

SOLAR APPLICATIONS

WHAT PLANNERS NEED FROM CGTs AND FACTORS TO CONSIDER WHEN RESPONDING

CASE STUDY IN GLOUCESTERSHIRE UPPER WICK SOLAR FARM

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October 7th 2014

S.14/1336/FUL

Manor Farm Upper Wick, Dursley, Gloucestershire, GL11 6DE

Continued use of land for agricultural purposes and the installation of up to 18 MW of solar photovoltaic panels and ancillary works for a period of 30 years.

If the Array or Solar Farm adversely impacts on the designed views from a registered park or garden and/or its setting or on a very significant park and garden that adds to local character and distinctiveness and, if not Registered, is ideally on a Local List, the CGT has a locus on which to object.

If the impact is on views from and in the wider countryside, a CGT does not have the remit to object and should persuade the CPRE and other interested groups to do so. The CGT in question could, of course, support the objection if it wished. (AGT draft policy on photovoltaic arrays V0.2 Aug 2013)

APPLICANT'S LANDSCAPE & VISUAL ASSESSMENT DOCUMENT

The Site was chosen by Bloombridge for two reasons:

- 1) Initial constraints analysis identified that the Site appeared to be well-screened and contained from a visual impact point of view.
- 2) The Site lies within an area where a connection to the grid can be obtained, at a cost that enables a viable solar farm and where there is still existing capacity to allow the scheme to feed power into the power grid network.

The assessment found that due to the characteristic hedgerows, hedgerow trees and individual trees which are abundant within the local area combined with the gently rolling topography, the potential for impacts upon landscape character and visual amenity are very limited.

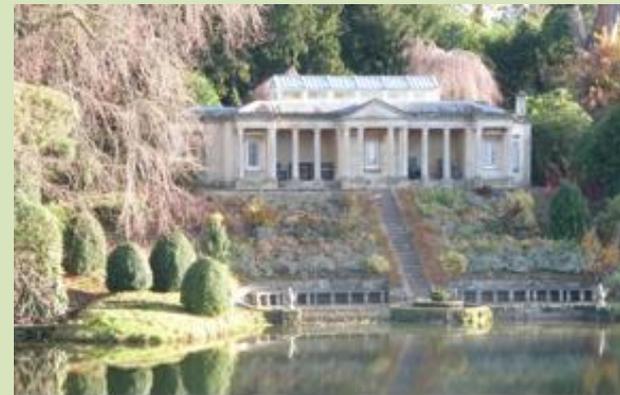
STANCOMBE PARK

GRADE I PARK & GARDEN



View south west
looking towards
River Severn

The Temple and Lake



STANCOMBE PARK

GRADE I PARK & GARDEN

“The house and formal and informal gardens and pleasure grounds around it were designed to have extensive views north, east and south towards North Nibley, these views contribute to the significance of the asset. The proposed development is located to the south-west and **will not harm** these views.”

TYNDALE MONUMENT

GRADE II*



TYNDALE MONUMENT

GRADE II*



“It is judged that the proposed development would be a minor alteration to the overall view as while there will be a discernible difference in one part of the view, the baseline situation will be largely unchanged. Therefore the scale of effect is judged as Small and the extent of effect Limited. The resulting effect would be of Negligible magnitude. As walkers at this specific viewpoint have a High sensitivity to the proposed development, the effect would be Minimal, and on balance Neutral.”

