



# Planning Statement

Derril Water Solar Farm

01/03/2021



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## INTRODUCTION

### Background

- 1.1. This Planning Statement forms part of a Planning Application submitted to Torridge District Council (“the Council”) as Local Planning Authority (“LPA”), on behalf of Renewable Energy Systems (RES) Ltd (“the Applicant”), for a proposed 42MW solar farm and associated infrastructure (the “Proposed Development”) on lands circa 1.2km southwest of the village of Pyworthy, Devon (the “Application Site”); the approximate centre point of which can be found at Grid Reference E229936, N101914.

### The Applicant

- 1.2. Renewable Energy Systems (RES) Ltd have been at the forefront of the renewable energy industry for nearly 40 years and have delivered over 19GW of renewable energy projects across the globe.
- 1.3. RES Ltd, with assistance from Neo Environmental Limited, have developed a rigorous site selection process in order to ensure that only the best projects are developed, and such projects are able to be sensitively integrated into the wider landscape, encouraging the protection and enhancement of the environment.

### Pre-Application Discussions

- 1.4. A request for pre-application advice was made by Neo Environmental Ltd on behalf of the Applicant to Torridge District Council in September 2020. Following a detailed meeting with the assigned case officer Laura Davies, held on 22<sup>nd</sup> October 2020 via online video conferencing, a formal pre-application response was provided on the 10th November 2020. A copy of the written response is provided in **Appendix A**.
- 1.5. Addressing the principle of the Proposed Development, the pre-application response refers to the relevant policy context, namely the location of the Application Site in the open countryside and the support in such areas for sustainable development. Providing there are no unacceptable impacts, the LPA have stated that the principle of the development can be supported.
- 1.6. The pre-application response identified the various technical and environmental considerations which any forthcoming planning submission would need to address, including design, landscape and visual amenity, nature conservation, heritage, highway safety, the impact on Public Rights of Way and drainage. A list of the assessments that the LPA expect to see to address these considerations was also provided.



- 1.7. The comprehensive supporting information provided with this planning application (**Volume 2: Planning Application Drawings and Volume 3: Technical Appendices**) respond directly to the requirements set out by the LPA, as well as additional considerations.

### EIA Screening

- 1.8. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 require the submission of an Environmental Statement (ES) with applications for planning permission for "EIA development".
- 1.9. The 2017 Regulations differentiate two types of EIA development - Schedule 1 and Schedule 2. Schedule 1 development (and changes/extensions thereto) is EIA development and therefore requires an EIA. Schedule 2 development (and changes/extensions thereto) is only EIA development if - in the opinion of the LPA - it is likely to have significant effects on the environment by virtue of factors such as size, nature or location.
- 1.10. An EIA Screening Request was submitted to Torridge District Council by Neo Environmental Ltd on behalf of the Applicant on the 14<sup>th</sup> December 2020; it included a detailed consideration of the Proposed Development's environmental effects.
- 1.11. The Screening Direction from the Local Planning Authority (LPA) outlined that although the development would exceed the applicable threshold and criteria set out in part 3 (a) of Schedule 2 in column 2, it does not comprise EIA development when assessed against the criteria set out in Schedule 3, as it would not have the potential to have significant adverse effects on the environment within the meaning of the 2017 Regulations. The screening direction also notes that the Application Site is not located within a sensitive area and therefore, **an Environmental Statement is not required to be submitted**. Please see **Appendix B** for a copy of the Screening Direction issued by the LPA.

### Scope of Planning Statement and Associated Documents

- 1.12. The purpose of this Statement is to outline the Planning merit of the Proposed Development within a context of best practice guidance, legislation and National and Local Planning Policy and should be read in conjunction with the following documentation that accompanies the subject application:
- **Volume 1: Planning Statement**
    - Appendix A: Pre-application Written Response
    - Appendix B: EIA Screening Decision
  - **Volume 2: Planning Application Drawings**
    - Figure 1: Site Location Plan (Drawing no. NEO00738/0371/A)

- Figure 2: Site Location Map (Drawing no. NEO00738/008I/C)
- Figure 3: Field Numbers (Drawing no. NEO00738/007I/C)
- Figure 4: Indicative Infrastructure Layout A3 (Drawing no. NEO00738/036I/A)
- Figure 5: Indicative Infrastructure Layout A1 (Drawing no. NEO00738/017I/A)
- Figure 6: Access Track Detail (Drawing no. NEO00738/038I/A)
- Figure 7: Construction Compound Detail (Drawing no. NEO00738/039I/A)
- Figure 8: PV Module and Rack Detail (Drawing no. NEO00738/040I/A)
- Figure 9: Security Fence Detail (Drawing no. NEO00670/041I/B)
- Figure 10: CCTV (Drawing no. NEO00738/042I/A)
- Figure 11: Inverter Substation Detail (Drawing no. NEO00738/043I/A)
- Figure 12: Client / DNO Substation Detail (Drawing no. NEO00738/044I/A)
- Figure 13: Cumulative Map (NEO00738/0651/A)
- Figure 14: Acoustic Fence (04139-RES-SEC-DR-PE-001)

### **Volume 3: Technical Appraisals**

- TA 1: Landscape and Visual Assessment (LVA)
- TA 2: Ecological Impact Assessment (EclA)
- TA 3: Cultural Heritage Impact Assessment (CHIA)
- TA 4: Flood Risk Assessment and Drainage Impact Assessment (FRA/DIA)
- TA 5: Construction Traffic Management Plan (CTMP)
- TA 6: Noise Impact Assessment (NIA)
- TA 7: Glint and Glare Assessment
- TA 8: Outline Construction Environmental Management Plan (OCEMP)
- TA 9: Agricultural Land Classification (ALC)
- TA 10: Tree Survey Report
- TA 11: Preliminary Risk Assessment (PRA)

## SITE AND SURROUNDING CONTEXT

- 1.13. The Application Site is located in a rural setting, on lands circa 1.2km southwest of the village of Pyworthy and c. 1.8km southeast of Bridgerule in Torridge, Devon; the approximate centre point of which is Grid Reference E229936, N101914. Comprising 28 agricultural fields, the Application Site measures 66.33 hectares (ha) in total. See **Figure 1 of Volume 2: Planning Application Drawings** for details.
- 1.14. Land within the Application Site itself is gently undulating, ranging between 95 - 125m AOD and consists of fields typically of medium scale and generally well enclosed by a mixture of dense treelines, hedgerows and woodland shelter belt, limiting visibility for local settlements and receptors (See **Figure 3 of Volume 2: Planning Application Drawings** for field numbers).
- 1.15. The fields primarily consist of arable, semi-improved grassland. Small areas of wet woodland were recorded within and in close proximity to the Application Site, predominantly along the banks of the Derril Water as well as some of its tributaries and a large linear broadleaved plantation was recorded along the Derril Water in the southern part of the Application Site.
- 1.16. There are various overhead lines (OHL) dissecting the Application Site, including two which run through the northeastern fields (16, 19, 20, 21 and 24) in a general north to south direction and one which runs through fields 24, 25, 26, 27 and 28 in a northeast to southwest direction. Additionally, an OHL passes through fields 8 and 9 in an east to west direction and another through field 5 in a north to south direction.
- 1.17. While there are a number of drains and water courses throughout the Application Site, it is mostly contained within Flood Zone 1, an area described as having a “*Low probability*” of flooding. The exception to this is a small part of the Application Site within Flood Zone 2 and 3, towards the eastern boundary of Field 16. These areas have been avoided within the Proposed Development footprint.
- 1.18. Additionally, the Application Site does not lie within or directly adjacent to any designated environmental, landscape or archaeological sites. However, the locally designated Cornwall Council Area of Great Landscape Value (AGLV), Upper Tamar is located c. 1.2km to the south of the Proposed Development. Other Cornwall AGLVs in closest proximity includes the Gooseham to Launcells AGLV, located c. 2.2km to the northeast and the Week St Mary AGLV, located within c. 2.5km to the southwest.
- 1.19. The Application Site will be accessed from four existing entrance points on the unnamed minor road which splits the site into northern and southern parcels. From the western boundary of the site, the road runs in a southwestern direction for c. 0.5km before turning in a general east-northeast direction through the eastern section of the Application Site. Other transport routes include the B3254, c. 2.4km to the west, and the A3072, c. 2.6km to the north. A network of minor roads also provide access to a number of individual properties and farmsteads nearby.



- 1.20. Land surrounding the Application Site is generally agricultural in nature, punctuated by individual properties and farmsteads, with the nearest residential areas of Hopworthy and Yeomadon located 0.7km northeast and southeast respectively. The village of Bridgerule is located c. 1.8km northwest of the Application Site.
- 1.21. Recreational Routes include two Public Rights of Way (PRoW); one which passes the southeastern boundary of the Application Site (linking Crinacott Farm and Northmoor Farm, both outside the Application Site) and another which passes east of the adjacent substation.
- 1.22. The Application Site is in an area with existing electricity infrastructure, with a solar farm present c. 0.3km southeast and another c. 1.2km to the southwest. Additionally, the electrical Pyworthy Substation is located c. 75m from the Northern Parcel's eastern boundary, adjacent to Field 16, where the Proposed Development will connect (See **Figure 3 of Volume 2: Planning Application Drawings**).
- 1.23. The nearest properties consist of isolated houses and farms, including:
- Monks Farm, 0.15km east of Fields 10 and 0.09km west of Field 15;
  - New Park, directly north of Field 18, across the unnamed minor road which splits the site;
  - Trelana, 0.13km west of Field 18 and 0.06km west of Field 6;
  - Westlake Cottage, 0.01km east of Field 2; and
  - Bounds Farm, 70m west of Field 9.
- 1.24. It should be noted that Monks Farm, New Park, Trelana and Westlake Cottage all fall within the landowner boundary and are involved in the project.
- 1.25. A more detailed description of the site and its surroundings is included in the Landscape and Visual Appraisal in **Technical Appendix 1: Volume 3**.

