden falls within the Bare Earth ZTV. It is very unlikely given the natural topography and screening provided by Grafton Park Wood, Little Green Wood, and Long Lown Wood, all of which are ancient woodland, that the Development will be visible. As such, further assessment has been scoped out.
Scheduled Monument	1003174	Geddington Bridge	1.8km W	No	No	This Scheduled Monument does not lie within the ZTV due to the low elevation of the bridge and the rolling topography of the surrounding area. As such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.

Scheduled Monument	1003640	Lyveden New Building and garden	4.4km NE	Western edge	The screened ZTV does not extend beyond 3 km	Only the very western edge of the Scheduled Monument falls within the Bare Earth ZTV. It is very unlikely that the development will be visible, given the natural topography and screening provided by Fermyn Woods, Cats Head Wood, and Lady Wood, all of which are ancient woodland. As such, further assessment has been scoped out.
Scheduled Monument	1013313	Geddington Cross: Eleanor Cross and conduit house	1.8km W	No	No	This Scheduled Monument does not lie within the ZTV due to the rolling topography, and as such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.
Scheduled Monument	1011037	Slipton Lodge Moated Site	2.5km SE	No	No	This Scheduled Monument does not lie within the ZTV due to the ancient Long Lowm Wood and Grafton Park Wood. As such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.
Scheduled Monument	1016319	16 <sup>th</sup> century House, Gardens and Dovecote, 300m west of Mill Farm	2.5km W	No	No	This Scheduled Monument does not lie within the ZTV due to the rolling topography, and as such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.
Scheduled Monument	1017623	Market Cross 8m west of the Market House	1.7km NE	Yes	No	This Scheduled Monument does not lie within the ZTV due to screening provided by the ancient Fairmyrn Woods and Lady Wood. As such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.
Grade I Listed Building	1052076	Church of St Mary Magdalen	1.7km W	No	No	This Listed Building does not lie within the ZTV due to screening provided by Geddington Village. As such, the Development will not be visible from this heritage asset. There will be no effect resulting from the Development. As such, further assessment has been scoped out.

- 7.2.17 Registered Parks and Gardens and Scheduled Monuments within 5km that fell within the ZTV were also assessed due to their high sensitivity and significant nationally important assets. These are:
- Lyveden Park and Garden (1001037);
  - Drayton House Park and Garden (1001031);
  - Lyveden New Building and garden (SM1003640);
  - Slipton Lodge Moated Site (SM1011037); and
  - A scheduled 16th century House, Gardens and Dovecote, 300m west of Mill Farm.
- 7.2.18 The submitted Heritage Statement reiterates that the setting of a heritage asset consists of the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral. Therefore, the importance of setting is in how it contributes to the significance of a heritage asset.
- 7.2.19 Consequently, simple intervisibility of a particular heritage asset with the development or visibility of a heritage asset in the same view as the development is not considered harmful in itself.
- 7.2.20 In-line with the NPPF, there has to be a defined effect upon setting so as to change the heritage significance of the asset and its appreciation. The main concern for visual effects on a cultural heritage setting is the potential for the development to fragment the historic landscape, separate connectivity between historic sites, and impinge on views to and from sites that are important to its significance. Indirect effects can occur during construction or post-construction.
- 7.2.21 Recognising that Boughton House and its setting are the most likely to be affected by the proposed development, the following is an excerpt from the submitted Heritage Statement and it sets out the significance of Boughton House in its historic context:

***Boughton House Park and Garden (1000375)***

*The Registered Park and Garden is located 130 m southwest and 350 m northwest of the Core Study Area, as shown in Figure 2a and b. The very edges of the designation boundary are located within the screened ZTV and as such, the Development is theoretically visible. The nationally designated Boughton House Park and Garden covers the extensive remains of the late 17th and early 18th century formal gardens of Boughton House (1192643). The Park and Garden is set within a late medieval deer park. The boundary of the designation includes a large area of farmland to the south which includes Grade I Listed Boughton House (1192643) and associated Listed Buildings, extending to Geddington Chase. A small area of ancient woodland to the east is also included within the designation, as shown on Figures 2a and 2b. The total area registered covers 600 ha. The main approach to the designated park is from the northwest on the A43. Boughton House (1192643) is arranged around several courtyards, incorporated within the remains of a later medieval house.*



*After the mid-18th century, there was few alterations to Boughton. The outline of the 17<sup>th</sup> century garden is provided by the River Ise, which runs through the west side of the Park. The wider park contains extensive areas of earthworks relating to previous activity, notably large areas of ridge and furrow representing open-field land belonging to Boughton and Weekley. Almost all of the park is permanent pasture, and it contains a fairly high density of mature parkland trees.*