COTSWOLDS AONB

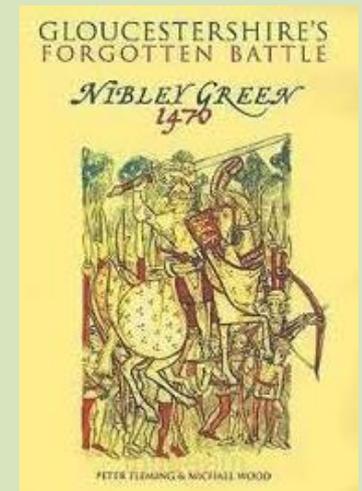
“Effects from the proposed development on the Cotswolds AONB are very localised with large areas of the Cotswolds AONB unaffected so that its characteristics and special qualities will prevail. It is judged that overall, **the effects on the AONB would be Negligible and, on balance, Neutral.**”

COTSWOLDS WAY

“For the overall route within the study area ... the extent of effect is very Limited so that the effect would be of **Negligible magnitude** resulting in **Minimal effects** which are judged, on balance, to be **Neutral.**”

THE BATTLE OF NIBLEY GREEN, 1470

“The proposed development **will not harm** the landscape or topographical elements which contribute to the significance of the battlefield. **The historical understanding will, therefore, not be affected by the proposed development.**”



VIEW FROM STANCOMBE DEER PARK (within Cotswolds AONB)



Now

In winter the arrays will also be visible from the lakeside, temple and grottoes; the most significant area within the Park



After - mock up

View from Tyndale Monument now



View from Tyndale Monument after (mock up)
from with Cotswolds AONB



“And plate glass impudently stares at the sun,
For byres and stack-boards, threshing is for ever done,
New things are there, shining new-fangled gear.”

HOW ABOUT THE BATTLEFIELD?



“Archaeological evidence of artillery use from this period is a scarce and vital resource ... and the inadvertent loss through the works proposed would be significant. The report additionally underplays the significance of the landscape in the Trust’s view. Terrain is a key component in the understanding of battles and covering such terrain with a solar array will inevitably detract from this appreciation.”

“Stripping the top soil as part of a trenching operation is likely to destroy any evidence that exists and will achieve the opposite result to the one intended by the work.”

WHAT A LOCAL PLANNING OFFICER NEEDS TO CONSIDER

When looking at solar farms there are many ‘**receptors**’ to consider. These receptors can include people or places; they could be visitors to a park and garden, someone walking the Cotswold Way or someone living near to the application site.

What is useful is detailed information regarding the affected receptor – **does it affect many historic buildings and places ?**

How **significant the impact of the proposed development would be on these buildings/places** and if so, how adverse?

If it is slight, then we can focus on proposed landscaping and other mitigation

If its moderate or significant then we need to be more rigorous in our assessment to see if the development would affect just one or many receptors.

Photographs from significant view points are very helpful.

In an historic setting as well as views into and out of the AONB, a view is a material planning consideration.

It is this kind of detailed information that we need as officers aren’t always as familiar with listed buildings and sites as we perhaps should be. This is when we need to rely on you to draw our attention to specific matters.

WHAT TO DO NEXT

- Identify historical and cultural assets which may be affected by the proposed development (sources EH, HER, local lists & map regression)
- Walk the site and familiarise yourself with the area
- Find out if there are any more solar applications planned in the locality
- Are there any public view points of the site?
- Are there any SSSIs nearby
- Traffic impact
- Will the site be lit at night?

WHAT TO DO NEXT

- Assess the significance of the assets and their settings
- Describe the assets identified in terms of their evidential, historical, aesthetic, and communal significance
- Evaluate the potential impact of the proposed development on the assets and their settings.