## Planning History

- 1.26. This Section of the Planning Statement provides a summary of the relevant planning history both within the Application Site and the immediate surrounding area. While there is no specifically relevant history related to the Application Site, it is noted that various development proposals have been approved at Monks Farm (within the landowner boundary of the Proposed Development) for agricultural buildings and the conversion of barns to holiday accommodation.
- 1.27. The following table shows the relevant planning history associated with the Application Site and the surrounding area:

**Table 1: Planning History and relevant developments.**

Planning Reference	Address	Development Description	Decision	Location
N/A	N/A	Pyworthy Substation	Permitted (operational)	0.08km east of Field 18
N/A	N/A	Overhead lines (275kV)	Permitted (operational)	Passes through Field 20
1/1318/2007/FUL	Crinacott Farm Pyworthy Holsworthy EX22 6LJ	Erection of single vertical axis wind turbine (12 metres high)	Permitted (operational)	0.3km southeast of Field 20
1/0883/2012/FULM	Crinacott Farm Pyworthy Holsworthy Devon EX22 6LJ	Proposed PV solar farm with associated infrastructure	Permitted (operational)	0.3km southeast of Field 20
1/0333/2013/FUL	Crinacott Farm Pyworthy Holsworthy Devon EX22 6LJ	Retrospective application for underground grid connection cable for photovoltaic solar farm		
1/0753/2015	Land West of Parsonage Farm	Crinacott extension		
1/1062/2015/FUL	Land to South West of Pyworthy Devon (associated with Crinacott Farm)	Installation of an underground cable to connect Parsonage Wood solar farm to the Northmoor Whitstone substation		
1/0035/2011/FULM	Land at Bradford Manor Farm Pyworthy Devon	Proposed Solar Voltaic Park and associated buildings	Permitted (operational)	1.2km southwest of Field 2
1/0978/2012/FULM	Derriton Fields Farm Derriton Devon	Installation of a solar farm and associated infrastructure - 14.8ha 11.2MW	Permitted (operational)	2.7km east of Field 16

1/0904/2013/FUL	Pyworthy Substation to Broadshell Cross / Road from Bounds Cross to Broadshell Cross	3-Underground electricity cable in connection with solar farm at Derriton Fields	Permitted (operational)	
1/0833/2012/FULM	Pitworthy Farm Pancrasweek Holsworthy Devon EX22 7JT	Proposed PV solar farm with associated infrastructure (44.2ha (109acres) 15-18MW)	Permitted (operational)	2.2km north-northwest of Field 12
1/0781/2013/FUL	Pitworthy Farm Pancrasweek Holsworthy Devon EX22 7JT	Installation of 5 Kilometres of underground electrical cable to serve Pitworthy solar park	Permitted (operational)	
1/0218/2011/FULM	Great Knowle Farm Solar	Proposed PV solar farm	Permitted (operational)	2.7km northeast of Field 16
1/1131/2020/FULM (Extension to operational life)				
1/0766/2013/FUL	Tatson Farm	Wind Turbine (45m blade tip)	Permitted (operational)	1.1km northwest of Field 10
1/0657/2013/FUL	East Balsdon Farm	Wind Turbine (77m blade tip)	Operational	1.3km southwest of Field 1
PA13/05242	Hollafrench Farm (Cornwall Council)	Wind Turbine (37m blade tip)	Operational	2.5km southeast of Field 27
PA14/07283	Haydon Farm (Cornwall Council)	Wind Turbine (37m m blade tip)	Operational	3.km southwest of Field 1
<b>Consented</b>				
1/1107/2008/FUL	Yeomadon Farm	Wind Turbine (9m blade tip)	Consented	1km southeast of Field 27
1/0502/2015/FULM	Holladon Farm	Wind Turbine (57m blade tip)	Consented	1.7km north of Field 15



## THE PROPOSED DEVELOPMENT

- 1.28. This Planning Application seeks full planning permission for the development of a 42MW solar farm and all associated ancillary infrastructure.
- 1.29. The Proposed Development will consist of the construction of PV panels mounted on metal frames, new access tracks, underground cabling, perimeter fencing with CCTV cameras and access gates, 2 no. temporary construction compounds and all ancillary grid infrastructure and associated works.
- 1.30. The solar panels and main infrastructure will occupy 28 agricultural fields. Please see **Figure 3 of Volume 3: Planning Application Drawings** for field numbers and **Figures 4 and 5 of Volume 3** for the infrastructure layout.
- 1.31. The Application Site will be accessed from four existing entrance points on the unnamed minor road which splits the site into northern and southern parcels. From the western boundary of the site, the road runs in a southwestern direction for c. 0.5km before turning in a general east - northeast direction through the eastern section of the Application Site (see **Figure 4 of Volume 2: Planning Application Drawings**).
- 1.32. The Proposed Development can be summarised as follows:
- 2,920 module racks; 75,920 modules: 29,200 pile-driven poles at c. 0.008m<sup>2</sup> footprint each: **233.6m<sup>2</sup>**
  - 1 x Grid Substation, including hardstanding: (25m(L) x 24.1m(W)= **602.5m<sup>2</sup>**)
  - 14 x Inverter Substations (including transformer cabinet): 16.0m(L) x 6.0m(W) x 14 = **1,344m<sup>2</sup>**
  - 12 x Inverter Substation Hardstanding Areas: 16.0m(L) x 16.0m(W) x 12 = **3,072m<sup>2</sup>**
  - 8.7km of deer fencing with 2,884 posts at 3m spacing, c. 0.03m<sup>2</sup> footprint each: **86.52m<sup>2</sup>**. Fence is 2.4m high with a 0.1m gap at the bottom.
  - 85 CCTV posts at c. 0.64m<sup>2</sup> footprint each: **54.4m<sup>2</sup>**
  - Total road length of 3.1km (2km of new access track and 1.1km of existing access track). Roads are c. 4m wide: 12,400m<sup>2</sup> in total (4,400m<sup>2</sup> of which is upgraded; and **8000m<sup>2</sup>** of greenfield)
  - Buried cables running from the solar farm to the substation. These cable runs will also contain communications cabling for the SCADA control and monitoring system which will

consist of multicore copper or fibre optic cables. All on-site cabling will be located underground. Cable trenches will be excavated to 1m deep and up to 1m wide, approximately 5,000m length and estimated at **5,000m<sup>2</sup>** during construction and backfilled to prevent any visibility.

- 2 temporary construction compounds at c. 50m x 60m: **6,000m<sup>2</sup>**
- Structural landscape planting and ecological enhancement measures (See **Figure 1.14 of Technical Appendix 1 (LVA) within Volume 3: Technical Appendices**).

1.33. As such, the overall proposed footprint constitutes a relatively small percentage of the total area of the Application Site (66.33ha):

- 24,072.9m<sup>2</sup> for infrastructure (c. 3.63% of the Application Site area); and
- 320.12m<sup>2</sup> for piling (c. 0.05% of the Application Site area).

1.34. The total ground disturbance area resulting from the Proposed Development is therefore **24,393.02m<sup>2</sup>** or c. **3.68%** of the Application Site area.

1.35. The proposed design is based on informed assumptions of the most likely option for the solar panels and their positioning, however, as with all technology, solar PV is continually advancing and becoming more efficient and whilst various infrastructure components are described in this application, it is proposed that the most efficient infrastructural specifications available at the time of construction will be used. These may vary slightly from the indicative details described in this report, but this is not expected to result in a significant departure from the details specified.

1.36. In devising the proposed design and layout, RES Ltd has employed specialist consultants to review their operational requirements and advise on any resulting environmental effects and/or necessary mitigation measures. On this basis, and as this Statement and the associated Technical Appendices will confirm, the proposed layout and design is considered to strike an optimum balance between energy production from renewable resources and all environmental and technical consideration.

## DETAILED DEVELOPMENT DESCRIPTION

- 1.37. This Section provides a detailed breakdown and description of the design and layout details identified within the preceding section of this Planning Statement.

### Module array and racking system

- 1.38. The panels will be mounted onto metal frames arranged in rows running east to west and fixed to pile driven galvanised steel posts. These will facilitate an angle between 10 and 40 degrees from the horizontal, with a proposed a maximum height of up to 2.8m to the top of panel frame on level ground, including at least 0.6m of ground clearance to enable maintenance access below the PV modules.
- 1.39. Please refer to **Figure 8** which is included within **Volume 2: Planning Application Drawings** for further details.

