

## PLANNING COMMITTEE – 2 MARCH 2021

<b>Application No:</b>	<b>20/01242/FULM</b>	
<b>Proposal:</b>	<b>Construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.</b>	
<b>Location:</b>	<b>Land North Of Halloughton, Southwell</b>	
<b>Applicant:</b>	<b>JBM Solar Projects 6 Ltd</b>	
<b>Agent:</b>	<b>Mr James Walker - Pegasus Group</b>	
<b>Registered:</b>	<b>10.07.2020</b>	<b>Target Date: 09.10.2020</b>
		<b>Extension Agreed to: 02.03.21</b>
<b>Website link:</b>	<a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=QD7J5ALBI8R00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=QD7J5ALBI8R00</a>	

**The application is being referred to Planning Committee at the discretion of the Business Manager, as this proposal would be of significance to the district in that it could potentially give rise to significant financial consequences.**

### The Site

The application site comprises 13 agricultural fields north of the village of Halloughton. Collectively all parcels of land are c.107.81Ha and given the isolated nature of the site it falls as Open Countryside. The site is gently undulating and rounded, resulting in views being medium to long distance throughout most of the area with frequent wooded skylines.

The southern portion of the site is located to the north of and within the parish of Halloughton. This section of the site comprises five large linear fields with boundaries at their edge, including copses at the western and part of the southern boundary. Overhead electricity lines and pylons cross this parcel in an east-west direction. The built-up area of Halloughton lies close to the southern boundary of the parcel and the A612 forms part of the eastern boundary. Agricultural land surrounds the parcel in other directions.

The northern section of the site is located further from Halloughton and largely lies within the parish of Southwell, comprising seven separate fields of various sizes. The parcel includes buildings associated with New Radley Farm, which has its own access track from the north. There are two Public Right of Ways within the Site boundary, footpath 209/43/1 (Southwell 43) is located in the far northern extent of the Site, situated adjacent to part of the northern boundary. Bridleway 209/74/1 (Bridleway Southwell 74) runs from the north-eastern edge of Halloughton Wood in a broadly east to west direction through the central portion of the site terminating at Stubbins Farm in the east. An overhead electricity line runs east to west through the southern section of the site and the Westhorpe Dumble crosses the site in the same direction just to the north of this.

Land around the Westhorpe Dumble is defined as a Local Wildlife Site (LWS) 'Westhorpe Dumble 2/524 – a characteristic dumble'. A number of other LWS's surround the application site such as:

Westhorpe Dumble Head Drain – 2/724 ‘An unlikely association of uncommon grassland species on the banks of a drain’, Radley House Scrub – 5/3390 ‘woodland’, Cotmoor Lane – 2/719 ‘Broad wooded trackside verges’, and Cotmoor Plantation – 2/723 ‘A damp deciduous woodland with a diverse flora’. An area of Ancient Woodland ‘Halloughton Wood’ is located c.150m to the west of this site at its closest point.

The SW parcel of the site lies close (between approx. 70 - 250 m) to the boundary of Halloughton Conservation Area (CA), however only the proposed access lies within the CA boundary. The northernmost portion of the site lies c.0.9km from the boundary of Southwell CA. With regard to other nearby historic designations there are a number of Grade II and II\* listed buildings within Halloughton and Southwell along with the internationally significant Grade I listed Southwell Minster Church.

### Relevant Planning History

**19/SCR/00016** - Request for screening opinion for a proposed solar installation – Environmental Impact Assessment Not Required 28.08.2019

### The Proposal

The application seeks planning permission to construct a 49.9 MW solar farm on approximately 106.07 ha of land (albeit the actual land take of the panels would be 76 Ha as not all land within the site area would have panels sited on them). The solar farm would be a temporary use of the land as the equipment would be removed and the land returned to its former condition when the development is decommissioned following 40 years from the date of the first export of electricity to the electrical grid, with the exception of the on-site Substation which will remain on site permanently (see ‘Other Issues’ section for further commentary of the length of the temporary period proposed).

The solar farm would comprise solar panels arranged on a simple metal framework supported by pile driven foundations, laid out in rows across the site in east-west orientation facing south to form tables (“arrays”), without the need for concrete foundations. The maximum height at the rear of the tables would be 3 m. The arrays are proposed to be spaced to avoid any shadowing effect from one panel to another with topography dictating exact row spacing ranging between approximately 4m and 6.5m. The arrangement of the solar PV panels themselves would either be 3 in portrait or 6 in landscape, as shown on the proposed plans. There would be at least 0.8 m between the bottom of the panels and the ground to allow small livestock to graze the land between and amongst the panels.

The panels would be dark blue or black. The site would be enclosed by a timber post and wire fence approximately 2 metres in height with pole mounted CCTV cameras at 3 m in height positioned inside and around the site in order to provide security.

The 49.9MWp proposal would provide electricity equivalent to the average electrical needs of 12,209 typical UK homes (approx.) annually and assist towards reducing CO<sup>2</sup> emissions saving approx. 20,690t of CO<sup>2</sup> per annum. Based on similar projects construction is expected to take place over approximately 6 months (up to 26 weeks).

Supporting infrastructure includes:

- 11 Battery Stations located throughout the site including battery units/inverters, DC-DC

- converter boxes and ancillary equipment.
- DNO Substation surrounded by security fencing
- Customer Substation
- 9 Central Inverter Cabins
- Spared Container
- Monitoring and Communication Building
- 3 meter high pole mounted dome security cameras (CCTV)
- 2 metre high wooden post and mesh fencing around the perimeter of the site with gated access points and mammal gates.
- Internal access tracks
- Ground preparation inc. swales
- Cabling via a network of shallow trenches that would be backfilled

Access to the site would be off Brindle Road Farm in the south-eastern corner of the site boundary. The proposed site access would serve the entire site and would be connected to a network of internal roads within the site. Following completion of construction a double width farm gate would be installed at the access point that adjoins the public highway. The solar farm security gate would be setback from the public highway.

Existing public rights of way are proposed to be retained in their existing locations.

Landscaping mitigation and enhancement works are also proposed (mitigation planting, including new and in-filled hedgerow planting, tree planting and enhancement of field margins through proposed species rich grassland).

- Creation of new native species-rich hedgerows and maintenance and enhancement of existing hedgerows including the supplementary infill planting, strengthening existing defunct and gappy hedgerows, totalling 1,262m;
- Creation of an 0.43ha tree belt;
- Creation of 948m of swale habitat;
- Creation of a floristically diverse grassland sward to replace low biodiversity value arable land beneath and surrounding the panels; and,
- Installation of bird and bat boxes on suitable trees around the Site and within the wider landownership area for biodiversity.

Throughout the course of the application, amended plans have been submitted. The applicant has summarised the amendments shown in the submitted plan as follows:

- Removal of proposed panels from land closest to Halloughton village and Conservation Area at the southern end of the easternmost field in the Application Site.
- Planting of a species rich meadow grassland where panels were previously proposed and allowance for the route of a historic footpath to be established across this area.
- Planting of a new native hedgerow along the new southern edge of the panels in the easternmost field and along the northern edge of the access track to further establish separation between the Proposed Development and the village.
- Removal of proposed panels from field in central section of the Application Site, south and east of the Southwell Bridleway 74.
- Removal of proposed hedgerow along southern edge of Southwell Bridleway 74.
- Reinforcement of existing trees and hedgerows along the northern boundary of the southern parcel with planting of further semi-mature trees.
- Reinforcement of hedgerow along western boundary of the Application Site, adjacent to

Public Right of Way footpath Southwell 42, with planting of native trees.

The following documents have been submitted in support of the application (superseded documents not referenced):

- Plans:
  - o Site location Plan – Ref. P18-2917\_02 Rev E
  - o Indicative WPD and Customer Compound Layout – Ref. HLG-01-2001 Rev 01 Sheet 1 of 1
  - o Indicative WPD and Customer Compound Elevations – Ref. HLG-01-2002 Rev 01 Sheet 1 of 1
  - o Tree Protection Plan – Highways Access No. BHA\_665\_03
  - o Typical Fence, Track & CCTV Details – Ref. JBM-HALLOU-SD-02
  - o Typical Trench Section Details – Ref. JBM-HALLOU-SD-03
  - o Typical Inverter Substation Details – Ref. JBM-HALLOU-SD-04
  - o Typical Inverter Substation Details – Ref. JBM-HALLOU-SD-05
  - o Typical Battery Storage Systems Details – Ref. JBM-HALLOU-SD-06 Rev A
  - o Typical Customer Switchgear Details – Ref. JBM-HALLOU-SD-07 Rev A
  - o Site Access Visibility Splays Plan No. P18-2917 FIGURE 1 Rev A
  - o Site Layout and Planting Proposal – Ref. P18-2917\_12 Sheet No: \_ Rev L
  - o Swept Path Analysis: Proposed Site Access 15.4m Articulated Vehicle No. P18-2917 FIGURE 2 Rev A
  - o Typical PV Table Details (showing 3 in portrait orientation) – Ref. Typical PV Table Details 3P Rev A
  - o Typical PV Table Details (showing 6 in landscape orientation) – Ref. Typical PV Table Details Rev A
- Agricultural Land Classification Report, dated 27th November 2020, prepared by Amet Property;
- Arboricultural Impact Assessment, prepared by Barton Hyett Associates;
- Archaeological Evaluation ref: R14340 prepared by Pre-Construct Archaeology Ltd;
- Construction Traffic Management Plan (CTMP), prepared by Pegasus Group;
- Design and Access Statement, prepared by Pegasus Group;
- Ecological Assessment Report, prepared by Avian Ecology (including Biodiversity Metric Calculation, Biodiversity Management Plan, GCN eDNA Survey, Wintering Bird Survey and confidential Badger report);
- Flood Risk Assessment, prepared by Calibro;
- Geophysical Survey Report, prepared by Magnitude Surveys;
- Solar Photovoltaic Glint and Glare Study, prepared by Pager Power;
- Heritage Assessment, prepared by Pegasus Group;
- Landscape and Visual Impact Assessment (LVIA) and LVIA Addendum and Photomontages (dated Dec 2020), prepared by Pegasus Group;
- Letter dated 2<sup>nd</sup> February 2021 setting out amendments, prepared by Pegasus Group;

- Noise Assessment, prepared by LF Acoustics;
- Planning Statement, prepared by Pegasus Group;
- Planting Note dated 21.01.2021 prepared by Pegasus Group;
- Site Access Arrangements Note, dated December 2020, including a Tree Protection Plan – Highways Access No. BHA\_665\_03 and Swept Path Analysis: Proposed Site Access 15.4m Articulated Vehicle No. P18-2917 FIGURE 2 Rev A;
- Site Selection Report, prepared by Pegasus Group;
- Statement of Community Involvement, prepared by Pegasus Group;
- Updated Biodiversity Metric 2.0 Calculation, prepared by Pegasus group, deposited 12.02.21

### Departure/Public Advertisement Procedure

Occupiers of 63 properties have been individually notified by letter. A number of site notices have also been displayed near to the site and an advert has been placed in the local press. Re-consultation on the amendments to the proposal were also undertaken during the lifetime of the application.

Earliest decision date: 15.01.2021

### **Development Plan Policies and other Material Policy Considerations**

#### Planning Policy Framework Development Plan Policy

##### *Southwell Neighbourhood Plan (made 11 October 2016):*

Policy SD1 - Delivering Sustainable Development  
 Policy E1 - Flood Risk Assessments and Mitigation  
 Policy E2 - Flood Resilient Design  
 Policy E3 – Green Infrastructure and Biodiversity  
 Policy E4 – Public Rights of Way  
 Policy E6 – Climate Change and Carbon Emissions  
 Policy DH1 – Sense of Place  
 Policy DH3 – Historic Environment  
 Policy TA3 - Highways Impact

##### *Newark and Sherwood Core Strategy DPD (adopted March 2019)*

Spatial Policy 1 – Settlement Hierarchy  
 Spatial Policy 2 – Spatial Distribution of Growth  
 Spatial Policy 3 – Rural Areas  
 Spatial Policy 6 – Infrastructure for Growth  
 Spatial Policy 7 – Sustainable Transport  
 Core Policy 9 – Sustainable Design  
 Core Policy 10 – Climate Change  
 Core Policy 12 – Biodiversity and Green Infrastructure  
 Core Policy 13 – Landscape Character  
 Core Policy 14 – Historic Environment

### *Allocations & Development Management DPD*

Policy DM4 Renewable and Low Carbon Energy Generation

Policy DM5 – Design

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM8 – Development in the Open Countryside

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

### Other Material Planning Considerations

- National Planning Policy Framework (NPPF) 2019
- National Planning Practice Guidance (on-line resource)
- Landscape Character Assessment SPD (Adopted December 2013)
- UK Government Solar Strategy 2014
- EN-1: Overarching National Policy Statement for Energy (July 2011);
- EN-3: National Policy Statement for Renewable Energy Infrastructure (July 2011)
- Written Ministerial Statement on Solar Energy: protecting the local and global environment made on 25 March 2015
- Commercial Renewable Energy Development and the Historic Environment Historic England Advice Note 15 (February 2021)

### Summary of Consultations (please see online file for comments in full)

**Halloughton Parish Council** – Object (27 object, 13 Support, 1 Abstain)

**Southwell Town Council** – Object. Concerns raised:

- Excessive Scale and height of the arrays
- Loss of agricultural land
- Lack of an adequate archaeological report
- Impact on amenity – intrusive nature of fencing and CCTV, loss of amenity to well used PRoW, loss of amenity to the people of Halloughton from both the panels and the siting of the access road within the conservation area.
- Many of the shielding features of Woodland and hedges are on other people’s land and the removal of any of these would have a dramatic visual impact on the area and is out of the developer’s control
- Inadequate flood mitigation measures especially in the Halloughton catchment.
- Contrary to Southwell Neighbourhood Plan policies E4, E5 and E6
- Ecological impact: there will be significant loss of established wildlife corridors
- There are no substantive changes to the previous application and this development is using prime 3B agricultural land. Such developments should be reserved for brownfield sites.

**Halam Parish Council** – Object (5 Object, 1 Support, 1 Abstain). Concerns raised: covers a too large area, a scar on the landscape, the run off rain will add to flooding problems, the PC are for green energy but not on this scale here.

**Southwell Civic Society** – Object. Concerns raised:

- Inadequate site selection process, contrary to Solar Industry criteria
- Inadequate public consultation process due to Covid-19 - amendments to the initial proposal following consultation were minimal
- Many factual errors in the application documents
- Landscape Impact – significant effect on the landscape

- Flood Risk – conditions are inadequate and should be pre-determination to allow public scrutiny
- Heritage Impact – the development would have a harmful impact on the setting of the Halloughton Conservation Area and a severe impact on views over Southwell Conservation Area and on the unspoilt countryside around Westhorpe Conservation Area.
- The archaeological survey is inadequate. The limitations of the type of geophysical survey carried out are widely recognised and there is other evidence of potential archaeology on the site.
- Amenity Impacts – loss of amenity to PRoW which would be greatly devalued
- The development would result in an alien industrial feature in place of some of the most attractive countryside in Nottinghamshire.
- Community Impact – Whilst this project may provide benefits to the wider community in more sustainable energy and financial gain to the land owner and developer it is difficult to see any direct benefits to Halloughton village or its inhabitants.
- Ecological Impact – Contrary to SNP Policy E3. The ecological assessment report fails to identify the existing biodiversity threatened.
- Loss of Agricultural Land and inaccuracy in the initial ALC survey
- The changes made and the additional information provided do not alter the scheme in any significant way, we therefore continue to strongly object to this wholly unacceptable use of farm land and the destruction of the countryside.