*The cultural significance of this Registered Park and Garden relates to the historic use of the area as parkland. This provides evidential value which can provide insight into post medieval park estates and land utilisation. The historic development of the Park details how the park developed over time providing further evidential value.*

*The historic setting of this Registered Park and Garden is provided by the medieval and post medieval park landscape, and the association with the villages of Weekly, Boughton, and Geddington. The ancient woodlands of Geddington Chase, Old Head Wood, and Grafton Park Wood contribute to this setting and cultural significance of the Registered Park and Garden. The modern setting remains much the same, with the wider extent of the park land limited to the south by modern developments within Kettering. The modern agricultural fields, roads, buildings, and infrastructure, such as telegraph poles, are now incorporated within this setting. Although these modern additions detract from the historical setting of the Boughton House Park and Garden, the cultural significance and value can still be appreciated and is not harmed.*

*The main views from within the designated park are insular across the garden and parkland, with the ancient woodland within the designation limited views to the north and east.*

*The Core Study Area is located 130 m northeast of the designated ancient woodland within the east of the Park and Garden, and 350 m southeast of Geddington Chase within the GDL. Only the very edges of these areas of ancient woodland and the corridor between the parkland and Geddington Chase fall within the Screened Zone of Theoretical Visibility.*

*As such, there is some theoretical visibility from the edges of the designation. The majority of the designated park land; however, has no theoretical visibility. The southwestern edge of the Core Study Area will be screened by existing trees, with additional hedgerows to the western boundary, as show on the Landscape Plan. Any visibility from the edges of the designation will be glimpsed through areas of woodland and be of solar panels within an agricultural field that already detracts from the setting of Boughton House Park and Garden.*

*This glimpsed visibility will not affect any key views within the park, or the historical and evidential value of the asset, so that the setting remains unchanged. There will be no harm to the cultural significance of the Park and Garden and no impact to this asset. As such, the Development complies with the NPPF and Policy 2 of the Local Development Plan.*

- 7.2.22 The assessment did not identify any significant effects on these heritage assets which would result in harm to their cultural significance or setting. As such, the applicant concludes that the development complies with the NPPF and the policies in the local plan.
- 7.2.23 In assessing the application site, it is important to acknowledge that the application site is set in a basin with the landform surrounding the site comprising of thick wooded areas or ridges of land set at a higher level. This effectively screens a significant number of the views towards the site and would limit views of the solar panels once in situ from many viewpoints. It is undoubtable that the solar panels will be seen in some areas, but this is not an immediate reason to refuse the application and instead, an understanding of the harm must be reached, and a balance must be considered.
- 7.2.24 Historic England has raised concerns regarding the impact of the proposed development on the character of the historic hunting land which surrounds Boughton House. It is acknowledged that Boughton House is the most sensitive asset associated with the proposal and that this is included in its setting.
- 7.2.25 However, when visiting the site and viewing towards the application site from public positions near to Boughton House, views of the site would be limited by other landforms. As such, Officers would argue that the impact on the setting of Boughton House is not harmful.
- 7.2.26 It is also recognised that the setting of Boughton House includes important historic hunting areas and that these areas contribute to the setting of Boughton House. It is here where the impact of the proposed development would be greatest in a heritage context, and in viewpoints directly adjacent to the site as demonstrated by the viewpoints shown in the submitted visual assessment which now includes winter views, as a worst case scenario, as suggested by Historic England. These further winter viewpoints demonstrate that although the scheme might be visible, it would not detract from the experience of the setting on Boughton House.
- 7.2.27 In order to limit the impact on the historic hunting land and immediate views, mitigation in the form of additional hedges to the west boundary is included as part of the Landscape Management Plan. This would further reduce any effects on the historic environment. Full details of boundary enhancement measures can be found within the submitted Landscape Plan and the Plan can be conditioned to ensure its implementation and maintenance.
- 7.2.28 Taking the proposal and its impact in the round, it is considered by Officers that the impact on Boughton House would be negligible and that the impact on the associated historic hunting land, park land and woodland would have a neutral impact on the landscape after mitigation. The proposal would not reduce the significance of Boughton House as a heritage asset any harm caused would be less than substantial.