### Inverter Substation

- 1.40. The design includes 14 no. inverters, including transformer cabinets, within self-contained weatherproof units. Each unit measures 16.0m(L) x 6.0m(W) x 14 = 1,344m<sup>2</sup> and will be built upon hardstanding areas. The inverters will convert the Direct Current (DC) to Alternating Current (AC). Please refer to **Figure 11** which is included within **Volume 2: Planning Application Drawings** for further details.
- 1.41. Acoustic barriers, 2.6m in height, will be installed at the three inverter substations closest to receptor H7 (See **Technical Appendix 6 of Volume 1**). Please refer to **Figure 14 of Volume 2: Planning Application Drawings** for details of the acoustic barrier.

### CCTV and infra-red lighting

- 1.42. The design includes a CCTV security system incorporating 85 No. cameras and infrared lighting supported on 3.5m high galvanised steel posts with anti-climb guard positioned at intervals around the security fence line. Please refer to **Figure 10** which is included within **Volume 2: Planning Application Drawings** for further details.

### Security Fence

- 1.43. The design includes the provision of secure fencing running around the perimeter of the Proposed Development and set back 5m from existing field boundaries. The fence will consist of timber posts and deer fencing measuring to 2.4m in height with a 0.1m gap at the bottom. The fence will measure 8.7km in length, with 2,884 posts in total. The fence will be erected at the start of the construction programme, remaining in place for the duration of the operation

until decommissioning of the Proposed Development. Please refer to **Figure 9** which is included within **Volume 2: Planning Application Drawings** for further details.

## Temporary Construction Compounds

- 1.44. The design includes 2 No. temporary construction compounds which will be required during the construction phase of the Proposed Development. These measure at 50m(L) by 60m(W). The total area comprises 6,000m<sup>2</sup>.
- 1.45. The compounds will contain the following:
- Temporary site facilities (Port-a-Cabin type) to be used for site office and welfare facilities, including welfare facilities with provision for sealed waste storage and removal;
  - Container storage unit(s) for tools and equipment storage;
  - Container storage unit(s) for components and materials;
  - Refuelling compound for construction vehicles and machinery;
  - Chemical toilets;
  - Adequate parking area for cars, construction vehicles and machinery;
  - Designated skips for construction waste; and
  - Wheel washing facility.
- 1.46. Please refer to **Figure 7** which is included within **Volume 2: Planning Application Drawings** for further details.

## Client / DNO Substations

- 1.47. The design includes 1No. substation that will house switchgear and metering equipment. Measuring 25m(L) x 24.1m(W) = 602.5m<sup>2</sup>, the substation will be built upon a concrete foundation. Please refer to **Figure 12** which is included within **Volume 2: Planning Application Drawings** for further details.

## Cabling

- 1.48. Cable works will be required to run from the PV Module array and CCTV to the inverter and grid substations / transformers. These cable runs will also contain communications cabling for the SCADA control and monitoring system which will consist of multicore copper or fibre optic

cables. All on-site cabling will be located underground. Cable trenches will be excavated to 1m deep x 1m wide, running approximately 5km in length, during construction and backfilled to prevent any visibility.

## Access Track and Hardstanding

- 1.49. Access to the Application Site will be gained from four existing entrances off the unnamed road which splits the site into a northern and southern parcel and runs in a southwestern direction for c. 0.5km before turning in a general east - northeast direction through the eastern section of the Application Site.
- 1.50. Additional and upgraded access tracks will be constructed to allow access for the construction, operation, maintenance and decommissioning of the solar panels and associated infrastructure. The tracks will measure 4m wide and extend a length of c. 3.1km. However, this width will increase at bends.
- 1.51. 1.1km of these tracks will just be upgraded, however all new tracks will be unpaved and constructed from local stone. Geosynthetic reinforcement or soil stabilisation may be used to reduce the depth of track construction. The surface will be a compacted granular material (crushed rock) up to an approximate thickness of 0.3m, dependent on the ground conditions and ensuring adequate surface water run off rates.
- 1.52. The Proposed Development incorporates a number of hardstanding areas for craning and offloading / placing component parts. These too will consist of a permeable surface of compacted stone of variable thickness up to typically 0.3m to 0.5m ensuring adequate surface water run off rates.
- 1.53. The access tracks will be left in situ after completion of the construction period, as they will provide:
- Access for the Proposed Development maintenance and repair works;
  - Access for the Landowner; and
  - Access for decommissioning of the Proposed Development.
- 1.54. Once the Proposed Development is decommissioned, unless required by the landowner and agreed with the Council, all new surfaces will be removed.
- 1.55. Please refer to **Figure 6** which is included within **Volume 2: Planning Application Drawings** for further details.



## CONSTRUCTION, OPERATION AND DECOMMISSIONING

1.56. This Section will provide a brief summary on the construction, operational and decommissioning process associated with the Proposed Development.

### Construction

1.57. The construction of the proposed solar PV farm will typically take in the region of c. 6 months.

1.58. A typical running order of the proposed works is as follows:

- Erection of security fencing;
- Construction of access tracks, temporary site compounds and hardstanding;
- Delivery of components and materials;
- Installation of racks and panels;
- Cable works and grid connection;
- Removal of temporary construction compounds; and
- Reinstatement works and demobilisation from site.

1.59. Please note, however, that many of these tasks will take place concurrently in order to limit the construction phase as far as is reasonably possible.

1.60. During the anticipated six-month construction period, a total of 783 HGV deliveries will be made to the Application Site. During the peak construction period there will be an approximate maximum of 20 daily HGV deliveries.

### Operation

1.61. Solar PV developments collect and convert solar radiation directly into electricity. The panels will be cleaned periodically throughout the year to ensure optimal performance and, whilst the panels are most effective on clear days, energy will still be generated on cloudy days. The equipment will be remotely monitored to ensure the development is working as expected and routine maintenance visits will take place twice a year with approximately 10-15 light goods vehicles expected.

1.62. During operation, small livestock may continue to graze the site beneath and between arrays, thereby retaining agricultural activity while introducing new economic activity to the area.

## Decommissioning

- 1.63. The philosophy is that the site can be returned to its former state at the expiry of the Proposed Developments lifespan. All elements of the Proposed Development will be completely removed and either recycled or reused. It is expected that the decommissioning process should be similar to that of the construction phase and an allowance of 1 year is suggested to cater for any unforeseen delays that could be experienced.
- 1.64. The number of HGVs required for the decommissioning period will be slightly higher than the construction phase due to the materials not being as neatly packed as when shipped from factory conditions. Whilst the construction phase had a total of approximately 1,566 movements, the decommissioning phase will have a total of circa 1,722 movements (estimate includes a 10% increase on the construction stage). This increase is not considered to be significant. See **Technical Appendix 5: Construction Traffic Management Plan (CTMP) of Volume 3** for further details.

## PLANNING LEGISLATION, POLICY AND GUIDANCE

1.65. This Section of the Statement will outline the key Planning Legislation, Policy and Guidance that are considered relevant to the subject development. Those are:

- North Devon and Torridge Local Plan 2011 - 2031<sup>1</sup>
- National Planning Policy Framework (NPPF; 2019)<sup>2</sup>
- National Planning Practice Guidance (PPG) (2014)<sup>3</sup>
- Climate Change Act 2008<sup>4</sup>
- Clean Growth Strategy (2017)<sup>5</sup>
- Overarching National Policy Statement for Energy EN-1 (DECC, July 2011)
- Single Department Plan
- The Sixth Carbon Budget

1.66. The aim of this section is to determine the land use implications of the Proposed Development, consider its compliance with the relevant planning legislation, policy and guidance and identify other material considerations to be taken into account during the determination process.

### Legislative Background

1.67. The Town and Country Planning Act 1990 Section 70(2) states that,

*“In dealing with such an application the authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.”*

1.68. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. A judgement then must

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<sup>1</sup> [North Devon and Torridge Local Plan - Adopted October 2018 \(Reduced\) \(1\).pdf](#)

<sup>3</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/2008/27/contents>

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/700496/clean-growth-strategy-correction-april-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700496/clean-growth-strategy-correction-april-2018.pdf)

be made on the extent to which a proposal conflicts with the Development Plan and whether any such conflicts are outweighed by other material considerations.

- 1.69. This section identifies the key relevant planning matters contained within the Development Plan and other material planning considerations pertinent to the determination of the planning application.