**NSDC Environmental Health** – Support:

- Noise impact would be acceptable subject to conditions
- Glint and Glare – no adverse impact in terms of light pollution identified
- Recommended consultation with Public Health England

**Public Health England** – No comment.

**NATS (National Air Traffic Services)** – Support - no safeguarding objection to the proposal.

**The Environment Agency** – Support

**Nottinghamshire County Council Lead Local Flood Authority** – Support subject to a condition requiring the submission of a detailed surface water drainage scheme.

**Trent Valley Internal Drainage Board** – Support

**NCC Highways** – Support subject to conditions requiring the implementation of the access as per the proposed plans, installation of a vehicular crossing across the highway footway and verge and submission of a tree protection scheme.

**NCC Rights of Way** – Support subject to informatives.

**Ramblers Association** – Object. Concerns raised:

- There is a historical Right of Way (ROW) running through the eastern edge of the site and we will be submitting a claim for its reinstatement as a matter of some urgency as we feel it would result in a valuable addition to the ROW network and would result in walkers being less exposed to traffic on the A612
- Landscape impact - this scheme will be visually intrusive and will impact the enjoyment of PRoW

**Ministry of Defence** – Support

**Nottinghamshire Wildlife Trust** – Support subject to conditions. Summary:

- We are generally happy with the methodologies and conclusions made within the report and believe that so long as all mitigations and recommendations are adhered to and implemented (through the use of suitable planning conditions), there should be no detrimental impact to the wildlife and habitats on site. Furthermore, as mentioned in para 4.2.8 of the report (based on the RSPB briefing note on Solar Energy), biodiversity gains are possible where intensively cultivated arable or grazed grassland is converted to extensive grassland and/or wildflower meadows between and/or beneath solar panels and in field margins. Therefore, we believe that through the creation of the above mentioned habitats, biodiversity net gains on site could be achieved.

**Natural England** – Support. Summary: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

**Tree Officer** – Support subject to conditions regarding tree protection measures and landscaping implementation.

**Landscape Consultant VIA East Midlands** – Object. Summary of initial comments:

- The LVIA has been carried out to the accepted best practice which is the Guidelines for Landscape and Visual Impact Assessment (GLIVA3) Third Edition published by the Landscape Institute and Institute of Environmental Managers and Assessment (April 2013), and the photography practice note – Landscape Institute 2019 Visual Representation of Development Proposals. Technical Guidance Note 06/19, with the exception of the issue noted below concerning the lack of viewpoint photographs when trees and hedgerow are not in leaf.
- The landscape assessment has referred to national, regional and local landscape character assessments. Only negligible landscape impacts have been identified on the national and regional landscape character types, which is agreed by the EMD Team.
- A section of the southern part of the proposed site is within the Mid Nottinghamshire Farmlands Landscape Character Area - Policy Zone 39 –Thurgaton Village Farmlands with Ancient woodlands, information about PZ 39 should be added to this section of the LVIA.
- The location and size of the temporary construction compound should be clarified by the applicant, as this is shown on the key of the layout drawing but not shown clearly on the drawing itself.
- The NCC Highway comments indicate that a mature Poplar at the entrance to Halloughton village will need to be removed, the applicant should confirm whether this tree needs to be removed or not.
- Landscape impact - The EMD Team do not agree with the assessment that there is a minor beneficial change in landcover throughout the site. This assessment has focussed on the biodiversity aspects of the change and not on the perception of the change in the landscape. The applicant should review and revise this assessment to encompass perceived change as part of the overall evaluation and provide an updated revision on this issue.
- Landscape impact - There will be a change in the perception of the landscape character of the village of Halloughton at the construction stage due to the presence of the access road emerging on to Bridle Farm Lane, the main route into the village, caused primarily by visual presence of construction vehicles, and the potential loss of the large poplar at the village entrance. This effect has not been assessed and needs to be considered by the applicant.
- Landscape mitigation - In addition to the landscape proposals drawing and description in the Biodiversity Management Plan, a summary of the enhancement measures should be



provided in the LVIA document. This is in order that the focus of the description is based on the mitigation of landscape and visual effects rather than purely biodiversity aims.

- Visual assessment - It is recommended that a set of viewpoint photographs is also included in the LVIA that shows the representative views and 3 additional heritage viewpoints when the vegetation is not in leaf.
- Visual assessment - No visual assessment has been made of the construction stage of the project. The construction stage is predicted to be 14 -16 weeks. The applicant should provide an assessment of impacts during this stage of the development including additional information about the visual impact of the structures which connect with the existing pylons in this section of the LVIA.
- Visual assessment - The visual impact at the construction stage of vehicles bringing the components of the solar farm to the site should be assessed.
- Visual assessment - The applicant should confirm if alternative routes for access to the site have already been ruled out, and if so for what reasons.
- Visual assessment – In year 1 of the development, a major scale of visual effects is recorded for viewpoints 1, 2, 4, 14 and 15 located on existing PRoWs, the EMD Team are in agreement with this assessment. These impacts are significant in terms of the EIA regulations.
- Visual assessment – Heritage viewpoint B - The EMD Team is in agreement with the conclusions of the visual assessment for year 1 of the proposed scheme for the 18 representative viewpoints, and heritage viewpoints A and C. However, we are not in agreement with the assessment from Heritage viewpoint B from PRoW footpath 209/12/1, looking southwest (Southwell Footpath 11 on the Southwell Heritage trail 2), this point is located on the high ground to the south of Southwell and to the east of the site and there is a distant view of the southern half of the site. We consider the scale of effect for Heritage viewpoint B should be minor adverse for year 1 only.
- Visual assessment - For Year 10 of the visual assessment for some viewpoints, the change in scale of effect from year 1 to year 10 is large, for example for viewpoint 1 the scale of effect at year 1 is Major and this declines to negligible by year 10. This large scale of change relies totally on the successful establishment of the proposed hedgerows and the effective management of the existing hedgerows. The applicant should reconsider the year 10 impacts and confirm that this degree of change is accurate.
- Visual assessment - A description of the visual effects on surrounding residential properties should be included in the LVIA, particularly on properties on the north western edge of Halloughton, this information should be added either as a Schedule of Effects or as a written description in the LVIA.
- Visual assessment - The extent of views from the isolated farms within the study area should also be recorded, even if the views are screened by surrounding mature vegetation.
- Cumulative effects – the applicant should confirm that there are no cumulative effects with other proposed solar farm projects within the study area, that are registered with the planning authority.
- Initial Conclusion: The applicant's submitted information currently has some omissions or is lacking clarity in certain areas identified within this report. Before any final conclusion can be made the applicant should provide the additional information requested and clarify the issues outlined above. Once this information is provided, the EMD Team can then determine if they recommend support for the proposed scheme or not.

Comments on LVIA Addendum 26.01.2021:

- Pegasus Group have provided most of the additional information requested in the EMD comments of 18th September, this draws out the full landscape and visual impacts of the scheme. Items where further information is still required are:-
  - The applicant should confirm which properties the moderate scale of visual impact described on the northern edge of Halloughton applies to, at the very least the number of properties affected should be detailed.
  - A medium adverse magnitude of change due to the construction stage of the project on the village of Halloughton is described, but the overall scale of visual effect of the construction stage on the eastern end of the village of Halloughton is not fully detailed, this information should be provided by the applicant.
  
- Discussion of Landscape impacts: A moderate adverse landscape impact on landcover of the proposed site for the 40 year lifetime of the scheme – rather than a minor beneficial impact as previously stated when the assessment was biodiversity focussed is described. A major adverse scale of effects on the character of Policy Zones 37.38 and 39 for the 40 year lifetime of scheme is also described.  
The impact of the proposed scheme on the setting of Halloughton Conservation Area and the listed buildings contained within this is covered in detail in the response of Oliver Scott (Conservation advice – NSDC Oliver Scott – NSDC Honor Whitfield – dated 24th September 2020) and is assessed as ‘less than substantial harm ‘ but harm on the setting has been identified by the heritage specialist. The EMD team would reiterate his comments and agree with the designation statement for Halloughton from 1972 which says “In fact it could be said that the visual quality of Halloughton is attributable more to its landscape, than to its buildings” (Notts County Council, 1972). In order to reach the village by Southwell Bridleway 74 and Halloughton Byway 9 for example, the visitor passes through the surrounding landscape before entering the village and this experience will be altered by the substantial change in these surroundings.  
Taking the above into account the EMD Team consider that there are long term impacts on the ‘land cover’ element of the landscape, and long term impacts on the landscape character of the site area, it is accepted that these impacts will diminish with distance from the site. Harm has been identified to the setting of Halloughton Conservation Area and the listed buildings contained within this.
  
- Discussion of Visual Impacts: The following scale of visual effects had been identified:-  
A moderate adverse scale of effects on views from upper levels of some properties on the northern edge of Halloughton (the number of properties and which properties are affected is not detailed)  
A major scale of visual effect on PRoW Southwell 74 represented by VP 1, and 2 at the construction stage and years 1 and 10 has been identified  
A major scale of visual effect on PRoW Southwell 74 represented by VP 3 at the construction stage and moderate scale of visual effect at year 10  
A major scale of visual effect on PRoW Southwell 74 represented by VP 4 at the construction stage and year 1, and moderate – negligible at year 10,  
A major scale of visual effect on PRoW Southwell 43 represented by VP 14 at Years 1 and moderate – negligible at year 10  
A major scale of visual effect on PRoW Southwell 43 represented by VP 15 at the construction stage years 1 and 10.  
A moderate adverse scale of visual effect on New Radley Farm and Stubbins Farm at year 1 in views from upper levels of the properties which will reduce by year 10.

Taking the above into account the EMD Team consider that there are long term impacts on PRoW Southwell 74 particularly for the viewpoints 1 and 2 which last at least until year 10 and probably longer, and long term impacts on PRoW Southwell 43 for the viewpoints 14 and 15 which continue at year 10. These footpaths are well used particularly PRoW Southwell 74 which links Southwell and Halloughton. The visual amenity of these routes will be reduced as views will change from open farmland to views of solar farm infrastructure including the surrounding protective fencing and as described above this will affect the visual perception of the village of Halloughton.

- Conclusion: Due to both the Landscape and Visual Impacts identified by the applicant, the EMD Team do not support the proposals for the construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure. The EMD Team recognise the need for the provision of solar farms to achieve renewable energy targets but consider that this location close to the northern edge of the village of Halloughton is not an appropriate setting due to these identified landscape and visual impacts. These impacts should be weighed in the planning balance when considering if the proposed scheme should go ahead.

#### Final Comments on Amended Plans 12.02.2021:

- Discussion of the change in visual effects as a result of the amendments:  
The EMD Team accept that the removal of the area of panels in the central area of the Proposed Development adjacent to PRoW Bridleway Southwell 74, will reduce the magnitude of change at the construction stage and Year 1 of the Proposed Development on the above viewpoints. This reduction will mean that the impacts are now less than the major adverse visual impacts previously identified, we agree that these are now on a scale of effect between major and moderate adverse.

To summarise, the most important visual effects which have been identified are:-

- A major scale of visual effect on PRoW Southwell 74 represented by VP 1, and 2 at the construction stage and year 1, this has been reduced to a moderate scale of effect at construction stage and year 1, and a negligible effect by year 10.  
The EMD Team accept that visual effects are reduced to a range between a major to moderate scale of effect at the construction stage and Year 1. The scale of effect will be less than previously assessed moderate adverse at year 10, but this depends on the success of vegetation establishment.
- A major scale of visual effect on PRoW Southwell 74 represented by VP 3 at the construction stage and moderate scale of visual effect at year 1 and year 10, this has been reduced to moderate scale of effect at construction stage and to negligible by year 1 and 10.  
The EMD Team accept that visual effects are reduced to a range between major to moderate scale of effect at the construction stage. The scale of effect will be less than previously assessed moderate adverse at years 1 and 10, but this depends on success of vegetation establishment.
- A major scale of visual effect on PRoW Southwell 74 represented by VP 4 at the construction stage and year 1, and a range between moderate to negligible at year 10, this has been reduced to major to moderate at the construction stage and year 1, and moderate - negligible by year 10.  
The EMD Team accept that visual effects are reduced to a range between major to moderate scale of effect at the construction stage and Year 1. It is also agreed that

the scale of effect at year 10 will be in a range between moderate adverse and negligible, but this depends on success of vegetation establishment.

- A major scale of visual effect on PRoW Southwell 43 represented by VP 14 at Years 1 and moderate – negligible at year 10.  
Remains unchanged.
- A major scale of visual effect on PRoW Southwell 43 represented by VP 15 at the construction stage years 1 and 10.  
Remains unchanged.
- A moderate adverse scale of visual effect on New Radley Farm and Stubbins Farm at year 1 in views from upper levels of the properties which will reduce by year 10.  
Remains unchanged.
- A moderate scale of effect on a limited number of properties (see below) on the northern edge of Halloughton in the construction stage and at Year 1.

Taking the above into account the EMD Team still consider that there are long term impacts on PRoW Southwell 74 particularly for the viewpoints 1 and 2 which last until year 1 and dependent on the success of vegetation establishment probably longer. The visual effects are reduced by the removal of the relatively small field of panels, but they are still important.

There are long term impacts on PRoW Southwell 43 for viewpoints 14 and 15 which continue at year 10 and these still continue to be major adverse.

As mentioned in the previous comments, the visual amenity of these routes will be altered as views will change from open farmland to views of the solar farm infrastructure including the surrounding protective fencing and as described above this will affect the visual perception of the village of Halloughton when approaching it on foot using the surrounding PRoWs.

- Landscape Impact summary as a result of the amendments:

To summarise the Landscape impacts as detailed in the previous comments

- A moderate adverse landscape impact on landcover of the proposed site for the 40-year lifetime of the scheme.  
Remains unchanged.
- A major adverse scale of effects on the character of Policy Zones 37, 38 and 39 for the 40 year lifetime of scheme is also described.  
Remains unchanged.

Taking the above into account the EMD Team still consider that there are long term impacts on the 'land cover' element of the landscape, and long term impacts on the landscape character of the site area, it is accepted that these impacts will diminish with distance from the site. Harm has been identified to the setting of Halloughton Conservation Area and the listed buildings contained within the area, in the comments of Oliver Scott NSDC.

- Comments on additional information provided:

The applicant has now provided information which shows potentially two properties where views would be theoretically possible – Manor Farm and a property at the westernmost end of the village, and up to 10 properties where any potential views are likely to be filtered by boundary vegetation.

The applicant has now provided information which shows a Moderate Adverse visual effect on the landscape character of the village of Halloughton at the construction stage. It is

accepted that the places where this view will be obtained will be limited and that the removal of panels from the easternmost field of the Proposed Development will reduce visual effects on the churchyard at the Church of St James.

- Conclusion: The EMD Team welcome the reduction in area of panels shown on drawing reference P18 -2917 Revision L and the additional and amended planting shown, and accept that this will lead to the reduction in visual impact on viewpoints 1,2,3 and 4. The additional information provided about the outstanding questions above is also useful in order to clarify landscape and visual impacts on Halloughton village. However, due to both the Landscape and Visual Impacts identified by the applicant, the EMD Team still do not support the proposals for the construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.