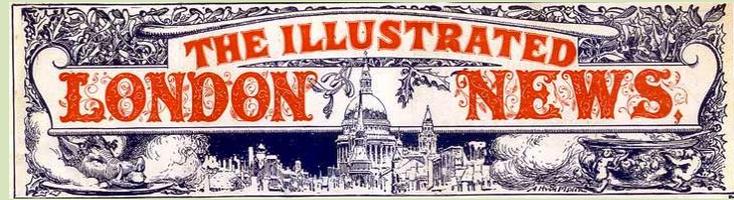
IMPACT EVALUATION

In this instance, it became clear that the chief impact was upon

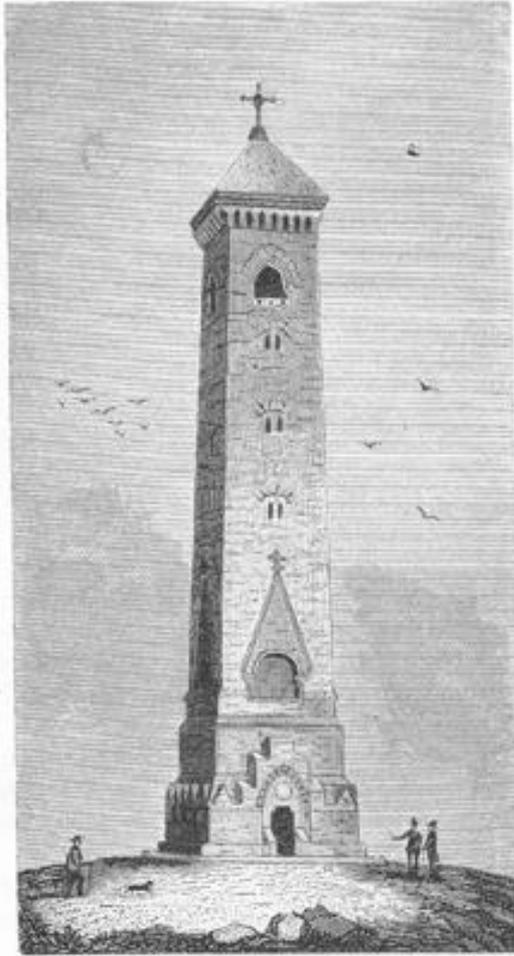
- Stancombe Park (Grade I)
- Cotswolds AONB
- Cotswold Way
- Tyndale Monument (Grade II*)

Other potential assets to be evaluated were :

- The Battle of Nibley Green
- The unexcavated Roman road



November 17th, 1866



MEMORIAL TO TYNDALE ON NIBLEY KNOLL.

“William Tyndale once resided at a house on Nibley Green, which is the scene of the fatal encounter, in 1469 (*actually 1470...*) between William, seventh Lord of Berkeley, and Thomas Talbot, Viscount Lisle, in which the latter was killed. The Lawsuit which lead to this ‘trial by battle’ was respecting some property claimed by both the above families, and which had been carried on with the utmost virulence, for nearly two centuries. **The monument to the memory of the dauntless champion of the cross will look down upon the arena of the combat between chivalrous but headstrong nobles.**”

LOCAL ACTION GROUP

Local residents clubbed together to form an action group.

Encouraged as many people to respond as possible. Once objections reach a certain amount (in this instance 11) the application is not decided by the Case Officer but goes to Committee instead.