## Local Development Plan

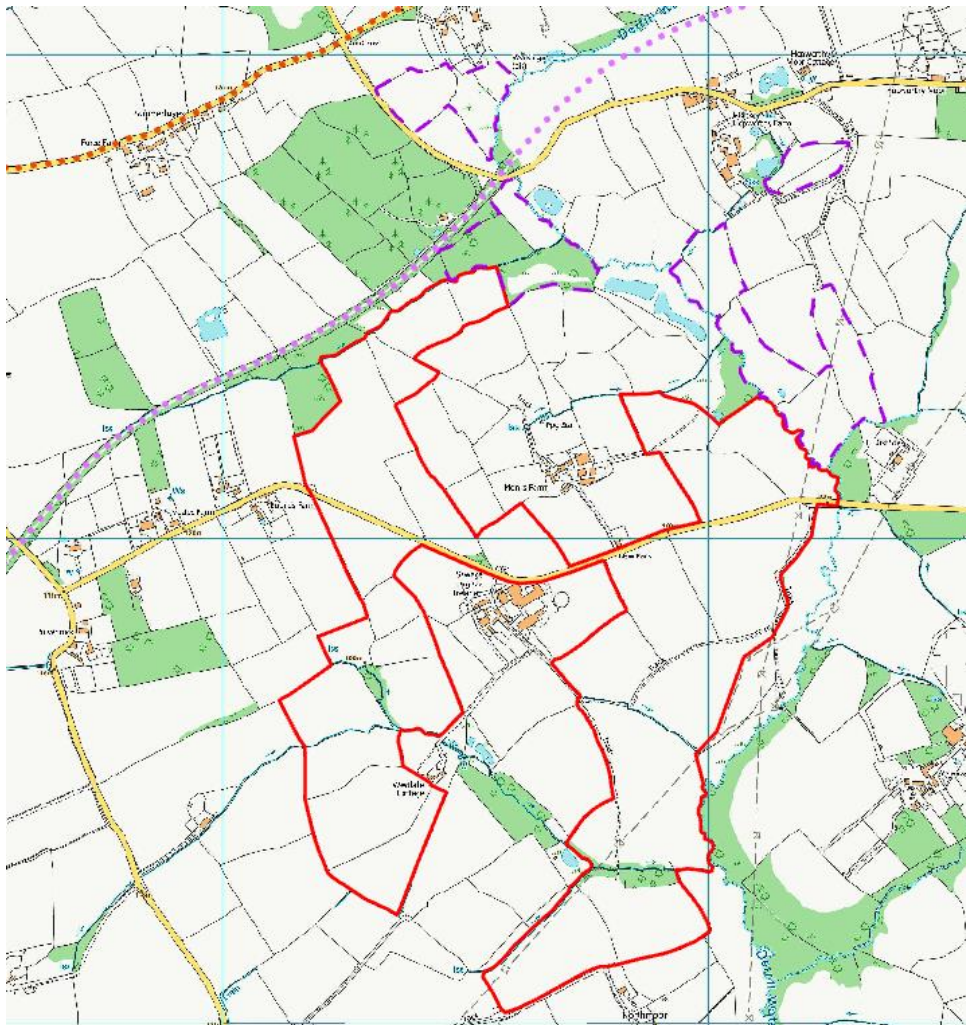
### North Devon and Torrington Local Plan

- 1.70. The relevant Development Plan for the area comprises the North Devon and Torrington Local Plan 2011 - 2031, adopted in October 2018.
- 1.71. A review of Torrington District Council's adopted policies map<sup>6</sup> below demonstrates that the Application Site is located outside of a defined settlement, being in the open countryside in planning terms, and that none of the land is allocated for development. However, the Application Site does border two County Wildlife Sites (ST14; purple dashed lines) and a footpath / cycle route is proposed just north of the site (red dotted line).

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<sup>6</sup> [Cadcorp SIS WebMap 9 \(torrington.gov.uk\)](http://cadcorp.sis.webmap9.torrington.gov.uk)

Figure 1: Map from the Adopted North Devon and Torridge Interactive Policies Map with the Application Site boundary applied.



1.72. The following policies are considered relevant to the proposal:

- Policy ST01: Principles of Sustainable Development;
- Policy ST02: Mitigating Climate Change;
- Policy ST03: Adapting to Climate Change and Strengthening Resilience;
- Policy ST04: Improving the Quality of Development;
- Policy ST10: Transport Strategy
- Policy ST14: Enhancing Environmental Assets;
- Policy ST15: Conserving Heritage Assets;
- Policy ST16: Delivering Renewable Energy and Heat;

- Policy DM01: Amenity Considerations;
- Policy DM05: Highways;
- Policy DM07: Historic Environment;
- Policy DM08: Biodiversity and Geodiversity;
- Policy DM08A: Landscape and Seascape Character;
- Policy DM09: Safeguarding Green Infrastructure; and
- Policy DM14: Rural Economy

### Policy ST01: Principles of Sustainable Development

1.73. Policy ST01 refers to a presumption in favour of sustainable development and states that;

*“When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. The Councils will always work proactively with applicants and local communities to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”*

1.74. The policy also states *“Planning applications that accord with the policies in this Local Plan (and where relevant with policies in Neighbourhood Plans) will be approved unless material considerations indicate otherwise.”*

1.75. By generating electricity through renewable resources, the Proposed Development has strong support at a national and local level. In May 2019, the Central Government declared a Climate and Environment Emergency and the Committee on Climate Change (CCC) advised that to meet net zero carbon emissions by 2050, as committed to by the government, the UK will require substantial amounts of new, low carbon power sources to be constructed before 2050; up to four times that of today’s levels.

1.76. The Proposed Development will also provide economic benefits to the Torridge District in the form of direct impacts relating to the use of local contractors and materials where possible and indirect effects, where specialist contractors from outside of the local area are working on the Proposed Development and make use of local businesses.

1.77. The Proposed Development is therefore socially, environmentally and economically beneficial and is **consistent with Policy ST01**.

**Policy ST02: Mitigating Climate Change**

1.78. Policy ST02 is of direct relevance to the development of a solar farm at this location. Policy ST02 states:

*“Development will be expected to make a positive contribution towards the social, economic and environmental sustainability of northern Devon and its communities while minimising its environmental footprint by:*

*(a) reducing greenhouse gas emissions by locating development appropriately and achieving high standards of design;*

*.....*

*(d) promoting opportunities for renewable and low-carbon energy generation whilst conserving and enhancing the natural and built environment.....”*

1.79. The Proposed Development is **in line with Policy S2** in that it will contribute to a reduction in greenhouse gas emissions. A solar farm of 42MW has the capacity to generate substantial amounts of renewable energy and result in a significant reduction in CO<sub>2</sub> emissions annually.

**Policy ST03: Adapting to Climate Change and Strengthening Resilience**

1.80. Policy S4 states *“Development should be designed and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land, infrastructure and property by:*

*(a) locating and designing development to minimise flood risk through:*

*(i) avoiding the development of land for vulnerable uses which is or will be at risk from flooding, and*

*(ii) managing and reducing flood risk for development where that has wider sustainability or regeneration benefits to the community, or where there is no reasonable alternative site;*

*.....*

*(f) adopting effective water management including Sustainable Drainage Systems, water quality improvements, water efficiency measures and the use of rainwater;*

*(g) ensuring development is resilient to the impacts of climate change through making effective use of renewable resources, passive heating and cooling, natural light and ventilation;*

*(h) ensuring risks from potential climate change hazards, including pollutants (of air and land) are minimised to protect and promote healthy and safe environments;*

*(i) conserving and enhancing landscapes and networks of habitats, including cross-boundary green infrastructure links, strengthening the resilience of biodiversity to climate change by facilitating migration of wildlife between habitats and improving their connectivity”*

- 1.81. The Application Site is predominantly located within Flood Zone 1, an area described as “*Low probability*” of flooding. However, there is a small section of Flood Zone 2 and 3 towards the eastern boundary of Field 16. A Flood Risk Assessment (FRA) has been undertaken as part of the Proposed Development which follows technical guidance contained within the NPPF and a SuDS scheme has been designed for the Application Site. This involves a series of filter drains / infiltration trenches and swales across the Application Site in order to maintain greenfield run off rates as well as reducing the risks of soil erosion and limiting any impacts on downstream receiving watercourses or agricultural land. The proposed scheme not only adequately mitigates the increase in flow rates as a result of the minor increase in impermeable area, but provides improvement. This detail is contained within the Drainage Impact Assessment (DIA) within **Technical Appendix 4 of Volume 3**.
- 1.82. The FRA (**Technical Appendix 4 of Volume 3**) also considers groundwater flooding and notes that the Application Site is within an area which has less than a 25% chance of groundwater flooding. Contamination of groundwater is a potential risk during the construction phase of any development. These impacts will be managed and outlined within the Construction and Traffic Management Plan (CTMP): **Technical Appendix 5 of Volume 3** and the Outline Construction Environmental Management Plan (OCEMP): **Technical Appendix 8 of Volume 2** and as a result, the groundwater vulnerability is presumed to be low.
- 1.83. In order to conserve and enhance landscapes and networks of habitats, a Landscape and Ecology Management Plan (LEMP) and a Biodiversity Management Plan (BMP) have been produced as part of the planning application. With the implementation of the measures specified in these documents, it is predicted that the Proposed Development will result in a net gain for biodiversity and strengthen local green infrastructure, aligning with the stipulations of Policy ST03. Please refer to **Figure 1.14 of Technical Appendix 1 for the LEMP and Appendix 2.3 of Technical Appendix 2: Volume 3 for the BMP**.

#### **Policy ST04: Improving the Quality of Development**

- 1.84. Policy ST04 states;

*“Development will achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in policy DM04”*

- 1.85. The Proposed Development aligns with Policy ST04 because it has been sited and designed to integrate into the surrounding area sensitively, respecting the intrinsic character of its surroundings. As mentioned previously, the immediate landscape is already influenced by





electricity infrastructure, including Pyworthy substation adjacent to the eastern boundary of the Application Site and Crinacott Solar Farm, located to the southeast. The potential visibility of the Proposed Development was found to be limited to local receptors due to the low heights of the various proposed structures, and presence of existing vegetation across the landscape of the study area.