**LCC Archaeology** – Support subject to conditions. Summary: The results of the initial evaluation broadly correspond with the geophysical survey, however features have been identified that were not recorded in the survey and pottery dating to the Iron Age and Romano-British periods were recovered. One of the main concepts in archaeology is that 'absence of evidence is not evidence of absence' especially when the evaluation sample is such a small percentage of the site, and further evaluation and potential mitigation is still required for the rest of the site. If permission is granted there should be an archaeological condition for a mitigation strategy to effectively deal with the rest of this site. This will include, but may not be limited to, a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above. Further archaeological mitigation work may be required if archaeological remains are identified in the evaluation.

**Southwell Community Archaeology Group** – Object. Concerns raised:

- Inadequate archaeological survey submitted with the application.
- Correspondence between the developers and SCAG during the consultation process has not been included with the application documents.

**The Thoroton Society** – Object. Concerns raised:

- Loss of agricultural land
- Impact on the local environment, its history, ecology, and the effect it would have on local settlements and people.
- Prominence of the development in the landscape and adverse impact on the character of the area
- Amenity impacts to users of PRow
- Inadequate archaeological survey submitted
- Adverse impact on Halloughton Conservation Area, the Church of St James and Manor Farm.
- There are a large number of objections lodged to the original plans and to this amendment by individuals, local and from further afield, by farmers, by Southwell Town Council and the town's amenity organisations, the latter having deep and well-grounded knowledge of the settlements and countryside around the town, all part of the tourist attraction of the area.

**Southwell Heritage Trust** – Object. Concerns raised:

- The magnitude of the proposal for a solar farm and battery stations with all associated works on 107Ha of undulating farmed countryside, in a wider area of outstanding beauty

and historical interest, will have a major adverse environmental effect on the village of Halloughton and its surrounding landscape. It will, of necessity, impact on the important Halloughton Conservation Area, wildlife, archaeology, and possible aggravation of flooding risk amongst many other aspects that a development of this scale will produce.

- Brownfield land should only be used for these proposals.
- Due to the pandemic, the public consultation has not been as effective and thorough as would normally be required for such a major development and it is, therefore, inappropriate to put forward the application at this time.

#### **Historic England – No Comments**

#### **NSDC Conservation Officer – Object. Summary of concerns raised:**

- The main historic environment issue in this case is what impact the proposals will have on the settings of various designated heritage assets. Conservation recognises that the potential benefits of the scheme, which results in the production of electricity from a renewable source, will need to be weighed against any harmful effects.
- There are no designated heritage assets within the proposals site, but there are a number of listed buildings in proximity, as is Halloughton Conservation Area. In the wider area, the significant national landmark of Southwell Minster (Grade I) and Southwell Conservation Area (CA) which includes a number of significant heritage assets (over 200 listed buildings). The Nottinghamshire Historic Environment Record (HER) also identifies a range of heritage assets nearby.

- Summary of Legal and Policy Framework

- Summary of the significance of heritage asset(s) affected:

Halloughton Conservation Area (CA) covers the entirety of the village, which is small but very charming. It lies within the fold of hills to the south of Southwell, the single linear lane meandering along the valley of a stream. The grass verges, subtly varying in width, high hedges which tightly enclose the lane and many mature trees contribute to the special character of Halloughton CA. Indeed, the landscape surrounding the village is intrinsically linked. The designation statement for Halloughton from the 1970s states: “In fact it could be said that the visual quality of Halloughton is attributable more to its landscape, than to its buildings” (Notts County Council, 1972).

The valley position of the village and its linear plan-form mean that the entrances to the village are very important. From the Southwell Road direction, the funnelled entrance is defined by wide verges, hedges and trees, the view including an attractive stone wall lined with trees on the south side of the lane. At the western entrance to the CA, the transition from very open countryside to enclosed village is attractive.

The CA includes a number of fine historic buildings. The Church of St James is Grade II listed (designated 1961), and comprises the remnants of a medieval church (13th century- the surviving element being the east wall). The significance of the Church lies primarily in its special architectural qualities and historic fabric. The Church also enjoys a status within the parish, and whilst it does not include a landmark tower or spire element, it is nonetheless a prominent feature of the lane.

The Grade II\* listed Manor House is the most significant of the buildings in Halloughton, reflected in its high grading. The house is a prebendal house of Southwell, incorporating a medieval tower house, which is very rare in Nottinghamshire (Pevsner suggest that the only other notable example is the ruin of Beauvale Priory incorporated into Strelley Hall). The earliest fabric of the property is contemporary with the 13th century church remains, evoking group values in the landscape at the eastern end of the village.

The period buildings elsewhere in the village predominantly reflect 18th and 19th century rural vernacular forms, reflecting historic estate architecture seen extensively within the wider landscape.

To the east of the proposal site is the Brackenhurst university campus. The principal building in this complex is Brackenhurst Hall (Grade II). The Hall was designed as a country house and includes an attached former coach house, orangery and extensive garden walls. Associated heritage assets include: Garden walls and potting sheds 100m northeast of Brackenhurst Hall (Grade II listed); Lodge to Brackenhurst Hall (Grade II listed); Gateway and railings to Brackenhurst Hall (Grade II listed); and South Hill House (Grade II listed; designated May 1992). South Hill House sits on the west side of the road, comprising a former farmhouse dating to c1800. Beyond The Hall to the southeast is Brackenhurst Farmhouse, a Grade II listed building.

The Robin Hood Way, which is an important walking route, runs through Southwell Park, also an unregistered park and garden, culminating at its northern end with the landmark Minster building, a nationally significant landmark Grade I listed building. The landscape resonance with these heritage assets is palpable, and those who enjoy the network of lanes and footpaths in this landscape are offered many attractive views which can include the Minster and the spire of the Church of Holy Trinity (typically terminating views on approach to Southwell from Nottingham Road).

The adopted Southwell CA Appraisal (2005) provides a useful assessment of the CA, including its origins, settlement layout patterns and architectural interest. The Nottinghamshire Extensive Urban Survey (EUS) Archaeological Assessment for Southwell (English Heritage; 2001) is also helpful. Southwell CA was first designated in 1968 and extended in 1970 and 1993. The existing CA boundary includes the Minster Church and distinctive Prebendal area, the historic commercial centre of King Street and Queen Street, the Burgage and the former hamlets of Easthorpe and Westhorpe. Key features of the CA are the presence of the Minster church, its well-preserved historic layout, the high proportion of listed buildings and unlisted buildings of quality, its strong character areas, significant archaeological interest and its attractive landscape setting. The Minster is a prominent landmark within the town and can be seen for miles around.

The Appraisal advises that Westhorpe has a high proportion of traditional buildings, most of which are listed or make a positive contribution to the character and appearance of the CA. They are characterised by their generally modest scale and their use of consistent building materials, which are normally brick and pantile. The position of the former hamlet located on the south facing slope of Westhorpe Dumble is considered to be a positive feature of the CA.

Bath Cottage and barn range (both Grade II listed) sit in the southwest corner of the Westhorpe character area. This character area is very distinctive and derives significance from the close-knit village form on the escarpment and the openness of the landscape southwards. Bath Cottage is set in this wider landscape and is an attractive late-18th century house with steep roof pitch and simple vernacular detailing.

The wider landscape contains further heritage assets. Grange Farmhouse on Radley Road sits to the northwest for example, and further along that road to the northeast is Halam, which contains a number of listed buildings.

- Assessment of proposal:

The proposal is for a solar farm with a capacity of 49.9MW for a period of 40 years on land to the north of Halloughton, comprising 13 fields. These fields form a contiguous 'L' plan above the village of Halloughton, and on a northerly line towards the Oxton Road. Conservation **strongly objects** to the proposed development.

The impact of such a large industrial development on the immediate setting of Halloughton Conservation Area (CA) is likely to be significantly adverse. The proposal will be prominent in the landscape, and will have the effect of swamping the historic village of Halloughton. This will be particularly noticeable at the entrance to the CA at both east and west entrances, but also from within the CA and from outside where intervisibility is possible (including from bridleways to the south and east).

Impact on individual heritage assets within Halloughton CA is reduced by the presence of extensive hedge and tree screening. However, this mitigation will be less effective in winter. The solar arrays are within 100m of the Church, and around the CA. The setting of the listed buildings in Halloughton are not limited to the immediate curtilage of those buildings, but includes one's experience of traversing the Main Street and rural setting around the village (there are several tracks and footpaths around the village). The solar panels will be a dominating entity in very close proximity, distracting and fragmenting the intimate rural context of Halloughton.

The proposal site is not part of any formal designated landscape. However, the landscape here has intrinsic character and beauty, and offers attractive walking routes between Halloughton, Halam, Oxton and Southwell. The proposed solar panels and associated infrastructure, as well as access tracks, security fencing and CCTV columns would comprise a significant new element to this landscape. We appreciate that the countryside includes a variety of different forms of development, from traditional farmsteads to modern portal barns. In this case, however, the long rows of panels, internal access tracks and ancillary structures result in a utilitarian form of development that would provide a stark contrast to the unspoilt open qualities of this landscape.

We are also concerned about impact on heritage assets at Brackenhurst, including the Hall and South Hill House which is most prominently exposed to the solar farm proposals. Whilst we accept that there is unlikely to be any intervisibility from the Hall itself, there will be an impact on the experience of travelling along the Nottingham Road to and from Brackenhurst. The applicant has not presented any persuasive evidence that there are no material receptors within and close to the historic parkland surrounding the Hall.

The duration of this development is 40 years. For this entire period, the landscape would be irrevocably changed. Although hedges are retained to fields, and further landscape mitigation might be possible, the complete infilling of the fields on what is an undulating landscape ensures that the solar panels would be highly visible. The array of dark grey panels will disrupt the historic field pattern which contributes so positively to the setting of Halloughton CA. The industrial shape and finish of the panels would be very discordant with the patchwork of arable fields and greenery. This area is extremely popular with walkers, and includes the significant Robin Hood Way (which passes in close proximity to Brackenhurst via Westhorpe). Their enjoyment of this landscape and the experience it offers in proximity to heritage assets in Halloughton, Brackenhurst and Southwell will therefore be diminished.

The proposal will have some impact on the rural setting of Stubbins Farm, a non-designated heritage asset. Tree cover and landscaping offers some mitigation in this context.

Notwithstanding the above concerns, we have found no harm to any other identified heritage assets, including listed buildings at Westhorpe and Halam.



- Conclusion:

Overall, we find the proposal to be harmful to the setting and experience of Halloughton CA, as well as to the setting of listed buildings within the CA, notably the Church of St James and the Manor House. Whilst we accept some of the arguments presented by the applicant with regards to tree and hedge buffers, the solar farm proposal remains a dominating and alien feature to this attractive rural landscape.

Some harm will potentially be caused to the setting of heritage assets within the Brackenhurst complex, as well as South Hill House. Further landscape assessment is required to demonstrate conclusively the assumptions made in the applicant's heritage statement.

In this context, the harm to the setting of any listed building is contrary to the objective of preservation required under section 66 of the Act. The proposal is also contrary to heritage advice contained within the Council's LDF DPDs and section 16 of the NPPF. For the purposes of paragraphs 193-195 of the NPPF, the harm identified to the setting of Halloughton CA and listed buildings therein is less than substantial. In their heritage statement, the applicant also accepts that this is the case. However, whilst they argue that this is at the lower end of less than substantial harm, we feel that this is at the higher end.

Harm to non-designated heritage assets such as Stubbins Farm requires a balanced judgement. We appreciate that the perceived environmental benefits of the proposal may prove to be compelling when judged against the relative significance of heritage assets such as Local Listings."

Summary of Comments on Amended Plans: The amendments made are not sufficient to remove the CO's objection. The tweaks to the scheme are relatively minor and only offer very modest mitigation. It is not agreed that this is simply a balancing exercise. The public benefits of the scheme must be decisive. This is consistent with recent High Court decisions. However, this is a matter for the decision-maker. The applicant agrees that harm is caused to the setting of several designated heritage assets as a result of the proposed development and has sought to mitigate those impacts (short of significantly reducing the quantum of development). There is a difference in opinion with the applicant on the scale of the harm within the 'less than substantial harm' bracket, but it is not possible reconcile their conclusion of *lower end* unless the development to the north of Halloughton is substantially reduced, or even removed from the scheme. The sheer size of the proposal in the context of a small, idyllic rural conservation area with many attractive period buildings should not be underestimated. The proposal, if permitted, would adversely change the setting and context of the settlement for the duration of its life, a not inconsiderable period of time.

**Comments have been received from 40 interested parties (39 against, 1 for) that can be summarised as follows:**

- Procedural Matters:

- Concerns regarding inability to access comments or responses to the community consultation process undertaken prior to the submission of the application.
- The application should not have been submitted during a global pandemic as this has had implications on the ability of people in the community to meet, discuss and for community involvement with the project. The whole application should have been deferred until proper public consultation and scrutiny was possible.

- Suitability of the location:
  - The application does not use previously developed land, brownfield land, contaminated land, industrial land or low classification agricultural land.
  - Objection to the loss of good quality agricultural land to industrial use
  - The size of the solar farm is disproportionate to the surrounding area and would be on a largely undulating agricultural landscape which would have an undue impact on the visual and experiential amenity of the area
  - The agricultural land classification of Grade 4 is incorrect - no weight should be given to the applicant's agricultural land classification report
  - The amended agricultural land classification re-classifies the land as 3b, however there are errors in this submission and NSDC should obtain its own independent assessment of the site
  - The planning balance between the need for Newark & Sherwood to meet its climate change obligations as set out in the Government Renewable and Low Carbon Energy Guidance (<https://www.gov.uk/guidance/renewable-and-low-carbon-energy>) and the protection of the local environment and communities is not met by this Application.
  - The applicant has failed to show adequately that its search for this site was rational and not atypical for the industry as a whole.
  
- Flooding:
  - The supporting documents fail to identify known flood events that have occurred in Halloughton and adequately appraise surface water flooding risks
  - The proposal will increase the risk and likelihood of flooding and surface water run-off in Halloughton. The proposed entrance to the site is in a hollow that fills with water frequently.
  - NCC Flood risk team have suggested mitigation measures must be controlled via condition – given this information has not been provided upfront, Committee members cannot make an informed decision
  - Attenuation ponds should be built into the design of the solar farm to mitigate flood risk and to provide ecological enhancements
  - The proposed swales and attenuation basins are not clearly shown on the plans and it is unclear how these would be managed/maintained to prevent flooding
  - The amendments do not correct the omissions in the original planning application which failed to meet the mandatory requirements of Policy E1 and E2 of the Southwell Neighbourhood Plan
  
- Landscape Impacts
  - The development will conflict with the Landscape Character Assessment for the area, in addition to policies within the Core Strategy and Allocations and development management DPD.
  - The development will be a blight on the landscape and elements which are to be permanent would be permanent industrial feature within the countryside
  - The landscaping proposals will not screen this development given the undulating nature of the landscape and will detrimentally impact the landscape and visual amenity of the countryside which residents of Halloughton fought hard to maintain when they opposed the erection of wind turbines at Brackenhurst in 2014
  - There are a number of omissions and inaccuracies within the LVIA.
  - The solar farm would actively deter walkers and riders from the important landscape and heritage trails in the local area which are important for the tourism of the site.