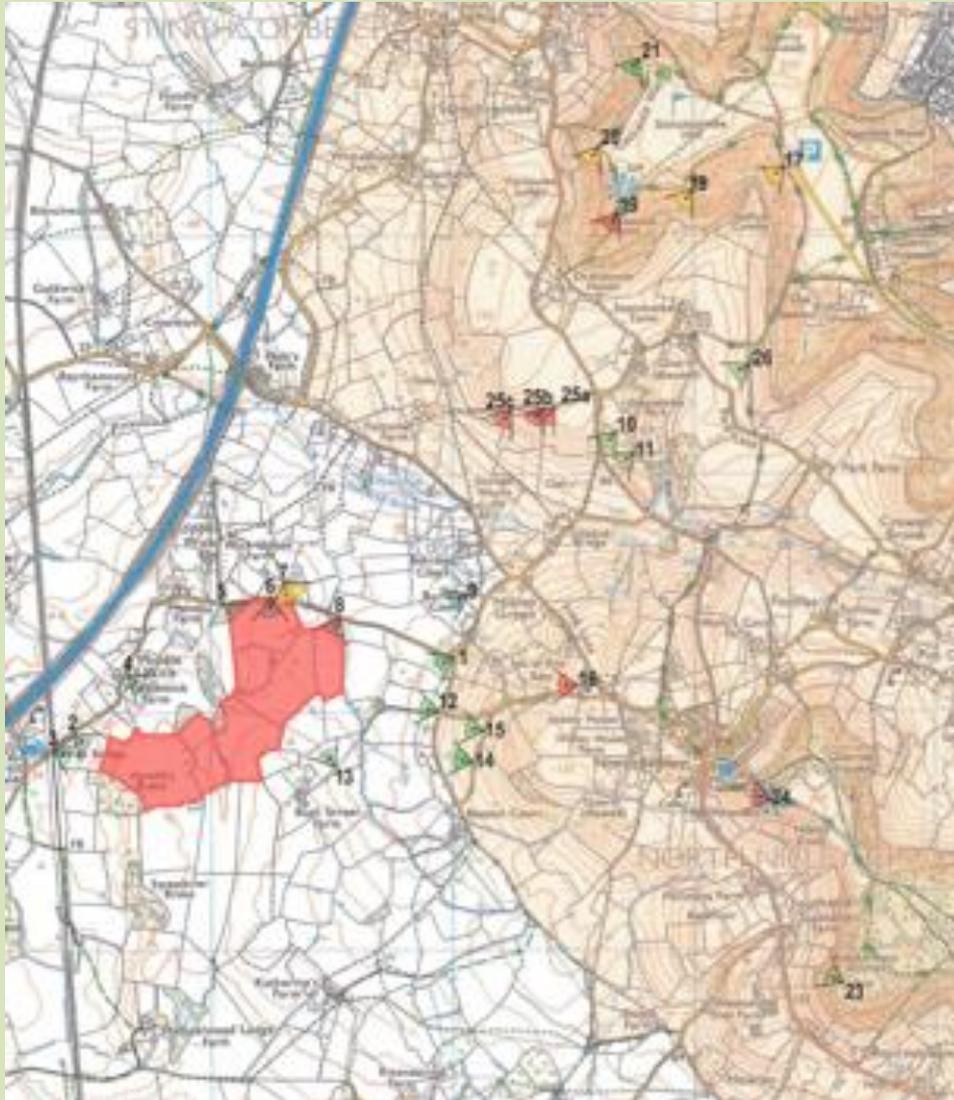
Decided not to be confrontational (ie. Not xxx AGAINST SOLAR etc)

Put together a website :

<http://www.cotswoldedgesolargroup.org.uk>

Raised approximately £10,000 amongst themselves (from a village of 500 people) to fund paying planning firm to represent them at the hearing

MAP SHOWING IMPACTED VIEWS



Appendix L1

LEGEND

-  Proposed Development Site
-  Cotswold Area of Outstanding Natural Beauty

Viewpoint Key:

-  View into site has moderate to low impact on the character of the area which would only be reinforced as the proposed landscaping is established.
-  View into site has moderate impact on the character of the area which will decrease to low once the landscaping scheme is established.
-  View into site has high impact on the character of the area which will decrease to moderate to low once the landscaping scheme is established.



Proposed Development Site



Hazel's Brake

Proposed Development Site

Field Cottage



HELPFUL INFORMATION TO ACCOMPANY PHOTOGRAPHS FOR PLANNING OFFICERS

- DESCRIPTION OF SITE
 - RELATIONSHIP TO PROPOSED DEVELOPMENT
 - IMPACT ON LANDSCAPE CHARACTER
 - VISUAL IMPACT (Sensitivity of Receptors)
 - MAGNITUDE OF IMPACT
(Sensitivity on Landscape/size/scale)
- EFFECT OF PROPOSED DEVELOPMENT
(High, Moderate, Low)

OTHER PROPOSED AND APPROVED SOLAR SITES IN VICINITY



LEGISLATION

NATIONAL PLANNING POLICY FRAMEWORK

PARA 17 failing to ‘conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations’

PARA 128 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. LPAs require developers to undertake a desk based study or field survey where a site has archaeological interest