- 1.86. A detailed Landscape and Visual Assessment (LVA) has been undertaken as part of the assessment of the Proposed Development and its findings are discussed in more detail within the **Planning Assessment** section of this Planning Statement, however, please refer to **Technical Appendix 1 of Volume 3** for the full report and associated appendices.

### Policy ST10: Transport Strategy

- 1.87. Policy ST10 states

*“Reduce the environmental and social impacts of transport by:*

*(a) reducing the need to travel by car and enabling alternative sustainable travel options as supported by the Local Transport Plan;*

*(b) improving transport connectivity between rural communities and the main towns where viable;*

*(c) requiring a Transport Assessment or a Transport Statement and a Travel Plan for developments that generate significant traffic movements;*

*(d) actively managing car parking provision through type, capacity and charging to influence demand patterns;*

*(e) developing traffic management schemes in the main towns;*

*(f) maximising safety on transport networks through improvements to physical infrastructure design whilst conserving historic environment assets;*

*(g) ensuring that access to new development is safe and appropriate; and*

*(h) protecting the landscape character and ecological interest along the main and minor route(s).”*

- 1.88. A Construction Traffic Management Plan (CTMP) has been produced as part of the planning application and can be found in **Technical Appendix 5 of Volume 3**. The CTMP adheres to the above policy by ensuring that access to the Proposed Development takes the safest and most appropriate route and providing a framework for managing the movement of traffic to and

from the Application Site in order to minimise the impact on the local road network during the construction period of the Proposed Development.

### Policy ST14: Enhancing Environmental Assets

1.89. Policy ST14 notes *“The quality of northern Devon’s natural environment will be protected and enhanced by ensuring that development contributes to:*

*(a) providing a net gain in northern Devon’s biodiversity where possible, through positive management of an enhanced and expanded network of designated sites and green infrastructure, including retention and enhancement of critical environmental capital;*

*(b) protecting the hierarchy of designated sites in accordance with their status;*

*(c) conserving European protected species and the habitats on which they depend;*

*(d) conserving northern Devon’s geodiversity and its best and most versatile agricultural land”*

1.90. An Agricultural Land Classification (ALC) Assessment has been prepared to accompany this planning application (See **Technical Appendix 9 of Volume 3**). The ALC assessment confirms the land within the Application Site is predominantly grade 3b and 4 (55.1%) which is not considered best and most versatile agricultural land and aligns with Policy ST14. 4% of the land was classed as non-agricultural and 39.8% is classified as 3a, however due to the temporary and entirely reversible nature of the Proposed Development and its very small ground level development footprint (<4%), this is not considered to be a significant issue in the way of development. This will be discussed further in the Planning Assessment section of this Statement.

### Policy DM08: Biodiversity and Geodiversity

1.91. In the same principle as ST14, Policy DM08 states

1.92. *“Development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and district-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance.”*

1.93. It then discusses the importance of protecting and enhancing European sites, national sites, local sites such as County Wildlife Sites, protected species and habitats and ancient woodland and veteran trees. It concludes *“Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in biodiversity features and enhancements and opportunities for geological conservation alongside new development.*

*Where adverse impacts are unavoidable they must be adequately and proportionately mitigated, If full mitigation cannot be provided, compensation will be required as a last resort.”*

- 1.94. As previously mentioned, an extended Phase 1 Habitat Survey with protected species scoping was carried out in October 2020; this concluded that the current site is considered to be of low intrinsic ecological value in terms of habitats and that the introduction of the Proposed Development is unlikely to have significant effects on local habitats and wildlife (See **Appendix 2.1 of Technical Appendix 2: Volume 3** for further detail).
- 1.95. Additionally, a full Ecological Impact Assessment (EclA) was undertaken that includes suitable mitigation and enhancement measures to ensure that the Proposed Development will not significantly impact upon any ecological features. This is discussed further within Planning Assessment section below and the full report within **Technical Appendix 2: Volume 3**.
- 1.96. Furthermore, a net gain assessment in the form of a DEFRA biodiversity metric assessment, as requested within the pre-application response from the LPA, has been produced and concludes that the Proposed Development will provide a significant biodiversity net gain (See **Appendix 2.4 of Technical Appendix 2: EclA in Volume 3**).

#### **Policy ST15: Conserving Heritage Assets**

- 1.97. In terms of cultural heritage, Policy ST15 states;
- 1.98. *“Great weight will be given to the desirability of preserving and enhancing northern Devon's historic environment by:*
- (a) conserving the historic dimension of the landscape;*
  - (b) conserving cultural, built, historic and archaeological features of national and local importance and their settings, including those that are not formally designated;*
  - (c) identifying and protecting locally important buildings that contribute to the area's local character and identity; and*
  - (d) increasing opportunities for access, education and appreciation of all aspects of northern Devon's historic environment, for all sections of the community.”*

#### **Policy DM07: Historic Environment**

- 1.99. Similar to Policy ST15, Policy DM07 considers how best to manage the conflict between the pressure for development and the need to preserve heritage assets.
- 1.100. It states;
- “(1) All proposals affecting heritage assets should be accompanied by sufficient information, in the form of a Heritage Statement, to enable the impact of the proposal on the significance of the heritage asset and its setting to be properly assessed. As part of such an assessment,*

*consideration should be given, in order of preference, for avoiding any harm, providing enhancement, then minimising and mitigating any harm.*

*(2) Proposals which conserve and enhance heritage assets and their settings will be supported. Where there is unavoidable harm to heritage assets and their settings, proposals will only be supported where the harm is minimised as far as possible, and an acceptable balance between harm and benefit can be achieved in line with the national policy tests, giving great weight to the conservation of heritage assets.*

*(3) Proposals to improve the energy efficiency of, or to generate renewable energy from, historic buildings or surrounding these heritage assets will be supported where:*

*(a) there is no significant harm or degradation of historic fabric including traditional windows; and*

*(b) equivalent carbon dioxide emission savings cannot be achieved by alternative siting or design that would have a less severe impact on the integrity of heritage assets.”*

- 1.101. A full Cultural Heritage Impact Assessment (CHIA) has been carried out and has considered all designated and non-designated heritage assets identified within the above local and national policy documents in order to ensure that the Proposed Development does not substantially harm any heritage assets or their settings.
- 1.102. There are no designated or non-designated heritage assets present within or adjacent to the Application Site. As a result, no direct effects upon recorded features will occur. Following the implementation of an appropriate archaeological programme of works as outlined within the Cultural Heritage Impact Assessment (**Technical Appendix 3: Volume 3**), measures will be in place for further investigation of the archaeological potential of the Application Site, as well as for the full recording or preservation of any sub-surface remains of significance that are identified within the Application Site. Assuming this is implemented, residual direct effects upon sub-surface archaeological remains are estimated to be Low.
- 1.103. Views and intervisibility with surrounding heritage assets are expected to be mostly restricted by intervening field boundaries, vegetation and buildings; overall, indirect impacts are not considered likely to be Low in the worst-case, aligning with Policy ST15 of the North Devon and Torridge Local Plan. See **Technical Appendix 3 of Volume 3** for further details.

### **Policy ST16: Delivering Renewable Energy and Heat**

- 1.104. Policy ST16 notes that

*“(1) Proposals for development incorporating on-site provision of renewable energy (other than wind energy) or renewable heat and/or low carbon technologies will be supported and encouraged where appropriate.*

*(2) Proposals by community-led enterprises and schemes that meet the needs of local communities to offset their energy and heat demand from renewable and low carbon sources (other than wind energy) will be supported where appropriate.*

*(3) Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:*

*(a) landscape sensitivity is best able to accommodate them, assessed in accordance with the Councils' Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;*

*(b) there is no significant impact on local amenities; and*

*(c) the special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved or enhanced.*

*(4) Renewable and low carbon energy development (other than wind energy) will be supported where it can demonstrate that the cumulative impact of operational, consented and proposed development on landscape character does not become a significant or defining characteristic of the wider fabric, character and quality of the landscape."*

- 1.105. This policy seeks to maximise renewable and low carbon energy development whilst ensuring that any potential adverse impacts are appropriately addressed. This policy states that development will be supported where potential adverse environmental, social and economic impacts are satisfactorily addressed. It is recognised that the severity of any adverse impacts can often be avoided or reduced through mitigation.
- 1.106. The Proposed Development will not result in any significant environmental effects at any stage of the development, aligning with Policy ST16. Comprehensive supporting documentation is submitted in support of the planning application, these are discussed in more detail within Planning Assessment section of this Statement, however, please refer to **Volume 3** for the full reports and associated appendices.