- The solar farms will be intrusive and alien in this rural landscaped setting and will result in significant harm to the character of the area.
  - The fencing, CCTV and compounds surrounding the solar farm will be oppressive in the landscape and degrade the user experience of ramblers/footpath and bridleway users.
  - The additional winter views in the LVIA Addendum confirm the considerable adverse impact this proposal would have on the landscape.
  - A site visit is necessary to validate the photomontages (as many appear not to correspond with the map locations) and other more critical viewpoints to fully see the size of the development.
- Heritage Impacts
- The development would give rise to less than substantial harm to the Halloughton Conservation Area without an adequate justification contrary to Policy CP14 Core Strategy, DM9 Allocations and Development Management DPD and the NPPF.
  - There is inadequate evidence to determine whether the development would give rise to harm to any potential archaeological resource contrary to DM9 Allocations and Development Management DPD.
  - The creation of a new access at the entrance to Halloughton will result in substantial harm to the CA. The current approach into Halloughton has great conservation value which will be wholly eroded.
  - Photos and statements contained within the Heritage Survey are inaccurate resulting in omissions in inter-visible views between the proposal solar farm and heritage assets.
  - The impact on Halloughton CA will be considerable, with the southern boundary of the development only 200m distant from the nearest property. Virtually every property, as shown in the ZTV, will have sight of the solar panels and sub- station, as will walkers and riders from the Bridle Road Farm bridleway and the Halloughton Wood byway which will impact visual amenity and the setting of the Conservation Area.
  - There will be a negative impact on the setting of the Grade 2\* listed Manor Farm whose curtilage lies directly opposite the proposed tarmac access road to the construction site, and on that of the Grade 2 listed St James Church with its graveyard almost adjacent to this construction site access road.
  - The scheme would result in harm to the setting of a number of listed buildings, the Conservation Area and the rural landscape setting - the public benefit of the proposal would not outweighing the significant damage to the CA and its rare heritage assets.
  - There would be an unacceptable impact on Southwell CA, especially on the Westhorpe area's footpaths and bridleways, with the ZTV showing the extensive nature of the views of the development. Given that the trees and hedgerows shielding the site are deciduous, this will be especially the case for 6 months of the year. The Applicant's Viewpoint photos only show full-leaf views.
  - There will be harm to the significance of Southwell and its important heritage assets. There will also be views from Halam, Edingley, Thurgarton and Bleasby parishes and Normanton which will cause harm.
  - There are omissions within the Archeological Assessments indicating that the site has been insufficiently surveyed. Should the construction of the solar farm go ahead this could lead to the wholesale destruction of a range of archaeological sites.
  - It has been accepted nationally, that while the public benefit of renewable energy schemes is important, the preservation of both heritage assets and their surroundings carries considerable weight and importance. The 40-year life span for this development

makes it an even less acceptable proposition for sustaining the agricultural landscape which makes Southwell so special.

- The application site has unimpeded views of Belvoir Castle 20 km to the south. Harlaxton and Belton Folly can also be seen to the E of Belvoir making this landscape very sensitive.
- The amendments do not address that the entrance to the solar farm will degrade the rural, historic access to Halloughton. It also remains the case that the development will have a negative impact on the Halloughton Conservation Area, listed buildings within it and the rural setting of the village.

#### - Impacts on Amenity

- Noise from the battery stations and inverters will affect the closest residential receptors. External noise levels will be great and will impact on the enjoyment of outside spaces.
- The important amenity for Southwell and the surrounding area of the footpaths and bridleways will be compromised which have proven to be important during the Covid-19 pandemic. Riding or walking will be made difficult during the construction phase and then a greatly devalued experience thereafter. For the lifetime of most in the community: 40 years, this development will negatively change the setting and constrain the leisure pursuits of walking and riding
- The Environmental Health Officer states 'Both the physical and mental health impacts of the development need to be considered in the consultation process' and that there will be a visual impact in terms of amenity user perception.
- Enclosure of the surrounding footpaths and bridleways will significantly impact the amenity value of the area and user experience. The new Agriculture Bill 2020 designates rights of way as "Public Goods" and encourages the planning of new ones. To the south and west of Southwell there is an extensive network of byways, bridleways and footpaths. These have huge amenity value not only for Halloughton and Southwell residents but also, given the link to the long distance path, the Robin Hood Way, to people across Nottinghamshire and beyond – the enjoyment of which will be significantly reduced.
- The CCTV cameras will breach GDPR and the privacy of footpath users

#### - Impacts on Habitats

- There are several omissions within the survey: Wintering bird species only were identified but the submitted survey but raptors were ignored – however local people cite presence of barn owls nesting, kestrels, sparrow hawks, buzzards and red kites. The presence of these raptors demonstrates the richness of the small mammal population in the development site which have been undervalued. No hares were identified but are common in the area – as are roe deer, which will be severely impacted by the development, as will the protected badgers in the area.
- Surveys were not undertaken at the optimum times of year.
- The Arboricultural Impact Assessment acknowledged that sectional removals of trees will be needed, each of approximately 4-5 meters across to allow for the new access road. The hedgerow at the entrance to the site will also be removed. This is considered 'very minor' by the Applicant but will have a considerable impact on the entrance to the CA and the setting of the heritage assets.
- The proposal will create a barrier to a large animal movement from surrounding land. The proposed solar farm will create a barrier to large animal movement between the

two areas. The frequency of gaps in the security fencing “at several locations” is not specified.

- The mitigation measures are inadequate but would not be necessary without this intrusion into the natural landscape.
- Further greening of the project should include extensive planting of wildflower meadows within the arrays. This would actively significantly increase the biodiversity of the site to insects, plants and small mammals.
- The solar farm would dwarf the Dumble, which is a unique feature of the area.
- Fencing will prevent the interconnectivity of species and the impede the districts green corridor network
- The amendments do not correct the omissions in the original application which would still be contrary to SNP policies E3 and E4

- Construction, Access and Highways Safety

- The proposed access to the site from the narrow village street in Halloughton for at least 6 months during the construction phase would create a huge traffic problem for all of the residents and businesses in Halloughton
- The Solar Photovoltaic Glint and Glare Study shows there will be impacts on road users and residents
- There have been a number of minor accidents at the junction of the A612 with the Main Road through Halloughton making this access unsafe for increased HGV movements
- The proposed entrance would be between the tree and the lamp post. The tree, is of historic interest as it was planted by the villagers of Halloughton to commemorate the Queen’s Silver Jubilee and alternative access’ should be explored to retain this as a feature for the village.
- There are a number of errors and inaccuracies within the Construction Traffic Management Plan
- The main road through Halloughton is a no through road, it is narrow (two cars cannot pass) and there will be an increased risk to highway safety with construction traffic vehicles being introduced to this road.
- There should be clear stipulations placed on the developers to reinstate any construction damage to verges/the highway
- Historical Footpaths would need to be legally diverted and have not been accurately shown on proposed plans.
- An existing Bridleway is shown as being moved from one side of the hedge to the other. This will need a legal diversion.

- Other matters

- The supporting documents refer to stock fencing but this is incorrect as security deer fencing is proposed
- Concerns that the Glint and Glare study has not considered private airfields
- Many of the surveys rely on landscaping to screen views, but these will only be in leaf for six months of the year
- There is no mention of the decommissioning plans, concerns that this will become a greenfield site that is lost to potential future brownfield redevelopment
- There would be no direct benefits to Halloughton or Southwell – the energy produced will not benefit the district

- The Planning Committee have already determined that Halloughton needs to be protected from unacceptable development
- This solar farm would be one of the largest in the country and would have a destructive impact on the environment
- The submitted information with this application fails to adequately assess the scheme against the Southwell Neighborhood Plan
- The application does not take proper account the detrimental health and wellbeing effects this proposal would have on residents and users of the landscape
- There are errors on the application form
- The Statement of Community Involvement is flawed as many questions raised by the community were left unanswered. It is not clear what, if any, changes were made to the scheme following the public consultation.
- The promotion of green energy should not be at a wider environmental cost.
- Halloughton village is almost entirely powered for heating by oil burning boilers which after 2025 will need to be replaced by cleaner energy sources. Some help from the developers could be forthcoming to assist in some small way for homeowners to adopt cleaner/greener alternative heating.
- Many people in Halloughton are not able to use the computer and during the pandemic have not been able to adequately access the documents relating to this application.
- Lack of comments from Notts Wildlife Trust is alarming
- Loss of such a large amount of agricultural land will threaten food production
- This is not a Community-led scheme, as preferred by NSDC for green/clean energy projects
- Access to this landscape is very important for mental health and well-being and this will be eroded if the application is approved
- The proposal will impact tourism as the benefits to both visitors and locals would be severely affected by the installation of such a large industrial-scale power generation site in close proximity to the town.
- The £200,000 business rates JBM Solar Ltd will pay to NSDC if it goes ahead at this scale will be tempting in a cash-strapped economy but will come at an unacceptable cost to this rural area
- No evidence has been provided regarding the carbon off-setting of this development after balancing the gain of solar energy against the carbon cost of installation
- It is not clear whether the panels used would be the recyclable type or will add to landfill when obsolete
- The attraction of Brackenhurst Campus is based on its rural character, which will be harmed by such a large solar farm being built almost next-door
- The solar farm will attract thieves and vandals
- 40 years is more than one generation. For most local people this will be a permanent change of use
- This application will set a dangerous precedent
- The Amendments submitted were intentionally deposited before Christmas to ensure local people would be unable to comment on the amendments
- The Amendments submitted do not address previous concerns raised
- The owner of the land does not farm the land themselves and does not live in the area so perhaps underestimates how much the land in question contributes to the well-being of local communities
- The Glint & Glare Assessment is inadequate

- Comments in support (1 no.)
  - We are facing a local, national and global climate emergency and must plan for future generations, this application would help provide a green energy source. Some years ago, Halloughton village successfully fought off proposals for wind turbines which would have overshadowed the district and especially the historic Minster. At that time the young people of Southwell ran a campaign called "If not, what?" which is particularly relevant again in this case.

*Please note: All consultee comments in full can be found on the online planning file.*

### Comments of the Business Manager

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, at its council meeting on 11 October 2016 Newark and Sherwood District Council adopted the Southwell Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Southwell. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

### *Principle of Development*

The site is located within the open countryside. Policy DM8 of the ADMDPD is silent on the appropriateness of renewable energy in the open countryside. However, the District Council's commitment to tackling climate change is set out in Core Policy 10. This provides that we will encourage the provision of renewable and low carbon energy generation within new development. Policy DM4 provides that permission shall be granted for renewable energy generation schemes unless there are adverse impacts that outweigh the benefits and this is reflected in Policy E6 of the SNP. This approach is also echoed by the NPPF. Given the significant land take involved, this utility installation requires a countryside location. In determining an application of this nature, it is necessary to balance the strong policy presumption in favour of applications for renewable technologies against the site-specific impacts.

The Planning Practice Guidance outlines a number of factors that local planning authorities will need to consider in the assessment of large-scale ground-mounted solar farms. The stance of the Guidance is to encourage the effective use of land by focusing large-scale solar farms on previously developed and non-agricultural land. Paragraph 13 goes on to qualify that where a proposal involves greenfield land, the local planning authority will need to consider whether the proposed use of agricultural land has shown to be necessary and where it has, that poorer quality land has been used in preference to higher quality land, and that the proposal allows for continued agricultural use (see Loss of Agricultural Land section below for further commentary on this point).

In determining this application, it is necessary to balance any recognised positive or negative effects against the strong presumption in favour of promoting renewable energy provision and the views of the local community. The wider environmental and economic benefits of the proposal are a material consideration to be given significant weight in this decision. Site-specific considerations including further consideration of Paragraph 13 of NPPG which outlines a number of factors which local planning authorities need to consider in the assessment of large-scale ground-mounted solar farms, are set out below.

#### *Loss of Agricultural Land/Alternative Sites*

Policy DM8 states that *'proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits that outweigh the land loss'*.

Paragraph 170 of the NPPF states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by: recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'*

The stance of the NPPG is to encourage the effective use of land by focusing large-scale solar farms on previously developed and non-agricultural land. Paragraph 13 goes on to qualify that *'where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays'*.

The NPPF defines *'Best and most versatile agricultural land as being land in Grades 1, 2 and 3a of the Agricultural Land Classification'* and at paragraph 171 requires that where significant development is demonstrated to be necessary LPAs should seek to use areas of poorer quality land rather than areas of higher quality. The application has been supported by an (amended) Agricultural Land Classification (ALC) report undertaken by qualified experts in this field. The initial ALC report classified the land as Grade 4 (poor quality); however this was disputed by a number of local farmers and residents. From reviewing the Natural England MAGIC database, the land is broadly classified as Grade 3, with some surrounding areas identified as Grades 2 and 3 and none identified as Grade 4. Having discussed concerns with the applicant an additional ALC survey has been undertaken. The new report confirms that the proposal would utilise 98 Ha of Grade 3b land.

The principle physical factors influencing agricultural production are climate, site and soil and the interactions between them, which together form the basis for classifying land into one of 5 grades. The amended ALC report explains that while no one factor limits the grade of the land, the interaction between climate and soil in this case results in a wetness assessment that limits the land to Grade 3b. Sub-grade 3b is described as *"moderate quality agricultural land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass harvested over most of the year"*.

Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system. However, as the entire site is classified as 3b the proposal would not have significant adverse impacts on Best and Most Versatile Agricultural Land and I note that



Natural England have raised no objection to the proposal. I note comments have been received from interested parties requesting the Council undertakes its own ALC study to corroborate the applicants findings, however, this is not considered necessary given the report submitted to accompany this application has been undertaken by a suitably qualified professional within the relevant field and the results conform with the Natural England MAGIC database.

However, it is still necessary to consider whether the proposal represents effective use of land in line with planning practice guidance that encourages the siting of large-scale solar farms on previously developed and non-agricultural land in line with Paragraphs 170 and 171 of the National Planning Policy Framework (NPPF).

The applicant has provided a Site Selection Report, upon request, which justifies why the application site was chosen and why other sites were considered. I am mindful of the scale of the proposal, which relates to just over 106 hectares of land take. Clearly, this is a substantial site area. The location of Solar PV is constrained by the requirement to be close to a suitable grid connection point. An overhead line with sufficient capacity to cater for the proposed solar farm (132kV) crosses the site, allowing for on-site/infield connection. The submitted Site Selection Report explains that a detailed site search exercise was undertaken and the results of this search are summarised within this document. I am not aware of any alternative brownfield sites that could accommodate the scale of development proposed that could be utilised in order to access this connection point in the vicinity. Overall, I am satisfied with the reasons why the site has been selected in principle.

I do however note that objectors make the point that previously developed land and land in less sensitive attractive locations should be utilised in preference to 'greenfield' sites such as this one and object on the basis that the proposal would result in the loss of agricultural land. I appreciate the concerns of local residents; however, I am mindful that the proposal would not lead to significant long-term loss of agricultural land, as a resource for future generations, given the solar farm would be in situ for a temporary period. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the development is undertaken to a high standard. Although some components of the development, such as construction of the sub-station and other buildings, may permanently affect agricultural land this would be limited to small areas. I am also mindful that it is proposed that the land between the rows of solar panels would be grassland which could be used for grazing and that this would allow for continued agricultural use as supported by NPPG.