- 7.2.29 This then leads officers to the balancing exercise where the visual impact of the proposed solar farm, with particular reference to heritage, needs to be weighed against the potential benefits. These benefits are with regard to energy generation and sustainability in light of the green agenda emphasised by the Government. The NPPF, at paragraph 158 notes that applications for renewable and low carbon development should be approved, if its impacts are (or can be made) acceptable.
- 7.2.30 As noted by the NPPF in Paragraph 202, where development proposals lead to less than substantial harm, this harm should be weighed against the public benefits of the proposals. This public benefit often needs to be reconciled with other, usually interrelated environmental interests.
- 7.2.31 Whilst the views of Historic England are respected, it is felt by Officers in this instance that any visual harm caused by the proposed development would not be to a degree that would outweigh the significant public benefit gained by the proposal. If the level of harm identified had have been significant and severe harm would be the result, Officers opinion would most certainly have been different. But, given that, in officers opinion, the level of harm is neutral and there are significant benefits to be gained from the proposed solar scheme, the balance tips towards the scheme being acceptable.
- 7.2.32 As such, officers are of the opinion that the proposed development meets with the advice set out in paragraph 202 of the NPPF and the aims of Joint Core Strategy Policy 8 and 26.

### 7.3 **Archaeology**

- 7.3.1 Following discussions at pre-application stage and extensive consultation during the consideration of this application, the applicant provided an archaeological desk-based assessment which considers the high potential for remains to be present particularly of Iron Age, Romano-British and early medieval date.
- 7.3.2 On the advice of the Councils Archaeological Advisor, the applicant has commissioned the scheme of pre-determination trial trenching works and has submitted a Trial Trenching Interim Report which demonstrates an area of significant archaeology to the centre of the application site (Zone 3).
- 7.3.3 Following discussion with the Council's Archaeologist regarding the various ways to account for the archaeology (concrete footings for sensitive areas of the site instead of pile driven poles as would be the standard procedure), the applicant has chosen to proceed with the 'belt and braces' option of omitting any development within Zone 3 altogether. This means that there will be an area of land to the centre of the site that will remain undeveloped.
- 7.3.4 This is the option that the Council's Archaeology Advisor is the most comfortable with and as such, no objection is raised to the development subject to a condition which will secure the submission of a construction and decommissioning management plan is recommended, for the protection of the archaeological exclusion area referred to as Zone 3.

- 7.3.5 This management plan will include information on detailed appropriate temporary fencing to be erected around the exclusion area before construction begins, and before decommissioning at the end of the life of the facility.
- 7.3.6 Overall, subject to the recommended condition, the proposed development is considered acceptable in terms of its impact on archaeology and the scheme conforms with the advice contained in NPPF paragraph 194.

#### 7.4 **Flood Risk**

- 7.4.1 The application site is located in Flood Zone 1 and is therefore at low risk of flood. There are a series of minor land drains within the site but based on the falling topography and low risk of surface water flooding, a typical racking set up will be sufficient to raise the PV arrays above potential pluvial flood depths. In addition, whilst the proposed solar panels may divert the course of rain water from reaching the ground, the majority of the ground within the site will be left untouched: allow for surface water to infiltrate the ground in the way that it currently does. As such, the impact of the proposed development on surface water drainage is low.
- 7.4.2 The applicant has submitted a Flood Risk Assessment in support of their application which details that Harper's Brook is located 1.4 km to the east at an elevation of approximately 50 m AOD upstream of the Site; 30 m lower than the lowest land elevation within the Site boundary at an approximate 84 m AOD. Therefore, the risk of the Development flooding from fluvial sources is considered to be negligible.
- 7.4.3 The Lead Local Flood Authority (LLFA) is satisfied with the assessment as set out in the submitted Flood Risk Assessment and advises that a condition to ensure the submission of standard drainage details is submitted prior to any above groundwork taking place. This condition is considered necessary in order to make the development acceptable and is included as part of the recommendation.
- 7.4.4 The Environment Agency does not raise any objection to the proposal.

#### 7.5 **Access and Highway Impact**

- 7.5.1 Access to the application site would be gained via the existing track on the north side of the Site, leading from Grafton Road to Old Lodge Farm. Details of the access arrangement are presented in the Transport Statement (Appendix 6) and drawing 3571-DR LAN-101 F, including details of a proposed widening to the access point in order to improve visibility along Grafton Road (see drawing 3571-DR-ALR-0001 REV 1). Vehicles will approach the site from the north through Brigstock. The route to site for construction traffic will use Grafton Road, Sudborough Road, the A6116 and the A14.