### **Policy DM08A: Landscape and Seascape Character**

- 1.107. Similar to points 3 and 4 of Policy ST16 above, Policy DM08A seeks to ensure that developments do not harm the character of the landscape and stresses that they must be designed sensitively and respectfully.
- 1.108. Policy DM08 states *"(1) Development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and undesignated landscapes and seascapes; it should avoid adverse landscape and seascape impacts and seek to enhance the landscape and seascape assets wherever possible. Development must take into account and respect the sensitivity and capacity of the landscape/seascape asset, considering cumulative impact and the objective to maintain dark skies and tranquility in areas that are*

*relatively undisturbed, using guidance from the Joint Landscape and Seascape Character Assessments for North Devon and Torridge.....”*

- 1.109. The Proposed Development has been carefully sited and is not located within any nationally or locally designated landscapes. The landscape of the site is described within the Joint Landscape Character Assessment for North Devon & Torridge Districts 2011<sup>7</sup> and an assessment of photovoltaic development is provided in “*An Assessment of the Landscape Sensitivity to Onshore Wind Energy & Field-Scale Photovoltaic Development in Torridge District*”<sup>8</sup>. Taking account of these documents the Application Site is located within the Inland Elevated Undulating Landscape Character Type (LCT 5A). The Landscape Sensitivity Assessment for Torridge District 2011 notes that LCT 5A has a moderate to high sensitivity to the nature of development proposed, however it should be noted that given that local undulations in landform and the existing vegetated field pattern, the Proposed Development is anticipated to be largely contained within the local landscape.
- 1.110. In terms of cumulative impacts, although there are existing operational solar farms in the surrounding landscape, a cumulative assessment has been carried out within the LVA (**Technical Appendix 1 of Volume 3**) and concludes that there will be no significant cumulative effects.

#### Policy DM01: Amenity Considerations

- 1.111. Policy DM01 states

*“Development will be supported where:*

*(a) it would not significantly harm the amenities of any neighbouring occupiers or uses....”*

- 1.112. Potential transient views of the Proposed Development will be largely limited to brief direct to oblique sequential views gained from the minor road network and local PROW network. Given local undulations in landform and screening by existing vegetation, inward and outward views of the Proposed Development are largely localised and additional planting has been proposed to further contain the associated infrastructure. A detailed Landscape and Visual Assessment (LVA) has been undertaken as part of the assessment of the Proposed Development. Its findings are discussed in more detail within the **Planning Assessment** section of this Planning Statement, however, please refer to **Technical Appendix 1 of Volume 3** for the full report and associated appendices.
- 1.113. In terms of noise impacts, there is a limited number of noise sensitive receptors surrounding the site boundary. A Noise Impact Assessment (NIA) has been produced as part of the planning application and concludes that there will be no significant effects. Findings are

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<sup>7</sup> LUC (2011) Joint Landscape Character Assessment for North Devon & Torridge Districts 2011

<sup>8</sup> LUC (2011) An Assessment of the Landscape Sensitivity to Onshore Wind Energy & Field-Scale Photovoltaic Development in Torridge District

discussed in more detail within the **Planning Assessment** section of this Planning Statement, however, please refer to **Technical Appendix 6 of Volume 3** for the full report and associated appendices.

### Policy DM05: Highways

1.114. Policy DM05 states

*“(1) All development must ensure safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.*

*“(2) All development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.”*

1.115. There are no recreational or promoted routes within the Application Site and therefore the Proposed Development will not impact upon any existing public rights of ways, footways, cycleways or bridleways.

1.116. An Automatic Traffic Count (ATC) Survey was undertaken on the minor road splitting the Application Site that will be used for access during the construction and operational periods; this was to ensure the correct visibility splays were determined to allow safe vehicle access and egress, aligning with Policy DM05. A Construction Traffic Management Plan (CTMP) has been produced as part of the planning application (See **Technical Appendix 5 of Volume 3**) and details this further.

### Policy DM09: Safeguarding Green Infrastructure;

1.117. Policy DM09 stresses the importance of green infrastructure throughout the District. It notes

*“Development involving the loss of green infrastructure including public open space will only be supported where:*

*(a) alternative green infrastructure is provided of at least equivalent size, quality and accessibility to that being lost; or*

*(b) the green infrastructure network in the locality can be retained or enhanced through redevelopment of a small part of the site....”*

1.118. The green infrastructure network in the locality of the Proposed Development will be largely retained and / or enhanced. As part of the Proposed Development, a Landscape and Ecology Management Plan (LEMP) has been produced to help minimise any potential visual effects arising from the Proposed Development, including tree and shrub planting. Additionally, areas of wildflower meadow and species rich grassland are proposed, increasing habitat diversity for local wildlife. With the implementation of the measures specified in these documents, it

is predicted that the Proposed Development will result in a net gain for biodiversity and strengthen local green infrastructure, aligning with the stipulations of Policy DM09. Please refer to **Figure 1.14 of Technical Appendix 1: Volume 3** for the LEMP.

### Policy DM14: Rural Economy

1.119. The Proposed Development is located within the countryside, as its purpose and function require a rural location to accommodate the scale of development and maximise the energy output. Policy DM14 states that development within the countryside will only be supported provided that

*“(d) there is no adverse impact on the living conditions of local residents;*

*(e) the scale of employment is appropriate to the accessibility of the site and the standard of the local highway network; and*

*(f) proposals respect the character and qualities of the landscape and the setting of any affected settlement or protected landscape or historic assets and their settings and include effective mitigation measures to avoid adverse effects or minimise them to acceptable levels.”*

1.120. In addition to the obvious environmental benefits, it is also considered that the Proposed Development would be in line with the aims of Policy DM14 which supports the growth and diversity of the economy, providing there are no adverse impacts and the character and qualities of the landscape are protected and enhanced.

1.121. The Proposed Development is consistent with Policy DM14 as it will contribute to the local economy by means of employment through the construction, operation and decommissioning stages and will produce a significant amount of electricity that will feed into the local grid, providing local energy security. Additionally, the Proposed Development has been designed in such a way that it sits sympathetically within the surrounding landscape and no significant adverse effects are expected throughout any stage of the development.

1.122. Comprehensive supporting documentation is submitted in support of the planning application; these are discussed in more detail within Planning Assessment section of this Statement, however, please refer to **Volume 3** for the full reports and associated appendices.



## Material Considerations

1.123. National Policy and Guidance is a material consideration in the determination of planning applications. Relevant National Policy and Guidance considerations include the following:

- National Planning Policy Framework (NPPF) (2019)<sup>9</sup>
- National Planning Practice Guidance (PPG) (2014)<sup>10</sup>
- Climate Change Act 2008<sup>11</sup>
- Clean Growth Strategy (2017)<sup>12</sup>
- Overarching National Policy Statement for Energy EN-1 (DECC, July 2011)
- National Policy Statement for Renewable Energy Infrastructure EN-3 (DECC, July 2011)

### National Planning Policy Framework (2019)<sup>13</sup>

1.124. The National Planning Policy Framework (NPPF) is the current National Planning document in England and was first published on 27<sup>th</sup> March 2012 and updated on 24<sup>th</sup> July 2018 and 19<sup>th</sup> February 2019. This sets out the government's planning policies for England and how these are expected to be applied and is supported by government published Planning Practice Guidance (PPG). In accordance with **paragraphs 7 and 10**, there is a strong presumption in favour of sustainable development within the National Planning Policy Framework.

1.125. **Paragraph 11** of the NPPF states that:

*“For decision-taking this means,*

- approving development proposals that accord with the development plan without delay; or*
- Where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission unless:*

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<sup>9</sup> <https://www.gov.uk/guidance/national-planning-policy-framework>

<sup>10</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>11</sup> <https://www.legislation.gov.uk/ukpga/2008/27/contents>

<sup>12</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/700496/clean-growth-strategy-correction-april-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700496/clean-growth-strategy-correction-april-2018.pdf)

- a. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposal; or*
  - b. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 1.126. **Paragraph 8c** of the NPPF notes that a key part of achieving sustainable development is *“mitigating and adapting to climate change, including moving to a low carbon economy”*.
- 1.127. **Section 14** of the NPPF, *‘Meeting the challenge of climate change, flooding and coastal change’*, recognises that planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is considered central to economic, social, and environmental dimensions of sustainable development.
- 1.128. The Proposed Development aligns with the NPPF by contributing to the decarbonisation of electricity generation and hence, sustainable development. The development of the Proposed Development will mean a substantial reduction of 18,608t<sup>3</sup> of CO<sub>2</sub> emissions annually. Scaling this up to the CO<sub>2</sub> displaced over the lifetime of the Proposed Development (40 years), circa 744,338t<sup>3</sup> of CO<sub>2</sub> will be displaced. This represents a significant contribution to the legally binding national and international requirement and associated targets to increase renewable energy generation and reduce CO<sub>2</sub> emissions.
- 1.129. Based on BEIS average domestic household consumption per year, 3,578kWh, the Proposed Development can meet the energy needs of approximately 12,100<sup>14</sup> homes. The generation of this level of renewable energy therefore represents a substantial benefit which would be experienced if planning permission were to be granted. Further details of this are provided later in this document under *‘Renewable Energy Statement’*.
- 1.130. Additionally, the project will provide economic benefits to Torridge and wider Devon in the form of direct impacts relating to the use of local contractors where reasonably practical, the use of local materials where possible and indirect effects, where specialist contractors from outside of the local area are working on the construction / decommissioning of the Proposed Development, local businesses such as hotels, B&B’s and restaurants will benefit.
- 1.131. The definition of ‘renewable and low carbon energy’ is provided in the Glossary to the NPPF. This states that,
- “Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels)”*.