In addition, the 49.9MWp proposal would provide electricity equivalent to the average electrical needs of 12,000 typical UK homes (approx.) annually. As such, this would result in a substantial benefit of the scheme in terms of energy production. The Framework supports renewable and low carbon development, with Paragraph 154 stating that authorities should approve such applications if the impacts can be made acceptable. Overall, I consider it would be difficult to justify refusal solely on the grounds that the proposal would be on agricultural land as the proposal is considered to comply with the aims of national planning policy in this regard.

#### *Impact on Visual Amenity Including Setting of Heritage Assets and Public Rights of Way*

Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Core Policy 13 requires the landscape character of the surrounding

area to be conserved and created. Policies Core Policy 14 and DM9 also, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

## Heritage

There are no designated heritage assets within the proposals site, but there are a number of listed buildings in proximity, including (but not limited to):

- Halloughton Manor Farmhouse (Grade II\*)
- Church of St James (Grade II)
- Barn at Halloughton Manor Farm (Grade II)
- Pigeoncote, granary and stable block at Manor Farm (Grade II)
- Barn at Bridle Road Farm (Grade II)

*Which are situated within Halloughton Conservation Area.*

- South Hill House (Grade II)
- Brackenhurst Hall (and associated estate elements such as the gateway, lodge, walled gardens) (all Grade II)

In the wider area, there is also the significant national landmark of Southwell Minster (Grade I) and Southwell Conservation Area (CA), which includes a number of significant heritage assets (over 200 listed buildings). The closest listed buildings to the proposal site within Southwell CA include Bath Cottage (Grade II) and associated barns at Bath Cottage (Grade II).

The Nottinghamshire Historic Environment Record (HER) identifies a range of heritage assets, including:

- Stubbins Farm (Local Interest)
- Halloughton Wood Farm (Local Interest)
- Features with potential archaeological interest

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In addition, section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area (CA). In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The duties in s.66 and s.72 of the Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight and there should be a strong presumption against planning permission being granted.

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). Section 16 advises, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss of, the significance of a designated heritage asset

(from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. LPAs should also look for opportunities to better reveal the significance of designated heritage assets when considering new development (paragraph 200).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the PPG advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. 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.

Paragraph 13 of the renewable and low carbon energy section of the PPG also advises that great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.

A Heritage Impact Assessment has been submitted with the application, which concludes that the development *“would have the potential to result in a very small degree of harm to the heritage significance of the Halloughton Conservation Area, though there would be no harm to the individual significances of its inherent Listed buildings and non-Listed historic structures. The level of such harm would fall at the lowest end of the scale of 'less than substantial'.*

*The proposals would not be anticipated to result in any change to the setting of Grade II Listed South Hill House, the Grade II Listed buildings at Brackenhurst College, or the Southwell Conservation Area (including Southwell Minster). Development within the site on the scale proposed would result in no harm to the significance of those assets, and no change to the ability to appreciate that significance. The proposals would not result in any harm to any other heritage assets as a result of changes to setting.”*

The comments of the Conservation Officer disagree with this assessment of the level of harm set out in this document. The Conservation Officer (CO) has set out the significance of the heritage assets that could be affected by this development and their assessment of the proposal, which I do not intend to repeat, however they have highlighted that the landscape surrounding Halloughton village is intrinsically linked to the special character of Halloughton Conservation Area. Indeed, the designation statement for Halloughton from the 1970s states: *“In fact it could be said that the visual quality of Halloughton is attributable more to its landscape, than to its buildings”* (Notts County Council, 1972).

The CO concludes *“[...] the impact of such a large industrial development on the immediate setting of Halloughton Conservation Area (CA) is likely to be significantly adverse. The proposal will be*

*prominent in the landscape, and will have the effect of swamping the historic village of Halloughton. This will be particularly noticeable at the entrance to the CA at both east and west entrances, but also from within the CA and from outside where intervisibility is possible (including from bridleways to the south and east).*

*Impact on individual heritage assets within Halloughton CA is reduced by the presence of extensive hedge and tree screening. However, this mitigation will be less effective in winter. The solar arrays are within 100m of the Church [Church of St James, Grade II listed], and around the CA. The setting of the listed buildings in Halloughton are not limited to the immediate curtilage of those buildings, but includes one's experience of traversing the Main Street and rural setting around the village (there are several tracks and footpaths around the village). The solar panels will be a dominating entity in very close proximity, distracting and fragmenting the intimate rural context of Halloughton.*

*The proposal site is not part of any formal designated landscape. However, the landscape here has intrinsic character and beauty, and offers attractive walking routes between Halloughton, Halam, Oxtun and Southwell. The proposed solar panels and associated infrastructure, as well as access tracks, security fencing and CCTV columns would comprise a significant new element to this landscape. We appreciate that the countryside includes a variety of different forms of development, from traditional farmsteads to modern portal barns. In this case, however, the long rows of panels, internal access tracks and ancillary structures result in a utilitarian form of development that would provide a stark contrast to the unspoilt open qualities of this landscape."*

The CO also raised concerns about the potential impact on heritage assets at Brackenhurst (to the east), including the Hall and South Hill House which is most prominently exposed to the solar farm proposals. The CO highlighted that the applicant had not presented any persuasive evidence that there are no material receptors within and close to the historic parkland surrounding the Hall. Since these comments, the applicant has presented further justification (included within the LVIA Addendum) which states that the SZTV identifies that there would be limited opportunities to experience views towards the Site from within the Brackenhurst College complex. In addition, it is argued that existing dense vegetation along the A612 Nottingham Road and South Hill House in combination with the plantation woodland alongside the Site's southeastern boundary, *"heavily filters, and restricts view towards the Site from locations within the Brackenhurst College complex"*. It is also argued *"Inter-visibility between the Site and the South Hill House is restricted by the tree plantation that encircles the south-eastern boundary of the southern part of the Site, and trees within the gardens of the house. The façade of South Hill House faces southwards rather than directly towards the Site which is located to the southwest and as a result the Site is not anticipated to be visible in any designed views from South Hill House."*

The CO and I have considered these further arguments; however, we remain unconvinced that there would be negligible impact on the setting of South Hill House and the general group within the former Brackenhurst estate despite the mitigating circumstances argued by the applicant. The CO has advised that they remain of the view that there would be some harm caused to the setting of designated heritage assets within the Brackenhurst complex, as well as South Hill House as a result of the development. For the purposes of the NPPF, this level of harm would be at the lower end of less than substantial, but this is harm nonetheless.

I am also mindful that in their comments the CO goes on to conclude that *"[...] the duration of this development is 40 years. For this entire period, the landscape would be irrevocably changed. Although hedges are retained to fields, and further landscape mitigation might be possible, the*

*complete infilling of the fields on what is an undulating landscape ensures that the solar panels would be highly visible. The array of dark grey panels will disrupt the historic field pattern which contributes so positively to the setting of Halloughton CA. The industrial shape and finish of the panels would be very discordant with the patchwork of arable fields and greenery. This area is extremely popular with walkers, and includes the significant Robin Hood Way (which passes in close proximity to Brackenhurst via Westhorpe). Their enjoyment of this landscape and the experience it offers in proximity to heritage assets in Halloughton, Brackenhurst and Southwell will therefore be diminished.*

*The proposal will have some impact on the rural setting of Stubbins Farm, a non-designated heritage asset. Tree cover and landscaping offers some mitigation in this context. Notwithstanding the above concerns, we have found no harm to any other identified heritage assets, including listed buildings at Westhorpe and Halam.*

*Overall, we find the proposal to be harmful to the setting and experience of Halloughton CA, as well as to the setting of listed buildings within the CA, notably the Church of St James and the Manor House. Whilst we accept some of the arguments presented by the applicant with regards to tree and hedge buffers, the solar farm proposal remains a dominating and alien feature to this attractive rural landscape. Some harm will potentially be caused to the setting of heritage assets within the Brackenhurst complex, as well as South Hill House. Further landscape assessment is required to demonstrate conclusively the assumptions made in the applicant's heritage statement."*

The CO explains that harm to non-designated heritage assets such as Stubbins Farm requires a balanced judgement and highlights that the perceived environmental benefits of the proposal may prove to be compelling when judged against the relative significance of heritage assets such as Local Listings. However, in the context of the CO's overall conclusion as set out above, harm to the setting of any listed building is contrary to the objective of preservation required under section 66 of the Act. The proposal would also be contrary to heritage advice contained within the Council's LDF DPDs and section 16 of the NPPF. For the purposes of paragraphs 193-195 of the NPPF, the CO explains that the harm identified to the setting of Halloughton CA and listed buildings therein would be *less than substantial*. In their heritage statement, the applicant also accepts that this is the case. However, whilst they argue that this is at the lowest end of the scale of *less than substantial harm*, the CO considers this would be at the higher end - I would concur with the latter conclusion. The CO has also concluded that there would be *less than substantial* harm to the setting of designated heritage assets within the Brackenhurst complex, as well as South Hill House as a result of the development.

Whilst the applicant disputes our assessment, they have chosen to amend the plans throughout the course of the application. A summary of the amendments in full can be found in the description of the proposal; however, it is important to note that the main amendments are the removal of two parcels of panels which results in just a 4 Ha reduction in overall land take from the solar panels (see below) which would now be 76Ha overall.



*the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;*

- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges. (PPG Paragraph: 013 Reference ID: 5-013-20140306).*

I also note that Historic England (HE) have recently published an advice note (Advice Note 15, Feb 2021) which discusses commercial renewable energy development and the historic environment. This note explains that HE recognise that some renewable energy technologies have the potential to cause serious damage to irreplaceable historic sites, which are themselves an integral part of the wider environmental and sustainability agenda. A truly sustainable approach to renewable energy generation needs to secure a balance between the benefits it delivers and the environmental costs it incurs.

Whilst the proposal to increase landscaping buffers and planting is noted, the solar farm would remain a dominating and alien feature to this attractive rural landscape, which is a fundamental quality to the appreciation of Halloughton CA and the listed buildings therein. User enjoyment and experience of this landscape in the setting of the abovementioned heritage assets would be greatly diminished as a result of this proposal. We therefore conclude that the development would result in *less than substantial harm* (at the higher end of the scale) to the setting and experience of Halloughton CA, as well as to the setting of listed buildings within the CA, notably the Church of St James (Grade II) and the Manor House (Grade II\*). It is also concluded that the development would result in *less than substantial harm* to the setting of designated heritage assets within the Brackenhurst complex (Grade II), as well as South Hill House (Grade II). The application is therefore contrary to the objective of preservation required under section 66 of the Act, heritage advice contained within CP14 and DM9 and the provisions of the SNP, in addition to section 16 of the NPPF.

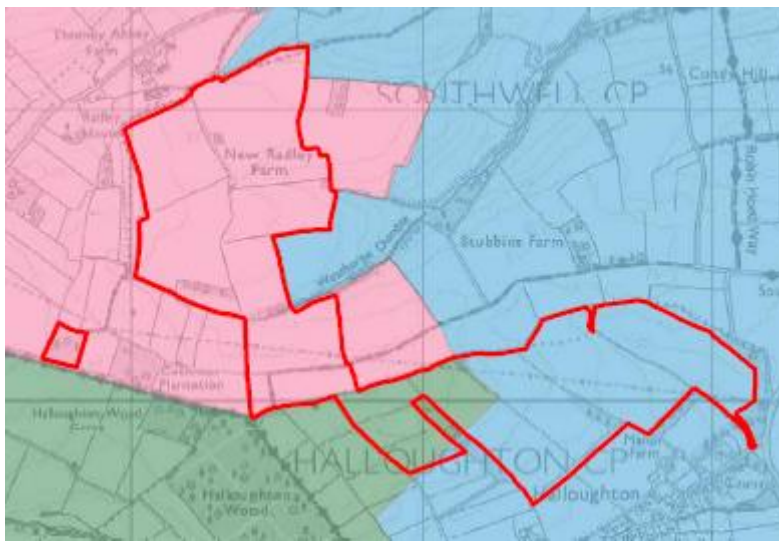
Paragraph 196 of the NPPF is clear that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal – this exercise will follow in the overall planning balance and conclusion. However, I am mindful that concluding there would be harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The harm identified must be given considerable importance and weight and can only be outweighed by material considerations powerful enough to do so. In conducting this balancing exercise, one must be conscious of the statutory presumption in favour of preservation and demonstrably apply that presumption to the proposal under consideration. For these reasons, the harm resulting from this development as identified above will carry considerable negative weight in the overall planning balance.

### Landscape

Core Policy 13 requires the landscape character of the surrounding area to be conserved and created. In terms of the visual impact of the proposed development, the NPPG advises that one of the factors LPA's will need to consider is *'...the effect of glint and glare and on neighbouring uses and aircraft safety'* and that there is *'potential to mitigate landscape and visual impacts through, for example, screening with native hedges'*. Modern solar panels are designed to absorb sunlight and, as such, glint and glare impacts resulting from reflection from the panels is minimal. The

application is accompanied by a report in this respect. In addition, it is well established that solar panels do not adversely affect aircraft safety.

At a national level, the proposed site is located in Natural England National Character Area 48 – Trent and Belvoir Vales. At a regional level, the site is located in Regional Landscape Character Type group 5 Village farmlands and division 5b wooded Village farmlands, of the East Midlands Regional Landscape Character Assessment. At the local level, the site is located within the Mid Nottinghamshire Farmlands Landscape Character Area in the Newark and Sherwood Landscape Character Assessment (2013). The site spans across Policy Zones MN PZ 37, 38 and 39 and the receiving landscape is therefore likely to exhibit characteristics of all of these. For each Policy Zone, the Landscape Character Assessment sets out an assessment of landscape condition and landscape sensitivity, and a 'landscape action'. The map extract below shows the application site and the relevant policy zones within it:



Policy Zone MN 37 (Pink): Halam Village Farmlands with Ancient Woodlands (approx. 50% of the site area) is described as an area of rolling and undulating topography, resulting in views being medium to long distance throughout most of the area with frequent wooded skylines interrupted intermittently by pylons and power lines running east-west to the south of the area. The landscape sensitivity is defined as 'high' and condition is defined as 'very good'. The specific landscape actions within this policy area include a requirement to maintain existing historic field patterns, conserve and infill hedgerows, prevent fragmentation, to conserve and enhance the ecological diversity and setting of the designated Local Wildlife Sites and conserve and enhance tree cover and landscape planting generally to improve visual unity and habitat across the Policy Zone.

Policy Zone MN 38 (Blue): Hallowington Village Farmlands (approx. 40% of the site area) is described as gently undulating and rounded, resulting in views being medium to long distance throughout most of the area with frequent wooded skylines. The landscape sensitivity is defined as 'moderate' and condition is defined as 'good'. The specific landscape actions within this policy area include a requirement to maintain existing historic field patterns, conserve and infill hedgerows, prevent fragmentation, to conserve and reinforce the ecological diversity and setting of the designated Local Wildlife Sites and conserve and enhance tree cover and landscape planting generally to improve visual unity and take account of medium and longer views across the shallow ridgelines around Southwell which allow views across to the Minster and landscape beyond. An important action for new built features is to recognise the contribution of existing heritage assets



within Southwell, visible from the northern part of this policy zone, to the wider landscape character.

Policy Zone MN 39 (Green): Thurgarton Village Farmlands with Ancient Woodland (approx. 10% of the site area) is described as having a predominantly rolling and undulating topography, with some areas of relatively flat landscape, views are often medium to long distance with frequently wooded skylines. Some areas are enclosed to some extent due to woodland vegetation and hedgerows along tracks and lanes. The landscape sensitivity is defined as 'high' and condition is defined as 'very good'. The specific landscape actions within this policy area include a requirement to conserve permanent pasture and seek opportunities to restore arable land to pastoral. Conserve, reinforce and enhance hedgerow planting along roadsides. To conserve and seek to enhance the biodiversity and setting of designated LWS's and woodland/plantation blocks with an aim to seek to reinforce green infrastructure as appropriate to improve visual unity and habitat across the Policy Zone.