PARA 129 LPAs should identify and assess significance of heritage assets (including setting) and take this into account when considering the impact of a proposal

LEGISLATION

NATIONAL PLANNING POLICY FRAMEWORK

PARA 135 – Balanced judgements should be made on the scale of the impact on the development on the significance of a non-designated heritage asset

PARAS 132, 133 & 134 “great weight” should be given to the conservation of designated heritage assets, and substantial harm or loss be “exceptional” or “wholly exceptional”. The benefits of the development that causes this harm must outweigh the harm or loss and sets out conditions that must be met for this. This is particularly useful to draw on when considering potentially damaging developments.

PARAS 128, 129, 132 & 137 all include the setting of heritage assets as part of the consideration of impact on significance

LEGISLATION

NATIONAL PLANNING POLICY FRAMEWORK

Planning Minister Nick Boles (oral statement, House of Commons 29.1.14)

“The policies in the national planning policy framework are clear that there is no excuse for putting solar farms in the wrong places. The framework is clear that applications for renewable energy development, such as **solar farms**, should be approved only if the impact including the impact on the landscape – the visual and the cumulative impact – is or can be made acceptable. That is a very high test.”

PARAS 109, 110 & 112 allocation for development being given to land of the least environmental/amenity value. This farmland is Grade 3 - of high value producing between 3-400 tons of wheat pa.

LOCAL PLANS

- Does the LA have a policy on renewable energy developments? If so are they for large or small scale applications?
- What is their position regarding the conservation and enhancement of the landscape/historic and cultural heritage
- Quote relevant paragraphs of their delivery policies
- Does the application meet the LA criteria?

GOVERNMENT SOLAR PV STRATEGY

PART I (October 2013)

- Support for solar PV should ensure proposals are **appropriately sited**
- Give proper weight to environmental considerations such as **landscape and visual impact, heritage and local amenity**
- Provide opportunities for local communities to influence decisions that affect them

GOVERNMENT SOLAR PV STRATEGY

PART 2 (4.4.14)

- PV2 places the emphasis on future solar developments but aims for : -
- “one million **roof** installations by the end of 2015. ... **There are an estimated 250,000 hectares of south facing commercial roofs in the UK.** With the obvious environmental benefits and financial advantages for any organisation installing solar PV it makes perfect sense to exploit this opportunity.”

OTHER HELPFUL TOOLS

PREVIOUS APPEAL DECISIONS

Hacheston in Suffolk An appeal lodged by Hive Energy Ltd against refusal of planning permission was dismissed by the Secretary of State, May 2014

<http://www.suffolkcoastal.gov.uk/assets/Documents/District/Planning-DM/Hacheston/Hacheston-Solar-Farm-Suffolk-2193911.pdf>

Para 103 : *“Greenfield agricultural land as an ‘inappropriate place’ for large-scale ground-mounted solar”*

Para 106 : *“application is completely out of step with national policy. ... large scale deployment on a greenfield site ... on a site where no mitigation can eliminate adverse visual impacts, in a protected landscape and in the setting of ... listed buildings ... is precisely the sort of proposal that *DCLG & DECC do not want permitted.”*

OTHER SOURCES OF HELP

Each application is different, but organisations such as these can be helpful :

CPRE (Campaign to Protect Rural England)

The Battlefields Trust

Cotswold AONB Conservation Trust

Natural England

English Heritage

Local parish councils

Local MP

AND FINALLY ?

- Applicants have generally spent many thousands of pounds on their proposal and if refused initially, are very likely to appeal. In this instance the hearing for the application is 13th October. Should they decide to appeal, the GHS will apply **for Rule 6 Status**.
- With “Rule 6 status” you will be considered to be a main party. You will be sent copies of the documents sent to us by the other main parties (eg. the applicant/appellant, the local planning authority and any other Rule 6 parties). You will be entitled to appear at the inquiry and to cross-examine other parties.