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<sup>14</sup> [Sub national electricity and gas consumption summary report 2019 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/421212/sub-national-electricity-and-gas-consumption-summary-report-2019.pdf)

- 1.132. This includes solar developments. Solar farms are considered to be low carbon sources of energy that have no immediate adverse environmental or air quality impacts.
- 1.133. With regards to low carbon and renewable energy, the NPPF states in **paragraph 148** that the planning system should help;
- “...support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure..”*
- 1.134. Paragraph 154 states that applicants are not required to demonstrate the overall need for renewable or low carbon energy and that local planning authorities (LPAs) should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. LPAs are directed to approve applications if impacts are (or can be made) acceptable.
- 1.135. The NPPF also contains policies on several environmental issues relating to sustainable development. **Paragraphs 170 to 202** emphasise the importance of preservation and enhancement of the built and natural environment. They set out detailed requirements for the assessment of the impact on the landscape value, biodiversity and habitats, and the historic environment. These requirements have been considered in the relevant Technical Appendices (**Volume 3**) accompanying the Planning Application and have been addressed, to demonstrate compliance of the Proposed Development in the **Planning Assessment** section below.

### National Planning Practice Guidance

- 1.136. The National Planning Practice Guidance (NPPG) was published in March 2014 and contains guidance on the planning system and should be read alongside the NPPF. The NPPG's are a material consideration in the consideration of planning applications.
- 1.137. With specific regard to solar farm development, the NPPG on Renewable and Low Carbon Energy provides the following points of consideration for the decision maker at Paragraph 013.
- *Where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays;*

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

1.138. The Proposed Development is located on greenfield land and is supported by an Agricultural Land Classification report which demonstrates that the site is predominantly made up of grade 3b and grade 4 agricultural land. The proposed solar arrays and associated equipment will be temporary structures which will be on the site for 40 years. Upon cessation, all equipment will be removed and the site will be fully restored. The infrastructure layout (see **Figure 4 of Volume 2: Planning Application Drawings**) demonstrates the security measures including CCTV and fencing which have been incorporated into the design. In addition, this planning application is supported by a series of technical assessments which consider the above factors in detail. A summary of the technical assessments has been provided within the Planning Assessment section of this Planning Statement.

## International Energy Policy

- 1.139. International energy policy is based on the demand to battle climate change and reduce carbon dioxide (CO<sub>2</sub>) emissions and, therefore, is relevant to renewable energy development. The United Nations Framework Convention on Climate Change (UNFCCC) implemented by the United Nations in May 1992, determined a long-term objective to lessen greenhouse gases in the atmosphere, with the purpose of preventing anthropogenic interference with the climatic system. Subsequently, the Kyoto Protocol was implemented in 1997. National governments who signed up to the Kyoto Protocol are committed to reducing their greenhouse gas emissions.
- 1.140. The Paris Agreement marks the latest step in the development of the UN regime on climate change. Its central objective is to boost global response to climate change, keep global temperature rise low and strengthen efforts to support this. The European Union signed The United Kingdom of Great Britain and Northern Ireland up to the Agreement on 22nd April 2016 and it came into force on the 18th December 2016.
- 1.141. European and national energy policy has been established from the Kyoto Protocol and Paris Agreement requirements and will continue to be framed by emerging guidance and scientific information.
- 1.142. In December 2019 the European Commission published a communication called The European Green Deal. It is described as resetting *“the Commission’s commitment to tackling climate and environmental-related challenges that is this generation’s defining task.”* It presented an initial roadmap of the key policies and measures needed to achieve a number of goals. The European Commission presented a proposal for a European Climate Law on 4<sup>th</sup> March 2020, which included a net zero by 2050 target.

## UK Energy Policy

### Climate Change Act 2008

- 1.143. The Climate Change Act 2008 set in legislation the UK's approach to tackling and responding to climate change. It introduced the UK's long-term legally binding 2050 target to reduce greenhouse gas emissions by at least 80% relative to 1990 levels. In June 2019, the Government amended this headline target to a 100% reduction (compared to 1990 levels) by 2050 (otherwise known as net zero). Since 1990, the UK has cut greenhouse gas emissions by 40%.

### The Clean Growth Strategy 2017

- 1.144. In October 2017, the UK Government published its Clean Growth Strategy (CGS) setting out ambitious policies and proposals, through to 2032 and beyond, to reduce emissions across the economy and promote clean growth.



- 1.145. The strategy outlines the ambition of delivering a: *“diverse electricity system that supplies our homes and businesses with secure, affordable and clean power”* and identifies one possible clean growth pathway (to 2032) that *“could see power emissions fall by 80 per cent compared to today, to around 16 Mt.”* It states that *“This could be achieved by:*
- *Growing low carbon sources such as renewables and nuclear to over 80 per cent of electricity generation and phasing out unabated coal power.*
  - *Enabling a smarter, more flexible system, unlocking significant expansion of interconnection, electricity storage, and demand side response, the first steps of which are set out in the Smart Systems and Flexibility Plan...”*
- 1.146. The Proposed Development would contribute to delivering the electricity generation from clean sources and move to a low carbon economy as envisaged by the strategy. The expected number of homes powered and the CO2 offset as a result of the project are discussed later in this document under *‘Renewable Energy Statement’*.
- 1.147. In November 2017 the UK published its modern Industrial Strategy, which includes a Clean Growth Grand Challenge. The Grand Challenge aims to put the UK at the forefront of industries of the future, by maximising the advantages for UK industry from the global shift to low carbon.

#### **Overarching National Policy Statement for Energy EN-1 (DECC, July 2011)**

- 1.148. The overarching NPS for Energy (EN-1) was adopted in July 2011 and sets out the overall national energy policy for delivering major energy infrastructure. Part 1 advises that within the context of the planning system the NPS is likely to be a material consideration.
- 1.149. Part 2 of NPS EN-1 sets out the Central Government policy context for major energy infrastructure. It comprises the need to meet legally binding targets to cut greenhouse gas emissions; transition to a low carbon economy; decarbonise the power sector; reform the electricity market; secure energy supplies; replace outdated energy infrastructure; and widen objectives of sustainable development. In particular in this section, paragraph 2.2.16 identifies that approximately a quarter of the UK’s generating capacity was due to close by 2018 and that new low-carbon generation is required which is reliable, secure and affordable. As a result, the Proposed Development is considered consistent with the aims of NPS EN-1.

## Single Department Plan

1.150. In June 2019, the Department for BEIS published 'The Single Department Plan'<sup>15</sup> which identifies five overarching objectives, including ensuring that *"the UK has a reliable, low cost and clean energy system"*.

1.151. This objective is broken down into the following sub-objectives:

- *"Set out a vision for the energy system consistent with the Government's 2050 climate goals, with concrete actions that the Government will take up to 2030" – to be achieved by "delivering an ambitious Energy White Paper addressing the transformation of the GB electricity system, including proposed legislation where appropriate"; and "further developing carbon capture, use and storage deployment, to support decarbonisation and meet our legally binding carbon budgets, including potential 'net zero' by 2050."*
- *"Support clean growth and promote global action to tackle climate change" – to be achieved by "working with businesses...to deliver the Clean Growth Strategy"; "becoming the first major economy to legislate for net zero. Maintain the UK's position as a global leader in cutting emissions while growing the economy and develop world leading sectors to drive clean growth across the UK"; and "continuing to decarbonise the power sector by running the next Contracts for Difference allocation round to secure new renewable capacity."*
- *"Ensure our energy system is reliable and secure" – to be achieved by "ensuring reliable supplies of electricity and gas"*
- *"Deliver affordable energy for households and businesses" – to be achieved by: "continuing to implement the Government and Ofgem's 'Smart Systems and Flexibility Plan' by 2022, removing barriers to smart technologies..."*

1.152. The Proposed Development would help deliver the clean and secure energy network envisaged by the plan.

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<sup>15</sup> [Department for Business, Energy and Industrial Strategy single departmental plan, June 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412222/Single-Departmental-Plan-2019.pdf)

## The Sixth Carbon Budget

- 1.153. The Climate Change Committee (CCC) published the Sixth Carbon Budget: The UK's Path to Net Zero<sup>16</sup> on 9<sup>th</sup> December 2020. The Sixth Carbon Budget sets out, for the first time, what actions the UK will need to take to achieve net zero emissions by 2050.
- 1.154. The CCC's recommended pathway, the Balanced Net Zero Pathway, pathway aims to decarbonise electricity generation by 2035, with action thereafter focused on meeting new demands in a low-carbon way. The pathway requires a 78% reduction in UK territorial emissions by 2035, a 63% reduction from 2019.
- 1.155. The key features of the scenario are an increasing demand for electricity, decreasing carbon intensity of generation, and a more flexible system. The Proposed Development aligns with the Sixth Carbon Budget by contributing to the decarbonisation of electricity generation.
- 1.156. The Proposed Solar Farm will have an export capacity of 42MW; a solar farm of this size will generate a significant amount of electricity from renewable sources and mean a substantial reduction of CO<sub>2</sub> emissions annually. For a more detailed analysis of this, refer to the 'Renewable Energy Statement' below.