It is noted that the proposed panels in combination with the ancillary infrastructure including substations, security fencing, CCTV cameras on security poles and various structures could have an adverse visual impact on the openness of the countryside and that many of the comments submitted by local residents raise concerns in this regard. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application to identify and assess the likely significance of the landscape visual effects of the proposed development on the surrounding area. For clarity, *landscape impact* is the effect of a proposed development on the fabric, character and quality of the landscape and concerns the degree to which a proposed development will become a significant or defining characteristic of the landscape. Cumulative *visual impacts* concern the degree to which the proposed development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views.

It is important to note that there is a network of PROWs within the vicinity of the application site – see the map extract below. Within the site itself, Southwell Footpath 43 is located within the northern extent of the site and continues in an easterly direction towards Southwell. Southwell Bridleway 74 also crosses the central portion of the site, and continues past Stubbins Farm towards Cundy Hill Road.



The methodology employed in preparing an LVIA requires a level of technical expertise. Therefore, in the interests of robust decision-making, Officers have sought an independent review of the submitted document during the life of the application. The initial response of the appointed consultant, VIA East Midlands (VIA), is available to view in full on the planning file. A total of 21 viewpoints were assessed as part of the July 2020 LVIA and re assessed in light of the initial comments made by VIA. Firstly, I note that comments made by local residents dispute the findings of the LVIA and the extent of the study area used therein, however VIA have accepted that a study area of 3km is sufficient considering the scale and type of development proposed.

VIA's initial response raised a number of issues, disputing the following points and requesting further information:

- The impact on the landscape features (landcover) and the character of the landscape policy zones should focus on the perception of change in the landscape rather than the biodiversity aspects/alleged enhancements of the scheme;
- The impact of the proposed development on the landscape character of the Policy Zones should be described as leading to a *high magnitude of change* on an area of *high or medium sensitivity to change*, which would will lead to a **major scale of effect** on the Policy Zones. VIA state that this will only be in an area close to the site within the actual zone of visual influence as outside of this area the effects on the local landscape will decrease to negligible rapidly. An assessment defining the area over which these adverse effects would occur should be provided;
- An assessment of the landscape and visual impacts of the construction stage should be submitted;
- A summary of the proposed enhancement measures should be included within the LVIA in order to separate the mitigation of landscape and visual effects from biodiversity aims;
- Viewpoint photographs taken when vegetation is not in leaf (showing seasonal changes) should be provided in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLIVA3) viewpoint photographs;
- Additional information about the visual impact of the structures which connect with existing pylons within the site should be provided;
- Information on whether alternative access routes have been considered should be provided;
- Visual impact from Heritage viewpoint B (from PRow footpath 209/12/1, looking southwest (Southwell Footpath 11 on the Southwell Heritage trail 2) has been underestimated and should be described as *minor* for year 1 rather than *negligible*;
- Year 10 visual impact conclusions should be reconsidered as they rely completely on the successful establishment of proposed hedgerows and the effective management of existing hedgerows;
- An assessment of the visual impact on residential properties in Halloughton should be made in addition to the extent of views from isolated farms (New Radley Farm, Stubbins Farm, Halloughton Wood Farm and Thorney Abbey Farm) within the study area;
- An assessment of cumulative impact should be made.

The concluding paragraph of VIAs assessment explains that the additional information requested above was required before any final conclusions could be drawn. An addendum to the LVIA was provided in December 2020 in addition to winter photomontages which were both independently assessed by VIA. Notwithstanding the criticisms of the LVIA and addendum made by local residents, VIA and I are satisfied that the visuals and information provided within the LVIA are sufficient to enable the impact of the proposed development to be fully considered. The

conclusions of this addendum (in addition to the amendments made to the scheme) and the assessment undertaken by VIA are as follows:

### Landscape Impact

In terms of Landscape Impact, the scheme is concluded to have a negligible scale of effect on topography because there are no physical changes to topography as a result of the proposed works. With regard to Hedgerows and Trees a *minor-moderate scale of effect* is identified because there is no major removal of trees and hedgerows required as a result of the proposed works. In terms of Land Cover, the initial LVIA argued that whilst the magnitude of change would be high this would be offset by biodiversity inputs. VIA disagreed that a low sensitivity x high magnitude of change would lead to a *minor beneficial effect* on Land Cover and asked the applicant to reassess this. The LVIA addendum now accepts that there would be a **moderate adverse scale of effect** on Land Cover as opposed to a minor beneficial impact, during the 40 year lifetime of the scheme.

With regard to the effect on Landscape Character the LVIA addendum concludes that the magnitude of change would be high, which translates into **major adverse effects on Policy Zones 37, 38, and 39** for the 40 year lifetime of the scheme. It is accepted that these impacts are localised to the site area and will diminish rapidly with distance for the site, but nevertheless a substantial change to the Landscape Character of these policy zones within the site area is accepted by the applicant.

In terms of the construction impact on the landscape character of the policy zones, VIA have concluded from the LVIA addendum that the proposal would result in at least a **medium to high adverse scale of effect** on the policy zones at the construction stage. It is accepted that these impacts are localised to the site area and will diminish rapidly with distance for the proposed site, but nevertheless a substantial change to the landscape character of these policy zones within the site area can be extrapolated from the LVIA addendum.

With regard to the construction impact on the village of Halloughton the LVIA addendum explains that the presence of the access road and visual presence of construction vehicles would result in a **medium magnitude of change** to the perceptible landscape character of the village of Halloughton, however this would be localised and limited to the construction period. VIA contested that the overall scale of visual effect of the construction stage on the eastern end of the village of Halloughton was not fully described and the applicant has addressed these comments in a letter dated 2<sup>nd</sup> Feb 2021. This confirms that a *medium magnitude of change* combined with a *medium sensitivity* would result in a **moderate adverse effect** on the perception of the landscape character of the village of Halloughton. However, this effect is based on the introduction of construction machinery accessing the Application Site at the eastern end of the village rather than views of the construction activities taking place across the Application Site. The effects are therefore considered to be localised and transient in nature. VIA have not disputed this assessment.

In their discussion of the landscape impacts VIA reference the impact of the proposed scheme on the setting of Halloughton Conservation Area and the listed buildings contained therein as identified by the Conservation Officer (less than substantial harm for the purposes of the NPPF, see previous appraisal section). VIA have highlighted how they agree with the designation statement for Halloughton from 1972 which explains that the visual quality of Halloughton is attributable more to its landscape, than to its buildings. In particular, they note that in order to reach the village by Southwell Bridleway 74 and Halloughton Byway 9, for example, the visitor passes through the surrounding landscape before entering the village and this experience will be altered by the substantial change in these surroundings. This will also result in the harm that has

been identified to the setting of Halloughton Conservation Area and the listed buildings contained therein. To add to this, I also note how most comments received by local residents specifically reference the impact this development would have on changing the landscape and user experience of the countryside and PRoWs.

The amendments made to the scheme have removed panels from a field in the central section of the site to the south and east of the Southwell Bridleway 74. Consequently, the proposed hedgerow along the southern edge of the Bridleway has been omitted but there is now proposed reinforcement of the existing trees and hedgerows along the northern boundary of the southern parcel with planting of further semi-mature trees. VIA have reviewed these amendments and have advised they still consider that there are long term impacts on the 'land cover' element of the landscape and long term impacts on the 'landscape character' of the site area - noting that the abovementioned landscape impacts remain unchanged in this latest information.

Taking the above into account, overall it is concluded that there would be long term impacts on the 'land cover' element of the landscape, and long term impacts on the 'landscape character' of the site area as a result of the development. It is accepted that these impacts will diminish with distance from the site, however, there would still be a **moderate adverse landscape impact** on land cover and a **major adverse scale of effects** on the character of Policy Zones 37, 38 and 39 for the 40-year lifetime of the scheme.

### Visual Impact

In terms of visual impact, the addendum included the additional viewpoint photographs requested by VIA in addition to an assessment of the visual impact of the construction phase of the development. Following receipt of amended plans a further update to the LVIA conclusions has been supplied in the letter dated 2<sup>nd</sup> Feb 2021. The conclusion is drawn that there would be a **major adverse scale of visual effect** for viewpoints (VP) 12, 14 and 15 and a **major to moderate adverse scale of visual effect** for VP4. The amendments to the plans have resulted in visual effects being reduced to a range between *major to moderate scale of effect* at the construction stage for VP1-3. Nevertheless, the above visual effects are still significant for 4 of the viewpoints at the construction stage.

VIA requested additional information regarding the selection of the site access and the submitted Highways Note (Dec 2020) best covers this. VIA accept that Options 1 (main farm entrance to the west within Halloughton) and 2 (via Stubbins Lane) are not preferable to the access chosen, due to the impact on the visual amenity of the residents of Halloughton village, and also the loss of vegetation on western side of the A612. The second option would also involve substantial loss of mature hedgerow to Stubbins Lane, as well as additional impact on the entrances to Brackenhurst College. However, VIA have noted that whilst in terms of vegetation loss the option chosen is preferable, it still alters the visual perception of the eastern end of the village of Halloughton close to listed buildings such as the Grade II listed church of St James. VIA have referenced the conclusions of the Conservation Officer in terms of the impact this would have on the setting of Halloughton Conservation Area and listed buildings therein (see heritage section above).

Turning now to the visual impacts of the development from years 1-10 the amendment to the LVIA concludes that in year 1 of the development, a **major scale of visual effect** is recorded for viewpoints 14 and 15 and a **major to moderate scale of visual effect** is recorded for viewpoint 4, all located on existing PRoWs. VIA are in agreement with these conclusions and highlight that these impacts are significant. As a result of the amendments to the plans the visual effects on VP1-3 are reduced to a range between a *major to moderate scale of effect* at Year 1. The scale of effect is less than previously assessed on these viewpoints, but will continue to be dependent upon the

success of vegetation establishment. The original addendum also reconsidered the schedule of effects summary in accordance with VIAs original comments and for heritage viewpoint B (View from PRoW footpath 209/12/1, looking southwest) a range between a **moderate to negligible scale of effect** has been identified for year 1, **with a negligible scale of effect** in year 10. VIA have concluded that they still consider that there would be a minor scale of visual effect which is within this range, therefore this amendment is accepted.

In terms of the long term visual impact, the applicant has reconsidered the schedule of effects summary and now concludes that VP 4 and 14 have a **major adverse scale of effect** reducing to a range between **moderate to negligible** in year 10 which remains unchanged and is accepted by VIA. For VP15 there would continue to be a **major adverse scale of visual effect** continuing from the construction phase to year 10. The year 10 scale of effects for VP 1 ,2 and 3 (which have a **moderate** adverse scale of effects in year 1) have been amended to show a **negligible adverse scale effect** at year 10. Overall, these conclusions are accepted by VIA but remain reliant upon the establishment and future maintenance of vegetation/hedgerows. It is also worthy to note that even after 10 years there would still be a **major adverse effect** from VP15 which is on PRoW Southwell 43.

With regard to the visual effects on surrounding residential properties in Halloughton the LVIA addendum explains that at year 1 and in the construction phase there is a **moderate adverse scale of effect** from upper floor windows of some properties on the northern edge of Halloughton. The letter submitted by the applicant dated 2<sup>nd</sup> Feb 2021 clarifies which properties this impact applies to (see the image below). On this image the red pins identify where views of the site would be restricted (15 no.). The yellow pins identify where views of the site are anticipated to be heavily filtered by boundary vegetation or the properties are single storey making the potential to experience views of the construction phase and proposed development unlikely (10 no.). Finally, the green pins indicate the two storey properties from which views of the site would theoretically be possible (2 no.). VIA have not disputed this assessment.



The LVIA addendum in paragraphs 4.3 comments on the lack of inter-visibility between the representative viewpoints close to Halloughton (viewpoints 7,8,9,10,11 and 12) and the Conservation Area. However, VIA highlight that in order to reach the village by Southwell Bridleway 74 and Halloughton Byway 9, for example, the visitor passes through the surrounding

landscape before entering the village and this experience will be altered by the substantial change in the surroundings on the approach to the village.

In terms of physical impacts to the PRoW, I note that those that cross the site will remain in their current positions. The proposed site plan also shows the line of a historic PRoW will be unimpeded by the proposed development. Reinforcement of existing hedgerows is proposed along part of the western boundary of the site, in addition to a new hedgerow along the western side of the north-easternmost parcel of panels as mitigation for the scheme for footpath 42-43. Infill planting is also proposed along the northern boundary of the southern portion of the site as mitigation for bridleway 74. The PRoW that cross the site will remain open during the construction, operation and decommissioning phases. However, with respect to the impact upon user experience, the conclusions of VIA are noted, so too is the volume of comments from third parties that use these PRoW and attest to the physical and mental wellbeing benefits that accessing the countryside by these networks brings. I note that physical access to these networks would be unchanged; however, having visited the site and walked these routes they are of open aspect for the most part. There is no doubt that these footpaths and routes are greatly valued by the local community and visitors. Recreational users are considered to have high sensitivity to solar development and whilst it is true that individual attitudes to solar farms vary, the adverse visual impacts identified above would still represent a noticeable significant change to the character of the countryside and the setting of Halloughton Conservation Area for such users.

In the letter dated 2<sup>nd</sup> Feb 2021 the applicant argues that the removal of the panels in the central portion of the Site provides a clear buffer in excess of 100m between the two blocks of development. The removal of the panels from the field adjacent to the Bridleway 74 is also argued to ensure that the journey experienced by users passing through this section of the Application Site, who currently experience views of an agricultural landscape, would be retained. The implementation of additional semi-mature trees along the northern boundary of the southern parcel of the Site is argued to further reinforce and strengthen the character of Policy Zones 37, 38 and 39 in line with the landscape actions detailed in the Landscape Character Assessment. In addition, the introduction of semi-mature trees and removal of two areas of panels is argued to lower the Magnitude of Change and subsequent Scale of Effects of bridleway users on route 74. It is therefore argued, in light of these amendments, that there would not be substantial change in the surroundings experienced by the bridleway users on route 74 on their approach to the village. VIA have advised that they accept that the removal of the area of panels in the central area of the development, adjacent to PRoW Bridleway Southwell 74, will reduce the magnitude of change at the construction stage and Year 1 on viewpoints 1-4. This reduction will mean that the impacts are now less than the major adverse visual impacts previously identified, however they are still on a scale of effect between **major and moderate adverse** and are dependent upon the establishment and future maintenance of vegetation/hedgerows.

In terms of the extent of views from the isolated farms within the study area, a **moderate adverse scale of visual effect** from upper levels of New Radley Farm is identified at the construction stage, year 1 and year 10 which is accepted by VIA. For Stubbins Farm a **moderate adverse scale of visual effect** from upper levels of the property is identified at the construction stage and Year 1 which will diminish by Year 10 once the proposed vegetation along the Site's boundaries mature. For Halloughton Wood Farm and Thorney Abbey Farm **negligible visual effects** are identified, all of which are accepted by VIA.