## Pre-application Discussions with Local Highway Authority:

- 7.5.2 Consultation was initiated in October 2019 with Northamptonshire Highways to discuss the Development proposal, access arrangements and route to site. A summary of the consultation response is provided below:
- They were amenable to consider access from the north for the short-term duration of construction to mitigate traffic impact on the wider network;
  - As the site entrance junction does not meet the required visibility splay, temporary traffic signals may be used during the construction phase in order to manage traffic flow;
  - A 4.5m setback distance should be used for all visibility splays; and
  - A speed survey should be undertaken at the proposed site entrance location on Grafton Road in order to ascertain if a relaxation in visibility splay could be considered for operational traffic. This survey should be in the form of a 2-week ATC, or at least 200 vehicles in order to validate the findings.
- 7.5.3 Grafton Road is a rural, C class, single-carriageway road with an average width of 5.5m. The road is national speed limit. A two-week speed survey was undertaken at the site entrance location in response to the consultation. Full data from this speed survey is included in Appendix C for reference. A summary of findings is as follows:
- Northbound 85th percentile speed = 63.3mph; and
  - Southbound 85th percentile speed = 61.8mph.
- 7.5.4 A visibility splay assessment was undertaken by the applicant. The results of this assessment indicated that the achievable splays are as follows:
- North splay = 49m; and
  - South splay = 215m.
- 7.5.5 The south splay meets the DMRB standard for a 60mph design speed of 215m. The north splay does not meet the required standard. As the visibility splay does not meet the required standard, mitigation measures have been proposed.
- 7.5.6 A swept path analysis was also undertaken for a 16.5m HGV vehicle exiting via the existing access junction. This indicated that the junction will require upgrading in order to accommodate HGV traffic safely.
- 7.5.7 Sudborough Road is an urban single-carriageway road which passes through the settlement of Brigstock. A 30mph speed limit applies within Brigstock. From its junction with Grafton Road to the A6116 it has an average width in excess of 5.5m. A pedestrian footway is located on its north side and numerous residential driveways are accessed via dropped kerbs across this. The junctions at Grafton Road and the A6116 are simple priority junctions.
- 7.5.8 The A6116 is a rural single-carriageway A-road, it has a width in excess of 7m. National speed limit applies. The junction between the A6116 and Sudborough Road is a priority junction with ghost island.

- 7.5.9 The A14 is a rural 2-lane dual carriageway and is a trunk road of national significance. National speed limit applies within the vicinity of the A6116 junction. The junction with the A6116 is grade separated with simple priority junctions connecting onto the slip roads.

#### Construction Traffic Composition

- 7.5.10 The Applicant states that development construction traffic will primarily be associated with the importation of construction materials including solar panels, support structures, electrical equipment and other construction materials. It is expected that the majority of these materials will be transported to the site by HGVs. Other vehicles associated with construction of the development can be expected from construction workers and other site personnel accessing the site.

#### Construction Vehicle Routing

- 7.5.11 The submitted Transport Assessment details that all construction vehicles approaching the site will be directed to use the approach route to site as agreed at pre-application stage with the LHA. It is assumed that the majority of vehicles will approach the site from the North and the proposed route (reversed for return journey) is listed below:
- Exit A14 at Junction 14;
  - Head north on A6116;
  - Turn left onto Sudborough Road at Brigstock;
  - Turn left onto Grafton Road; and
  - Turn right into site entrance.

#### Construction Traffic Volume

- 7.5.12 The applicant states that the development is expected to be constructed over a 6-month period. The peak week of construction is expected to occur in month 4 where 2162 two-way vehicle movements, which consists of 1560 car movements and 602 HGV movements, are expected to occur. Assuming a 26-day working month, this would equate to a maximum of 84 two-way movements per day which would consist of 60 car movements and 24 HGV movements.
- 7.5.13 This reflects a maximum percentage change in overall traffic during the peak week of construction of 18.8% on Grafton Road. HGV traffic is predicted to increase by 27%. The applicant points out that the IEMA Guidance, quoted in Table 2.1 of the Transport Assessment, notes that the threshold of significance has not been exceeded on any route within this study. Therefore, the change in traffic predicted during construction of the development is minor and further assessment is not warranted.
- 7.5.14 Whilst the increase in traffic is likely to be seen by local residents to be noticeable, it must be remembered that the traffic would not need to pass through the core area of Brigstock and that the impact of this traffic would be for a short (6 month) period only. Following the construction phase, the development is likely to attract 6 visits to the site per month, for the remaining 34.5 year operational period. This is a negligible impact on traffic and highway safety.

### Access Visibility

- 7.5.15 The visibility splay at the site entrance junction does not meet the required DMRB visibility splay for the measured road speed. Mitigation measures in relation to this are proposed within Section 5 of this report. On other routes considered within this study the predicted temporary increase in traffic during construction of the development is minor, and below recognised thresholds of significance. No 'serious' or 'fatal' RTCs were recorded within the study and no trends or hotspots could be identified in the 'slight' RTCs. In the absence of any identifiable RTC trends or hotspots, a minor increase in traffic is not sufficient to have a detrimental effect on the safe operation of the highway network. Therefore, no effect on highway safety except at the site entrance junction is anticipated.