Taking the above into account VIA have concluded that there would be *“long term impacts on PRoW Southwell 74 particularly for the viewpoints 1 and 2 which last until year 1 and dependent*



*on the success of vegetation establishment probably longer. The visual effects are reduced by the removal of the relatively small field of panels, but they are still important".* They have also concluded that there would also be long term impacts on PRoW Southwell 43 for viewpoints 14 and 15 which continue at year 10 and would be **major adverse**. These footpaths are well used, particularly PRoW Southwell 74 which links Southwell and Halloughton. The visual amenity of these routes will be reduced as views will change from open farmland to views of solar farm infrastructure including the surrounding protective fencing and as described above this will affect the visual perception of the village of Halloughton.

The concluding paragraph confirms that, whilst they welcome the reduction in area of panels and the additional and amended planting shown, due to both the Landscape and Visual Impacts identified by the applicant (as explored above), VIA are unable to support the proposed scheme. Their conclusions note that whilst they recognise the need for the provision of solar farms to achieve renewable energy targets they consider this location, close to the northern edge of the village of Halloughton, is not an appropriate setting due to the abovementioned landscape and visual impacts.

The LPA have specifically sought independent advice in order to allow a robust assessment of the proposal. Having taken account of the applicant's case, Officers concur with the independent assessment. In the context of the identified landscape and visual impacts, Officers have identified landscape and visual harm, which would result in the proposal being contrary to Core Policies 9 and 13 and the policy actions identified within the corresponding Landscape Character Assessment in addition to policy E6 of the SNP. Clearly, the landscape and visual impacts of the scheme are not to be taken lightly and the harm identified will be weighed in the overall planning balance.

#### *Impact on Highway Safety*

Policy DM5 is explicit in stating that provision should be made for safe and inclusive access to new development whilst Spatial Policy 7 encourages proposals which are appropriate for the highway network in terms of the volume and nature of traffic generated, and ensure that the safety, convenience and free flow of traffic using the highway are not adversely affected. In addition, Policy E4 of the Southwell Neighbourhood Plan states that developers must ensure that existing PROWs including footpaths, cycle routes and bridle ways, which cross their sites, are retained wherever possible and enhance the Green Infrastructure in Southwell parish.

Access would be provided in the south-eastern corner of the site boundary in the form of a double width traditional farm gate from Bridle Farm Road, an adopted no through road which adjoins with the A612 Highcross Hill, approximately 45-50m east of the proposed site access. Further to the Highways Authorities original comments regarding the retention of the mature Poplar Tree adjacent to the proposed access the Council has received an application from Via EM ref. 20/02428/TWCA for the removal of this tree due to its declining health and it is understood VIA intend to carry out this work by the end of March 2021. NCC Highways have advised that in the meantime, if the solar farm works were to commence, the tree protection plan is acceptable. Notwithstanding this, the Highways Authority have also confirmed that the amended access position assists in protecting the watercourse and improving vehicle swept paths and raise no objections to the scheme subject to conditions.

I appreciate that there is local concern relating to the suitability of this access location and potential highways safety risks as a result of increased HGV movements. It is estimated that the construction phase of this development could typically generate up to 12 HGV movements per day

and the statements submitted with the application explain that construction is expected to take place over a period of approximately 6 months (up to 26 weeks). It is typical with schemes of this nature that as the construction progresses the number of deliveries decreases and once installed, the solar farm would require infrequent visits for the purposes of maintenance or cleaning of the site during the operational phase. Such work typically requires 10-20 visits per year, for the most part the facility would be unmanned, being remotely operated and monitored. Ultimately, the Highways Authority raises no objection subject to conditions relating to access construction and provision of a vehicular crossing of the highway footway & verge. I am therefore satisfied that the proposal would not amount to a detrimental impact on highway safety in accordance with Spatial Policy 7 and Policy DM5 of the DPD.

I note the Highways Authority request to condition the Tree Protection Scheme be implemented in accordance with the details submitted with this application, however, given the tree has consent for removal due to its declining health I do not consider this condition would be reasonable or necessary in order to make the development acceptable.

In terms of physical impact on PRoW - VIA Rights of Way team have been consulted on this application and have advised that they raise no objection to the application and require no conditions given the amendment to the plans. Their initial comments queried the GDPR compliance of the proposed CCTV cameras, however it has been confirmed that these are standard security cameras that would be compliant. Impact upon user experience of the PRoW has been considered in the previous section, however VIA have raised no objection to the scheme given there is no proposed closure or alteration to the PRoW that cross the site.

#### *Impact on Flood Risk*

The NPPF directs development away from areas at highest risk of flooding employing a sequential approach. Core Policy 9 requires new development proposals to pro-actively manage surface water. The land is classified as being within Flood Zone 1. As such, it is not at risk from flooding from any main watercourses. However, given the size of the development site a Flood Risk Assessment is required to accompany the application. I also note that a number of interested parties have commented on the application in relation to flood risk, citing past flood events and raising concerns relating to the impact the solar farm could have on exacerbating flood risk in Halloughton and Southwell.

A Flood Risk Assessment (FRA) has been submitted with the application which has been reviewed by the Environment Agency and Nottinghamshire County Council as the Lead Local Flood Authority (LLFA). The solar panels would be raised above the existing ground allowing a permanent grass sward to be maintained underneath the panels. Rainfall falling onto the photovoltaic panels would runoff directly to the ground beneath the panels and infiltrate into the ground at the same rate as it does in the site's existing greenfield state, and access tracks will be permeable in nature. The extent of impermeable cover as a result of the Solar Farm would also be minimal in terms of a percentage of the total site area.

The FRA explains that any impermeable areas associated with the substation and infrastructure required is proposed to be mitigated by a sustainable drainage strategy, involving the implementation of SuDS in the form of swales, bunded storage and an attenuation basin which will manage the disposal of surface water runoff from the proposed development on the site. The SuDs proposed have been agreed in collaboration with the Southwell Flood Forum members in order to provide some downstream betterment to flood risk, with a particular focus on the rate of



discharge into the Westhorpe Dumble watercourse. The submitted FRA does not appear to show the precise extent of this betterment, as such it is difficult to qualify this statement, however it is accepted that some betterment could arise from the proposed scheme.

No objection has been raised by either the Environment Agency or the LLFA subject to a condition to ensure the development would comply with a submitted and approved detailed surface water drainage scheme based on the principles set in the FRA. I have discussed local residents concerns with the LLFA; however, they have explained that the impact on flood risk from solar farms is negligible. The concentration of runoff from solar panels is spatially localised at the micro-level and the scheme put forward in the FRA proposes to exceed the level of flood mitigation that the scheme would require. Comments from some interested parties state that the proposal would be contrary to policies E1 and E2 of the SNP however, I would not agree with this conclusion. Essentially policies E1 and E2 seek to ensure development proposals and planning applications take account of the most appropriate hydraulic models, flood risk assessments and strategic flood mitigation plans for Southwell and that proposals requiring a FRA must be designed to avoid increasing the risk of flooding both on and off site. This proposal has taken account of appropriate flood modelling and has been designed to mitigate and reduce flood risk.

Taking the above into account I am satisfied that the applicant has adequately demonstrated that the development will not adversely impact on flooding or drainage in accordance with the aims of Core Policy 9 and Core Policy 10 of the Core Strategy, Policy DM5 of the DPD, Policies E1 and E2 of the SNP and the provisions of the NPPF, subject to conditions.

#### *Impact on Archaeology*

Core Policy 14 sets out that the Council will seek to secure the continued preservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment including archaeological sites. Policy DM9 states that development proposals should take account of their effect on sites and their settings with potential for archaeological interest.

The application has been accompanied by a desk-based assessment (DBA), a geophysical survey and, at the request of the Councils Archaeological consultant, a report of an Archaeological Evaluation which summarises the results of trial trenching that has taken place at the application site. Initially the Councils Archaeological consultant recommended that the whole site required evaluation in one go prior to determination. However, given the initial survey results, size of the site and relative costs involved it was agreed, at the applicant's request, that limited trenching prior to determination could be followed by a programme of more intensive evaluation post determination if consent is granted.

The results of the initial evaluation broadly correspond with the original geophysical survey, however features were identified during the trial trenching that were not recorded in the survey and pottery dating to the Iron Age and Romano-British periods were recovered. The applicant's findings go on, however, to conclude that further archaeological work is not required. Our Archaeological consultant has explained that one of the main concepts in archaeology is that 'absence of evidence is not evidence of absence' especially when the evaluation sample is such a small percentage of the site, and further evaluation and potential mitigation is therefore still required for the rest of the site. The Archaeological consultant has explained that, whilst they have strongly advised that this should have been done prior to determination (not only to protect the archaeological resource, but to allow the applicant to assess the viability of the site based on any future mitigation required) they have recommended that the remaining work could be undertaken

as a condition of consent if granted. It would be expected that, in line with industry standards and as a common approach for sites of this size, at least a total of 3% of the whole redline boundary would need to be evaluated, minus the trenches already excavated.

Overall, despite concerns raised by local residents relating to archaeological potential, the Archaeology Officer raises no objection to the application subject to conditions. On this basis, and subject to conditions, the proposal is not considered to result in any adverse impact upon archaeological remains in accordance with Policies CP14 and DM9.

### *Impact on Ecology including Trees*

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy E3 of the Southwell Neighbourhood Plan states that development proposals must aim to protect and enhance Local Wildlife Sites and policy E4 requires PRoW to be considered as wildlife corridors to be protected.

There are no Sites of Special Scientific Interest (SSSI) within the study area, however Newhall Reservoir Meadow SSSI lies approx. 1.7 km to the north west of the site. The Site does fall within a SSSI Impact Risk Zones but at this location, the development type does not meet the criteria to require consultation with Natural England. Nevertheless, I note that Natural England have raised no objection to the proposed development, advising that they consider the proposal will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

For non-statutory designated sites, I note that there are a number of Local Wildlife Sites (LWS) within the application site and within 3 km of the site. A detailed Ecological Assessment and Phase 1 Habitat Survey has been undertaken which identifies ecology impacts during construction including habitat loss and disturbance of species and recommends pre-construction survey work and / or mitigation measures. A Biodiversity Management Plan has been submitted which sets out how the site would be managed for the duration of the operational life of the Solar Farm and battery stations, alongside measures to be implemented during construction, to ensure the enhancement of ecology and biodiversity as part of the scheme of landscaping and ecological improvement is secured.

Specific consideration has been given to species such as (but not limited to): Bids, Bats, Otter, Water Vole, Hazel Dormouse, Amphibians, Reptiles alongside other species and invasive species. I note comments have been received from local residents which contest the findings of the ecology surveys, however the surveys have been independently reviewed by Nottinghamshire Wildlife Trust (NWT) who has advised that whilst the Extended Phase 1 Habitat Survey was carried out in January 2020 (which is out of the optimal survey season April-September) they do not have any concerns relating to the reliability of results obtained from the survey at this time of year.

The surveys conclude that no adverse impact upon protected species has been identified albeit enhancement measures are recommended. A Biodiversity Management Plan has also been submitted and recommends a number of wildlife enhancement measures including the provision of bird and bat boxes, creation of new hedgerows, tree belts, swales, grassland, field margins and species rich seed mixes to provide favorable habitats for a range of species. NWT have reviewed the application and raise no objection to the proposal, concluding that so long as all mitigations and recommendations are adhered to and implemented (through the use of suitable planning

conditions), there should be no detrimental impact to the wildlife and habitats on site. They have also highlighted that, as mentioned at para 4.2.8 of the applicants report (based on the RSPB briefing note on Solar Energy), biodiversity gains are possible where intensively cultivated arable or grazed grassland is converted to extensive grassland and/or wildflower meadows between and/or beneath solar panels and in field margins. Therefore, NWT consider that through the creation of habitats as set out within the applicants reports, biodiversity net gains on site could be achieved.

An Arboricultural Impact Assessment and Protection Plan has been submitted with the application. The tree constraints plan submitted with this application indicates that the proposal can be achieved with minimal loss of existing green infrastructure if suitable protection measures are incorporated during construction activities. No trees, tree groups or hedgerows will require removal in their entirety, however sectional hedgerow removals (each of approximately 4-5m) will be required to allow the new access track through the site to be constructed and allow access between fields, as well as minor sections (each of 1m) to allow the new perimeter fence to be installed. The submitted landscape scheme includes details of hedgerows and trees to be protected and retained and overall the surveys conclude that this loss can be adequately mitigated through additional planting as demonstrated by the Biodiversity Management Plan, which shows there could be a net gain on site in terms of tree and hedgerow planting.

In terms of Biodiversity Net Gain (BNG) the Ecology Assessment details that a net gain calculation has been undertaken to provide quantified evidence of the change in biodiversity with the implementation of the proposed layout and landscape planting (as amended in the revised layout). This calculation considers land take, habitat loss/change and habitat creation that will accompany the proposed development, assessed using the Defra Metric Biodiversity Net Gain Calculator (version 2.0) the calculation has adopted precautionary assumptions in relation to build area, cropping and grassland quality and demonstrates that an overall net gain of 36.78% in habitat units could accompany the proposed development, as amended (23.68% net gain in hedgerow units). This net gain could be achieved through the proposed landscape planting, habitat enhancements and long-term management as set out in the BMP and Site Layout and Planting Proposals Plan.

The proposed access utilises an existing farm track which currently has a low level use. As the location of this track is adjacent to high-quality (category A) tree group G7 and moderate-quality (category B) tree group G1, there is potential for soil compaction to occur when upgrading the existing track. Therefore, within this area (approximately 100 linear metres), a 'no-dig' cellular confinement construction method has been proposed to ensure impacts to the root systems of these trees will be prevented during construction.

The Tree Officer raises no objection to the application subject to conditions requiring tree/hedgerow protection measures. It is recommended that a further condition be imposed to require the submission, approval and implantation of a detailed scheme which builds upon the aims of the site masterplan and BMP.

I note comments received by local residents raising concerns about the potential ecological impacts of this development, however, having discussed the proposal with NWT they have commented raising no objection to the proposed development, subject to conditions. I note comments that the proposal will impede movement within the natural landscape and that the development would be contrary to policies E3 and E4 of the SNP, however the proposals do incorporate measures for biodiversity enhancement and buffers to LWSs to support potential

biodiversity net gains on the site. Given the conclusions of NWT and subject to conditions, I consider the proposed development to comply with the aims of Core Policy 12 and Policy DM5 of the DPD in addition to the provisions of the SNP and the NPPF which are material considerations.

### *Impact on Amenity*

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development.

Residential properties lie to the north of the site (off the B6386), within the northern parcel of the application site (New Radley farm) and to the south of the site in Halloughton off the Main Street. In respect of noise the submitted assessment concludes that the operation of the solar farm, battery stations and associated equipment would generate low noise levels during operation. The solar PV panels themselves do not generate noise, noise is however attributable to the associated plant, equipment and substation. Mitigation measures are proposed for the closest inverters to Halloughton to further limit noise effects. Whilst the associated infrastructure would give rise to a slight hum during operation this would be contained to within the site boundary with the panels themselves silently converting solar irradiation to electricity. HGV movements and construction/decommissioning may also generate noise for a temporary period.

The Environmental Health Officer has reviewed the application advising that they raise no objection to the proposal on amenity grounds subject to imposing a condition requiring the submission of a Noise Attenuation Scheme to demonstrate that during the operational phase of the proposed development, the noise level arising from the development, as measured outside the nearest sensitive receptors would not exceed 5dB below the existing background levels. The agent has argued that this condition is considered to be too restrictive as it fails to specify a lower limit – essentially this would require a noise limit of 25 dB LAeq to be achieved which is 10 dB(A) below what the scheme has been designed to achieve.