### Traffic Management

- 7.5.16 A number of traffic management procedures are proposed by the Applicant for implementation to ensure safe operation of routes within the vicinity of the site, in particular at the site entrance junction, which the operator of the site will be responsible for. One such measure is a routing agreement. Drivers of all delivery vehicles will be made aware of the approved route to site, and any restrictions. Drivers of HGVs and other vehicles will be made aware that only the approved route is to be used and that access from non-approved routes is prohibited.

### Construction Phase Traffic Management

- 7.5.17 In order to encourage safe HGV egress from the site entrance junction, the applicant suggests the installation of temporary traffic signals at the site entrance junction on Grafton Road for the duration of the 6 month construction period. All vehicular egress from the site entrance junction will occur only when traffic on Grafton Road has been stopped by the temporary signals. These signals would have manual activation, or automatic detection, for vehicles exiting the site entrance and at all other times should show green signals to traffic on Grafton Road.
- 7.5.18 The final layout of the temporary traffic management zone would be designed by the appointed temporary traffic management contractor and submitted to the LHA for approval prior to installation. This could be secured by condition. It is anticipated that a temporary speed limit reduction would be required on approach to the traffic signals, and warning signage would be required as a minimum.
- 7.5.19 Post construction phase, the Applicant proposes that all vehicles which egress the site onto Grafton Road during operation will be required to turn left. The applicant will install no right turn signage for vehicles exiting onto Grafton Road and will maintain this for the duration of operation of the development. No HGVs will be anticipated to access the site during operation. The applicant notes that, in the extremely unlikely event that HGV access is required, temporary traffic management would be required to be installed as per the construction phase traffic management procedure. These measures could be secured by condition.

- 7.5.20 Appendix A, Figure 5 of the submitted Transport Assessment, indicates the swept path of the maximum permitted operational maintenance vehicle leaving the site entrance junction. This shows that it is possible for HGVs to egress the junction without encroaching on the southbound lane of Grafton Road. This further mitigates against the lack of visibility splay to the north and would allow the junction to operate safely as the south splay is sufficient. The Developer will be required to ensure that all personnel who visit the site are inducted for the operational traffic management procedures and are aware that left turns only are permitted when egressing the site.
- 7.5.21 The Local Highway Authority (LHA) raises an objection to the proposed development solely on the basis that the proposal would result in an intensification to the access. There is no acknowledgement from the LHA that the applicant proposes to upgrade the access or that the impact from traffic will be in a concentrated 6-month period. The LHA, in the same response, then goes on to say that "*the development is not an intensification of vehicle usage and it is anticipated that there will be a reduction in large agricultural vehicle movements*". This is incorrect, as clarified by the applicant as there would be an increase in vehicle movements as a direct result of the development.
- 7.5.22 The LHA response appears to be misinformed given that the applicant clearly states as part of the submission that the existing access would be widened (following a swept path analysis for a HGV vehicle) to the appropriate width to ensure that HGVs do not need to cross into oncoming traffic when leaving the site. The LHA acknowledge that the proposed access width is acceptable. This matter has been put to the LHA by Officers and the applicant and no further comments have been forthcoming. As such, Officers must conclude that the applicant has satisfied the concerns raised by the LHA in this respect.
- 7.5.23 Following the matter of the access width, the LHA then goes on to suggest that conditions are used to secure a compliant traffic management scheme to ensure that discussions are continued regarding the position of the temporary traffic lights to ensure appropriate visibility. The LHA accepts that the widths demonstrated are satisfactory and require a suitably worded condition for all construction traffic leaving the access to turn left only with appropriate signage inside the site. Further, the LHA requests that a condition be used to cover any expenses in the event that the increase in traffic generated by the proposal results in the requirement for repairs to Grafton Road. The applicant has not raised any objection to these suggested conditions and they are each considered reasonable to mitigate against any impact of the development. The specific wording for the suggested conditions will be requested from the LHA and reported to members prior to the Committee meeting.



7.5.24 In conclusion, whilst there would be a notable increase in traffic along Grafton Road, this increase would be for a limited time and the applicant has suggested appropriate mitigation to ensure that the use of the access during the construction period is safe for general road users and those accessing / leaving the site. Further, a condition could reasonably be used to ensure that any damage caused as a result of the increase in traffic attracted to the site would be rectified to LHA standards.

7.5.25 Overall, with the conditions suggested by the LHA and others to secure the proposed access widening and traffic mitigation measures noted above, the proposed development is acceptable in terms of its impact on highway safety.

## **7.6 Ecology**

7.6.1 One national statutory designated site is located within 2 km of the Site boundary; this is Geddington Chase SSSI, located approximately 1.1 km to the northwest of the Site. Details can be found in Table 3.1. There were no European statutory designated sites within 5 km of the Site.

7.6.2 There are seven non-statutory designated sites recorded within 2 km of the Survey Area. All these sites are LWSs; Geddington Chase, Grafton Park Wood, Long Lown Wood, Old Head Wood, Snapes Wood, The Nook and Thorny Coppice; the LGSs are Brigstock Brakehill Site and Geddington Stone. Snapes Wood and The Nook are part Nature Improvement Areas (NIAs). In addition to this Geddington Chase, Grafton Park Wood, Old Head Wood, Snapes Wood and Thorny Coppice. All contain a mixture of semi-natural and replanted ancient woodland.

7.6.3 An Extended Phase 1 Habitat Survey was conducted between 15th July and 19th July 2019 by a suitably experienced ecologist. The survey area included all land within the Site (the Survey Area and the Site area are shown on Figure 1, Appendix A) and was carried out in accordance with methodology described in the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal with an assessment of habitat suitability for protected species, including mammals, nesting birds and herptiles (amphibians and reptiles)

7.6.4 The submitted Habitat survey concludes that, due the distance and the scope and scale of the works, the development does not have the potential to cause any direct or indirect impacts on the features for which the designated sites have been listed.

7.6.5 The site provides suitable habitat for several UK and European protected species. In the absence of mitigation all these species have the potential to be negatively affected by the development. However, this has been minimised through careful design of the development so as to avoid these impacts where possible, and with mitigation the impact is likely to be minimal and any obstacles posed by ecological constraints are able to be overcome. With enhancement measures incorporated into the proposal, several species also have the potential to be positively impacted.

- 7.6.6 In order to increase the development's biodiversity value, and to adhere to Government guidance set out in the NPPF, a range of enhancement measures have also been provided (detailed in Section 5 of the submitted Habitat Survey).
- 7.6.7 The applicant suggests that specific details of the mitigation and enhancement measures could be included within an Ecological Mitigation and Enhancement Plan (EMEP) to be produced for the development prior to construction. This document would detail measures to be implemented in order to enhance the value of the development and detail sympathetic management of these areas to maximise their ecological value in the long term.
- 7.6.8 The councils Ecology Advisor is satisfied with the content of the Habitat Survey and the suggested approach with regard to the EMEP. As such, a condition is requested by the Ecology Officer to secure such measures. The use of this condition is supported by officers and forms part of this recommendation. General advice has also been given by the Council's Ecologist, which will be added as an informative.
- 7.6.9 Overall, the impact of the proposed development on ecology is acceptable, subject to the EMEP condition.

## **7.7 Impact on Neighbouring Amenity**

- 7.7.1 With solar power and specifically solar farms such as this, the most likely form of disturbance to be experienced long term in terms of residential amenity is with noise and vibration. This would be generated by the supporting equipment rather than the solar panels themselves. In the short term (6 months) during construction, noise will come from construction and piling. As such, the Council's Environmental Protection Team has been asked to review the proposal and consider the likely impact on the nearest residential properties.
- 7.7.2 The application site is positioned within the open countryside with only a very small number of dwellings positioned sporadically in the local area. Although the application site is spread over a large area, and bearing in mind the low level nature of the proposal and the small scale of the proposed ancillary structures, the only dwelling close enough to the site to be affected would be Old Lodge Farm. Old Lodge Farm is positioned directly adjacent to the northern boundary and shares an access with the site.
- 7.7.3 The ancillary buildings would house supporting equipment for the operation of the solar panels such as inverter, transformer and battery storage.
- 7.7.4 The Council's Environmental Protection Team has reviewed the technical details submitted, bearing in mind the position of the ancillary buildings and has confirmed that the proposed development would not have a detrimental impact on Old Lodge Farm.

7.7.5 Bullymores Lodge, approximately 700 m east of the site and Park Cottages / Fethard Fields are approximately 1km east of the site. All of these dwellings are considered to be positioned far enough away from the application site to prevent any adverse impact on amenity.

7.7.6 In terms of construction noise, the Environmental Protection Team advise that this can be dealt with by condition. As such, the condition suggested by Environmental Protection are recommended.

## **7.8 Crime Prevention**

7.8.1 Northamptonshire Police requests that a condition is used as part of any approval to ensure that security measures are put in place to help prevent any criminal activity. One of these measures is to install a loudspeaker system that gives the ability to remotely warn off offenders on site by means of loudspeaker transmissions from the control centre. It is hoped that this will help prevent offences, limit the time offenders stay on site besides detecting offences and offenders. Other measures include security fencing and CCTV. It is agreed that these measures are necessary, and a condition is recommended.