Current BS4142 guidance advises that it is more important to consider absolute noise levels where background noise levels are low than the difference between the background and rating level of noise. Noise levels were therefore assessed in the submitted Noise Assessment against WHO guidance to ensure the operation will remain at least 5 dB(A) below the Lowest Observed Adverse Effects Level as specified in the WHO night noise guidance. A condition based on BS4142 would ensure the operational noise does not result in any unacceptable noise effects and the agent has put forward that a condition reflecting these limits would be accepted. The EHO has advised that a suitably worded condition based on BS4142 methodology would be acceptable and overall raise no objection to the proposal.

Given the low level nature of the development and the limited output in terms of noise emissions, subject to conditions, it is not considered that the proposal would have a significant adverse impact on neighbouring land uses in accordance with the aims of the NPPF and Policy DM5 of the DPD.

## *Other Matters*

### Length of Temporary Consent

The solar farm would be a *temporary use* of the land as the equipment would be removed and the land returned to its former condition (with the exception of the DNO Substation which will remain on site permanently as it will become part of the local electricity distribution network) when the development is decommissioned following 40 years from the date of the first export of electricity to the electrical grid. In the past, 25 year permissions have ordinarily been sought for solar farm developments. There is no government imposed limit on the lifetime of solar farms as far as I am aware set out in national guidance. It is understood that a 25 year permission was ordinarily imposed as this was the typical warranty period offered by manufacturers at the time and therefore used for modelling the viability of projects by developers. My understanding is that solar farms are more efficient for longer than previously anticipated which is extending warranties and hence improving the business models for companies that maintain solar farms. Whilst this in its own right is not necessarily a material planning consideration, the economic and environmental benefits of increasing the length of operation of the solar farm are and the benefits of renewable energy production would be a benefit for longer as a consequence. Nevertheless, 40 years is more than a generation and therefore should not be regarded as an insignificant amount of time.

### Public Consultation and the Impacts of COVID-19

I note that a number of comments from interested parties make reference to the pandemic and how this is perceived to have impacted the consultation process of the planning application. However, for clarity the applicant's submission details the community engagement undertaken prior to submission. Following postponement of the planned public consultation event, a website-based consultation approach was undertaken. To advertise the proposed development and the online consultation approach, leaflets were distributed to c. 1,140 properties and businesses within a defined area in April 2020. The website, which showed initial plans, provided an email and postal address for any comments to be sent to in addition to an online form included on the website. Consultation was also undertaken with Halloughton Parish and Southwell Town council in addition to notifying local ward members.

Whilst I appreciate that the pandemic has greatly impacted people's lives and normal procedures, the Government has been clear that the planning system and process is to continue as usual. Parish and Town Councils have adapted to non face-to-face consultation processes and notification letters and site notices have been undertaken as usual to informal local residents of the development proposal. Overall, I do not consider the pandemic has impeded or prejudiced this planning application process.

### Planting undertaken throughout the course of the application

A letter was received from the agent dated 21<sup>st</sup> January 2021 detailing additional planting that has been undertaken at Manor Farm in the vicinity of the application site. The letter states that planting has been undertaken in January 2021 which will further reduce any landscape, visual or heritage harm. It states *"[...] the planting will impact on the visibility of the proposed development from public vantage points and is therefore relevant to the consideration of visual amenity effects undertaken in the Landscape & Visual Impact Assessment (LVIA) dated July 2020 and LVIA Addendum dated December 2020 and heritage effects considered in the Heritage Desk Based Assessment dated July 2020 [...]"*.

For clarity, I have queried why this planting has been undertaken prior to the determination of this application and the agent has advised, “[the] planting referenced in this Note has not been undertaken by the Applicant and is not planting pursuant to the solar farm scheme shown on the proposed plans. It is instead separate planting which has been undertaken by the landowner, who has a keen interest in wildlife and biodiversity and is always looking at enhancing his property in this regard. There is obviously a dual benefit to the proposed development, should it be granted permission, and the Note was provided for your information to demonstrate this. There are some areas of proposed planting on the layout in the SW and SE corner where new hedgerow lines will be formed, but these will only be planted if the solar scheme is granted planning permission.” I am satisfied that the planting undertaken does not materially alter the assessments carried out in previous sections of this report as it would form part of the overall landscaping plans for this site which have been considered in both the Conservation Officer and VIA’s assessments of the scheme.

### *Planning Balance and Conclusion*

The development supports the Government’s policy for the UK’s transition to achieving a low carbon economy and assists in meeting the pressing need for deployment of renewable energy generation in the UK to meet legally binding obligations for renewable energy consumption and more challenging targets in 2030 and onwards to net-zero emissions by 2050. Both national and local planning policy place great emphasis on the creation of energy through renewable schemes where the impacts of the development are (or can be made through appropriately worded conditions) acceptable.

The 49.9MWp proposal would provide electricity equivalent to the average electrical needs of 12,000 typical UK homes (approx.) annually and would result in significant savings of carbon dioxide emissions during its anticipated lifetime (approx. 20,690t of CO<sup>2</sup> per annum). Any renewable energy production is to be welcomed and this is a substantial benefit of the scheme in terms of energy production. In accordance with the provisions of the NPPF, significant weight attaches to this aspect of the proposal.

The application has been found to be acceptable concerning impact on residential amenity, archaeology, highway safety and would not result in any increased flood risk. The proposal would also be acceptable regarding impact on ecology and could, through the biodiversity enhancements and the creation of habitats as set out within the applicants reports, result in biodiversity net gains being achieved across the site. The proposed ecological mitigation, management and enhancement reflects common practice in the development of solar farms. It also accords with the expectations of local and national planning policy for developments to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains where possible. As such, this potential for biodiversity net gain on site attracts moderate weight.

In terms of additional environmental benefits, the proposal would also provide for net betterment to downstream flood risk (with a particular focus on the rate of discharge into the Westhorpe Dumble watercourse). I am mindful that use of a sustainable drainage strategy is common practice in the development of solar farms to mitigate and offset the impermeable areas associated with the substation and infrastructure required but nevertheless, some downstream betterment would arise from the scheme. Moderate weight attaches to this.

In terms of socio-economic benefits, the approx. £30m of private capital investment in renewable energy infrastructure would provide employment during the short construction phase and

thereafter in the management and maintenance of the site (estimated creation of 70-80 jobs during construction) in addition to the creation of jobs within the supply chain. Overall, the proposal would contribute to the government's commitment to securing economic growth whilst meeting the challenge of a low carbon future. In addition, the scheme would result in a business rates contribution to the District of approx. £190,000. Moderate weight attaches to these socio-economic benefits.

The proposed development would be for a duration of forty years and the agricultural land would be returned to its former condition at the end of the permitted period (with the exception of the DNO Substation which will remain on site permanently as it will become part of the local electricity distribution network). However, the scheme would have a marked impact on the locality over a considerable number of years – forty years is more than a generation and therefore should not be regarded as an insignificant amount of time. As such, the argument that the development is temporary and reversible, and thus any impact is mitigated, does not merit material weight in the overall planning balance.

It is to be noted that the proposal would not result in the loss of best and most versatile agricultural land, which is a factor of neutral weight insofar as planning decisions should favour the effective use of brownfield land and land of poorer agricultural quality in preference to that of a higher quality. In terms of the search for alternative sites, the applicant has demonstrated the absence of appropriately sized and available previously developed land/brownfield sites within the search area identified. Although that might lead to the conclusion that there is no better site in the immediate locality, it remains incumbent to consider the application site on its merits in light of the main issues that I have identified. Moreover, whilst there is a need, generally, to increase electricity generation from renewable sources, there is no specific target for the District, and thus no reconcilable basis to determine the importance or otherwise of a lack of alternative sites therein. Accordingly, no more than limited weight is afforded in the planning balance.

In the context of landscape impacts, the scale of this scheme should not be underestimated. At 49.9MW this proposal is only just below the 50MW installed capacity threshold of being considered a nationally significant infrastructure project. It has been concluded that the scheme would result in a *moderate adverse landscape impact* on land cover and a *major adverse scale of effects* on the local landscape character (Mid Nottinghamshire Farmlands Policy Zones 37, 38 and 39) for the forty-year lifetime of the scheme. There would also be long-term visual impacts on public rights of way (PRoW Southwell 74 and PRoW Southwell 43) which would last at least until Year 10 of the development and probably longer. These rights of way are well used and the visual amenity of these routes will be reduced which consequently will affect the visual perception of the village of Halloughton. In summarising the overall level of harm, the degree to which the proposal would have an adverse impact on the character and appearance of the countryside merits significant weight.

Whilst it would be possible to minimise the impacts of the scheme by allowing supplemented hedgerows to grow and to retain existing and add new trees, it is relevant to note that any new planting would be unlikely to achieve the desired level of mitigation in anything less than a period of ten years and well into the lifespan of the development. Given the nature of the topography, the landscape and visual character of the area and the close proximity of the proposal to Halloughton village, the proposal would nevertheless continue to have a looming and incongruous impact on the enjoyment of the countryside. In terms of appreciating the setting of Halloughton, irrespective of the planting proposed, the proposal would remain a dominating and alien feature

to this attractive rural landscape, which is also a fundamental quality to the appreciation of the Halloughton Conservation area and designated heritage assets within the vicinity.

Special regard is to be given to the desirability of preserving the setting of Halloughton Conservation Area and the listed buildings within it and great weight is to be given to these assets' conservation commensurate with their importance. It has been concluded, and agreed by the applicant, that the development would result in *less than substantial harm* to the setting of Halloughton Conservation Area and the Grade II listed buildings therein, notably the Church of St James (Grade II) and the Manor House (Grade II\*). It has also been concluded that the development would result in *less than substantial harm* to the setting of designated heritage assets within the Brackenhurst complex (Grade II), as well as South Hill House (Grade II). Even with intervening planting, the extent, elevation and quasi-industrial nature of the proposed solar farm would remove the characteristic context of the Halloughton Conservation Area and the listed buildings within it. User enjoyment and experience of this landscape in the setting of the abovementioned heritage assets would be greatly diminished. It has therefore been concluded that the proposal would result in *less than substantial harm* to the significance of the abovementioned designated heritage assets. This gives rise to a strong presumption against planning permission being granted and carries significant negative weight.

However, paragraph 196 of the NPPF is clear that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. However, the harm identified must be given considerable importance and weight and can only be outweighed by material considerations powerful enough to do so.

Addressing climate change is in itself a public benefit and renewable energy is also sustainable by definition. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The development of renewable energy is important to the future energy security of the country and cannot be underestimated. However, the considerable weight and importance placed on the desirability of preserving designated heritage assets and their setting; and the special attention to be given to the desirability of preserving or enhancing the character or appearance of conservation areas, leads to a strong presumption against the grant of planning permission for development which causes harm.

When all of the above matters are weighed together, it is my judgement that the proposed development would cause harm of a weight and magnitude, which would tip the balance and outweigh the benefits of the development. This in itself conflicts with Policies CP10 and DM4 of the Development Plan which promote renewable and low carbon energy generation to address climate change. These policies are supportive of renewable energy where benefits are not outweighed by detrimental impact upon (amongst others) heritage assets and settings, and landscape character. The proposal would therefore be contrary to the objective of preservation required under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in conflict with the development plan with particular reference to policies CP9, 10, 13, 14 of the Amended Core Strategy (2019), policies DM4, 5, 9 and 12 of the Allocations and Development Management DPD (2013) in addition to the provisions of the Southwell Neighbourhood Plan (2016), Landscape Character Assessment SPD (2013) and the NPPF (2019) when read as a whole.

I therefore recommend, on balance, that planning permission is refused.



## **RECOMMENDATION**

### **That planning permission is refused for the following reason**

#### **01**

In the opinion of the District Council the proposed development, by virtue of its sheer scale, siting and close proximity to Halloughton Conservation Area and designated heritage assets therein would have a long-term detrimental impact on the landscape character and visual amenity of the area. The proposal would result in a *moderate adverse landscape impact* on land cover and a *major adverse scale of effects* on the local landscape character (Mid Nottinghamshire Farmlands Policy Zones 37, 38 and 39) for the forty-year lifetime of the scheme. There would also be long-term visual impacts on well used public rights of way (PRoW Southwell 74 and PRoW Southwell 43) which would last at least until Year 10 of the development and likely longer. The proposal would also fail to conserve and enhance landscape character and visual amenity and therefore would be harmful to the character, appearance and visual perception of the area. The proposed development would also result in less than substantial harm on the setting and experience of Halloughton Conservation Area, as well as to the setting of listed buildings within the Conservation Area, notably the Church of St James (Grade II) and the Manor House (Grade II\*) in addition to resulting in less than substantial harm to the setting of designated heritage assets within the Brackenhurst complex (Grade II) and South Hill House (Grade II). This level of harm would result in loss of significance to these designated heritage assets.

Although the proposal would undoubtedly bring meaningful environmental and economic benefits to the District, in the context of paragraph 196 of the NPPF and in the overall planning balance, these are not considered sufficient to outweigh the harm identified on the setting of the abovementioned designated heritage assets or the landscape character and visual amenity of the area by the sheer scale and siting of the proposal. The proposal would therefore be contrary to the objective of preservation required under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in conflict with the development plan with particular reference to policies CP9, 10, 13, 14 of the Amended Core Strategy (2019), policies DM4, 5, 9 and 12 of the Allocations and Development Management DPD (2013) in addition to the provisions of the Southwell Neighbourhood Plan (2016), Landscape Character Assessment SPD (2013) and the NPPF (2019) when read as a whole.

### **Informative Notes to the Applicant**

#### **01**

Refused drawing numbers:

- Site location Plan – Ref. P18-2917\_02 Rev E
- Indicative WPD and Customer Compound Layout – Ref. HLG-01-2001 Rev 01 Sheet 1 of 1
- Indicative WPD and Customer Compound Elevations – Ref. HLG-01-2002 Rev 01 Sheet 1 of 1
- Tree Protection Plan – Highways Access No. BHA\_665\_03
- Typical Fence, Track & CCTV Details – Ref. JBM-HALLOU-SD-02
- Typical Trench Section Details – Ref. JBM-HALLOU-SD-03
- Typical Inverter Substation Details – Ref. JBM-HALLOU-SD-04
- Typical Inverter Substation Details – Ref. JBM-HALLOU-SD-05
- Typical Battery Storage Systems Details – Ref. JBM-HALLOU-SD-06 Rev A
- Typical Customer Switchgear Details – Ref. JBM-HALLOU-SD-07 Rev A
- Site Access Visibility Splays Plan No. P18-2917 FIGURE 1 Rev A

- Site Layout and Planting Proposal – Ref. P18-2917\_12 Sheet No: \_ Rev L
- Swept Path Analysis: Proposed Site Access 15.4m Articulated Vehicle No. P18-2917 FIGURE 2 Rev A
- Typical PV Table Details (showing 3 in portrait orientation) – Ref. Typical PV Table Details 3P Rev A
- Typical PV Table Details (showing 6 in landscape orientation) – Ref. Typical PV Table Details Rev A

## BACKGROUND PAPERS

Application case file.

For further information, please contact Honor Whitfield on ext 5827

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Lisa Hughes**  
**Business Manager – Growth and Regeneration**