## **8. Other Matters**

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8.1 **Grafton Road Weight Restriction:** Brigstock Parish Council noted concerns regarding a 7.5 tonne weight restriction on Grafton Road. The applicant has clarified this with the LHA and it has been confirmed that the weight limit is not in place due to any defects in the road that would be affected by the weight of the HGV vehicles attracted to the application site. The LHA has confirmed that this weight restriction would not apply to the proposed development and it should not therefore be a reason to prevent the use of Grafton Road in accessing the site.

8.2 **Equality:** The proposal would not give rise to any concerns with regard to equality.

8.3 **Contribution to Village:** The view of Brigstock Parish Council that the proposed development is negative because it does not contribute to the village is not a reason to refuse this application. There is no mechanism to request developer contributions for a development of this type.

8.4 **Accidents on A6116:** Brigstock Parish Council has raised the number of accidents on the A6116 as a concern. The submitted Transport Assessment has examined Road Traffic Collision data on all associated roads and all operate within capacity and there are no accident hotspots found or patterns associated with certain junctions found within that traffic data. As such, it is not demonstrated that the proposal would intensify the likelihood of accidents taking place at sensitive hotspots or be the cause of collisions in general.

8.5 **Boughton Estate:** Brigstock Parish Council asks whether there could there be a safer option with an access via Boughton Estate land. The applicant has not proposed this and Officers and Members need to consider the scheme as proposed.

8.6 Comments from Applicant: The applicant submitted the following comments in response to the concerns raised by Brigstock Parish Council:

“Dear (Parish Clerk)

I must apologise as I suggested during my initial presentation last year that the route from the South was the only route, based on assumptions made at the time. It was only when the restrictions applied along that route were better understood through consultation with the Highways officer, that the route from the north, through Brigstock, was deemed to be the preferred route (this was even acknowledged by an attendee at our meeting). We consider the assessment to be robust, however we will continue to work to improve the options for routing of the construction traffic and any improvements could be picked up in a planning condition regarding the Traffic Management Plan.

As I stated during our meeting before, ScottishPower Renewables is keen to make a positive contribution to the local community, as we are (hopefully) here for the long term. This means that IF consent is granted for the scheme, our work to improve the scheme does not stop. We will continue to improve aspects of this scheme in the run up to construction. And as I stated before, SPR are open to specific suggestions as to how we can make contributions to the local community.

In terms of picking up the specific comments raised by yourselves at Brigstock Parish Council – see below:

*“Page 29 of the Planning Statement states there would be 84 vehicle movements, many of them HGVs, to site each day and presumably 84 returning from site. This amounts to a vehicle approximately every 4 minutes. This is NOT a 'minor' change to existing traffic. the proposed traffic management procedures seek to address the site entrance but does not deal with how passing HGVs will be dealt with in the village or on Grafton road. Is there a good reason for the traffic count being positioned in a location that does not include existing traffic e.g. to Bullymores Lodge etc.?”*

There will not be any increase in vehicle movements to and from the site during the operational phase of development. The anticipated increase in vehicle movements during the peak month of construction is 27 percent. This is considered minor by the IEMA guidelines which are the recognised guidelines for the environmental assessment of road traffic. This increase is temporary and will be lower during every other month of construction as stated in the TS. Traffic management measures would be in place during the construction period, including temporary stop lights and a ‘no right turns’ restriction on vehicles entering and leaving the site. The location of the traffic count was chosen to establish speed within the vicinity of the proposed site entrance location.

*“As noted by the Planning Department the submitted documents are very difficult to navigate, there being Appendix Figures and also 'stand-alone' Figures, this being said Appendix 6 Transport Statement cannot be found anywhere! “*

This was submitted as a separate document and is available on the Council's planning public access website.

*"Assuming that the solar farm itself is basically ground mounted; the parish council have no problem with it in principle. However, concern has been expressed that Document - 'Appendix 1 Figure 6' appears to show some 41% to 60% of the installation will be visible from an important vista at Fermyn Woods Country Park!"*

This 41% - 60% is based on a 'bare earth ZTV' which does not take into account tree cover. The amount of the solar farm which would actually be visible from the western edge of Fermyn Woods Country Park would be under 40% and even lower from within wooded areas of the Park."

## **9. Conclusion / Planning Balance**

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- 9.1 The proposal is supported given that the following issues appear to be addressed:
- Having been balanced against the impact on designated heritage assets, it is determined that the public benefit of the proposed development outweighs the limited visual impact on the setting of the nearest historically sensitive settings;
  - The proposal would not create any significant adverse cumulative noise or visual impacts;
  - The siting of the proposal would not adversely affect the amenity of local residents;
  - The proposal includes a managed programme of measures to mitigate against any adverse impacts on the built and natural environment;
  - The proposal retains and enhances on-site biodiversity;
  - The proposal for Solar PV on medium 3 (b) grade land would avoid the best and most versatile agricultural land;
  - Having considered the comments raised by the LHA, it is considered that conditions can be used to ensure that the development would not have a negative impact on the highways network or public rights of way; and
  - The development has been proposed in a manner that would protect the sensitive archaeological features within the site in-situ for future generations.

## **10. Recommendation**

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- 10.1 That planning permission is GRANTED subject to the following conditions:

## **11. Conditions**

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- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: To ensure compliance with Section 91 of the Town and Country Planning Act (as amended).

- 2 Notwithstanding the submitted details, and prior to the first use of the development hereby approved, a scheme setting out the applicant's proposals for soft landscaping (in addition to the Landscaping Scheme already submitted) and its proposed species mix, implementation schedule and future management shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed list of proposed species and their sizes and positions. The approved landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the first operation of the site for electricity generation. Any trees or plants which within a period of 35 years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure that the proposed solar scheme receives appropriate landscape mitigation for the duration of its life, given the sensitive position, and to ensure appropriate ecological mitigation and enhancement.

- 3 No development shall commence until a construction and decommissioning management plan has been submitted (by the applicant) to and approved in writing by the Local Planning Authority, for the protection of the archaeological exclusion area referred to as Zone 3. This management plan will detail appropriate temporary fencing to be erected around the exclusion area before construction begins, and before decommissioning at the end of the life of the facility. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of preserving known archaeology within the site.

- 4 No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment. Brigstock Solar Farm dated November 2019 prepared by Arcus Consultancy Services, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles;
- b) As-Built Drawings and accompanying photos; and
- c) A detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

- 5 The development hereby permitted shall be removed from the site and the site returned to its former condition and use as agricultural land within 35 years and 6 months of the date of this planning permission, or 6 months following the cessation of any power generation as a result of decommissioning, whichever is the sooner.

Reason: To ensure that the proposed development is removed from the site as soon as it is no longer required or functioning in order not to prolong any visual impact without sustainability benefits from the generation of renewable energy.

- 6 No development shall commence until details of ambient noise levels, a noise monitoring programme and noise attenuation measures for the construction phase have been submitted to and approved in writing by the local planning authority. Such measures and monitoring shall operate throughout the construction phase in accordance with the approved details (or any further approved amendments).

Reason: To limit the detrimental effect of piling and construction works on nearby residential properties.

- 7 No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Public Holidays or Bank Holidays.

Reason: To ensure the protection of the local amenity throughout construction works

- 8 Prior to the first use of the development hereby permitted, the applicant shall have submitted to and received written approval from the Local Planning Authority for a scheme of crime prevention and security measures. The scheme shall include but not be limited to the following:

- Details of perimeter fencing and gates which should be certified to a security standard of at minimum LPCB LPS1175 SR2. Stock proof fencing will only offer a token resistance to intruders.
- Details of a perimeter intruder detection system which should be installed and connected to the proposed CCTV system.
- The CCTV system should be capable of identifying unauthorised persons on site during the hours of darkness and monitored on all alarm activations. The ability to remotely warn off offenders on site by means of loudspeaker transmissions from the control centre will help prevent offences, limit the time offenders stay on site besides detecting offences and offenders.

The development shall thereafter be carried out in accordance with the approved scheme, retained in the agreed manner and maintained in good working order in perpetuity.

Reason: To ensure appropriate levels of security and crime prevention measures.

- 9 Notwithstanding the submitted details, the solar panels hereby approved shall be fitted with a non-reflective / anti-glare surface at the point of installation and retained in this manner in perpetuity.

Reason: To reduce the impact of the proposed development on the character of the area and to prevent distraction to motorists.

- 10 All works shall be carried out in accordance with the details contained in 'Brigstock Solar Farm Reptile Method Statement, Scottish Power Renewables' by Arcus Consultancy Services and dated February 2020 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure appropriate species protection and to clarify the terms of this consent.

- 11 An Ecological Mitigation and Enhancement Plan (EMEP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the EMEP shall include the following:

- a) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- b) The location and timing of sensitive works to avoid harm to biodiversity features.
- c) Description and evaluation of features to be managed.
- d) Ecological trends and constraints on site that might influence management.
- e) Aims and objectives of management.
- f) Appropriate management options for achieving aims and objectives.
- g) Prescriptions for management actions.
- h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- i) Details of the body or organization responsible for implementation of the plan.
- j) Ongoing monitoring and remedial measures.

The EMEP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the EMEP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure appropriate ecological mitigation and enhancement.



## 12. Informatives

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1. Ecology: Further advice on improving ecological credentials of the proposed development.