## Local Energy Policy

- 1.157. A Carbon Management Programme was produced in November 2009 which states the following:
- 1.158. *"Torridge District Council recognises the need to tackle climate change at a local level. Our vision is to reduce the amount of carbon emissions produced through working practices and operations within our control to the minimum that is realistically possible. This will be achieved by firstly reducing our power usage and introducing the most efficient solutions and working practices before we seek more sustainable and innovative power sources or operational solutions to further reduce our emissions"*
- 1.159. This carbon strategy details targets that are now outdated. However, since the production of this document Torridge District Council have declared a 'Climate Emergency' and have committed to a target of net zero carbon emissions from their operations by 2030<sup>17</sup>. The Council have set up a Climate Change Action Group made up of officers from across the TDC team including planning, waste services, property, economic development and environmental health to help achieve this goal.
- 1.160. Additionally, an updated Carbon, Environment and Biodiversity Plan is under development in order to see them move to a low carbon, sustainable and resilient future. While this is being

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<sup>16</sup> [The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf](#)

<sup>17</sup> [Torridge District Council](#)



developed, the Council have already begun taking action to reduce their carbon footprint<sup>18</sup>. This includes:

- Switching to LED lighting in council offices;
- Exploring the feasibility of electric and low impact vehicles across services and purchasing an electric vehicle for use by the Waste Team;
- Developing a network of electric charging points; and
- Installing solar panels on council buildings

- 1.161. Another way the LPA are encouraging local residents and organisations to combat climate change is through the “Find your footprint” initiative launched by North Devon and Torridge District Council in October 2020. “Find your footprint” is a joint project between the two councils and local environmental entrepreneur, Mukti Mitchell that aims to make reducing your carbon footprint easy and fun. The project has been launched in response to the national climate emergency declared across the UK by local authorities including the two councils.
- 1.162. Individuals and organisations were encouraged to find out their carbon footprint in the “Find your footprint week” which ran from the 17th to the 24th October 2020, using an online tool and then pick one action from a range of options to save CO2. They are then encouraged to measure their footprint again to see how much it has reduced as part of “Celebrate your Savings” week in March 2021.
- 1.163. Another initiative recently implemented by the LPA is the “Solar Together Programme” in partnership with Devon County Council, 361 Energy and iChoosr. The scheme encourages homeowners to invest in solar energy by giving those in Torridge the chance to buy high quality solar PV more cheaply than if they were buying alone.
- 1.164. Although the above is not directly relevant to the Proposed Development itself, it is clear that Torridge District Council strongly advocate a transition to a low carbon future.

## Summary

- 1.165. From the review above, it is clear that the international, national and local policy message on clean and secure energy is strong and unambiguous. There is a clear need to ensure long-term security of supply as non-renewable sources diminish, through the development of a diverse energy generation systems such as solar farms to support international and nationally binding climate change targets.

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<sup>18</sup> [Torridge District Council](#)

<sup>19</sup> [Torridge District Council](#)

- 1.166. Solar farms are considered to be a key component of the future energy mix. The deployment of renewable energy sources will need to increase significantly by 2030 to be on track to achieve net zero by 2050.



## PLANNING ASSESSMENT

- 1.167. This **Section** of the **Statement** will seek to evaluate the Planning Merit and potential impacts associated with the subject development by looking at the key planning considerations on an individual basis below.

### The Principle of Development

- 1.168. The UK is a member of the United Nations Framework Convention on Climate Change (UNFCCC). The UNFCCC is the key forum which oversees international action to tackle climate change. The UNFCCC led the development and adoption of The Paris Agreement in 2015. A total of 160 countries have pledged to cut their emissions as part of this process, although more action is needed in order to meet the Paris Agreement's aims of holding the increase in global average temperature rise to well below 2°C above pre-industrial levels and to pursue efforts to limit warming to 1.5°C.
- 1.169. Through the 2008 Climate Change Act, the UK was the first country to introduce long term, legally-binding national legislation to tackle climate change. The Act provides the UK with a legal framework including a 2050 target for emissions reductions, five-yearly 'carbon budgets' (limits on emissions over a set time period which act as stepping stones towards the 2050 target), and the development of a climate change adaptation plan.
- 1.170. According to the Committee on Climate Change, while leaving the EU will change how UK carbon budgets are delivered, it does not change the need to cut greenhouse gas emissions, the level of carbon budgets (which are set in UK law), or the duty on the UK Government to act to tackle climate change.
- 1.171. A review of the UK's 2050 target (previously set at 80% reduction) by the Committee on Climate Change prompted the Government to set a target of zero net emissions by 2050, which was legislated for in 2019. In order to reach this milestone, the annual rate of emissions reduction must be 50% higher than the previous 2050 target – indicating the substantial step-up in action needed if the UK is to have a chance in meeting this ambitious, legally binding, target.
- 1.172. At a national policy level, the NPPF recognises the need to meet the challenge of climate change as set out in Chapter 14 of the Framework. As referred to in Section 6, the NPPF recognises that radical reductions in greenhouse gas emissions are essential and looks to support renewable energy development where its impacts are, or can be made, acceptable. It is therefore clear that there is overwhelming support at a national level for this type of development, and a demonstrable need for the UK to continue to deliver renewable energy projects.

- 1.173. At a local level and as discussed above, the North Devon and Torridge Local Plan clearly provides support for renewable energy generation in appropriate locations. Policy ST01 reflects the NPPF's stance on sustainable development, whilst ST02 and ST03 deals with climate change. Policy ST16 offers specific support for the energy sector, providing significant adverse impacts are addressed satisfactorily, and that any residual harm is outweighed by the wider benefits associated with the proposals.
- 1.174. The Proposed Development is located in the countryside, as its purpose and function require a rural location to accommodate the scale of development and maximise the energy output. Policy DM14 directs that only certain forms of development will be supported within the open countryside provided that proposals respect the intrinsic character of their surroundings. In addition to the obvious environmental benefits, which are discussed further below, it is considered that the Proposed Development aligns with the aims of Policy DM14 which supports the growth and diversity of the rural economy, providing new development is of an appropriate scale to its location, and that it respects the character of the surrounding landscape.
- 1.175. Given the above, it is clear that subject to there being no significant adverse effects, and where any residual harm is outweighed by the benefits of the proposals, the principle of the proposed development is considered acceptable

## Landscape and Visual Impact

- 1.176. This application is supported by an LVA which provides an assessment of the potential effects of the Proposed Development on the existing landscape and visual amenity of the Application Site and surrounding area. The LVA is based upon a 2km radius for the consideration of potential landscape effects and visual effects. An initial 5km study area was identified during the desk-based appraisal, however during fieldwork, the Application Site was found to be largely contained by its generally low elevation, surrounding landform and vegetation and therefore, a focused 2km radius was adopted.
- 1.177. At a national level the Application Site is located within the National Character Area (NCA) 149 The Culm<sup>20</sup>. At a district level, the Application Site is located within LCT 5A: Inland Elevated Undulating Land (see **Figure 1.1 of Technical Appendix 1: Volume 3**).
- 1.178. In terms of national designations, the LVA notes:

*“The Application Site is not located within any nationally or locally designated landscapes. It should be noted that the Cornwall Area of Natural Beauty (AONB) is located c. 9.4km northwest of the Application Site. It was stated in consultation by Natural England that potential effects on the special qualities resulting from the introduction of the Proposed Development of this AONB should be considered. The Proposed Development is located entirely outside of the Cornwall AONB and potential effects will therefore be indirect. Given*

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<sup>20</sup> Natural England (2014) National Character Area profiles

*the low heights of the proposed structures (c. 2.8m for the solar panels), the Proposed Development will be entirely screened by intervening landform vegetation and buildings. Therefore, the introduction of the Proposed Development will not indirectly compromise the character and special qualities of the Cornwall AONB and is not considered further in this appraisal.*

*The locally designated Cornwall Council Area of Great Landscape Value (AGLV), Upper Tamar is located c. 1.2km to the south of the Proposed Development. Much of the Upper Tamar AGLV within 2km is located within CA 31 Upper Tamar and Ottery Valleys. Other Cornwall AGLVs in closest proximity included the Gooseham to Launcells AGLV located c. 2.2km to the northeast and the Week St Mary AGLV, located within c. 2.5km to the southwest and. Potential indirect adverse effects on the characteristics and qualities of the Week St Mary AGLV and Gooseham to Launcells AGLV are considered unlikely given the intervening distance and screening by landform and vegetation and are therefore not considered further in the appraisal. **Effects on the Upper Tamar AGLV are considered further in the appraisal given the potential for some limited longer distance elevated views into the Application Site.***

Paragraph 1.76 – Paragraph 1.77

1.179. In terms of roads and recreational routes, the LVA notes:

*“There are no major roads within the study area. The A3072 passes c. 2.7km to the north and the B3254 passes c. 2.4km to the west of the Application Site. Within 2km, a network of minor roads connects individual farmsteads, residential properties, hamlets and villages. National Cycle Network (NCN) Route 3 shares the minor road between Bridgerule and Pyworthy c. 1km north of the Application Site. The closest PRoW includes Footpaths 1, 3 and 7 to the northeast, and southeast respectively.”*

Paragraph 1.71

1.180. The nearest settlements are Pyworthy, c. 1.2km northeast of the Proposed Development and Bridgerule c. 1.8km northwest. The bare earth Zone of Theoretical Visibility (ZTV) indicates theoretical visibility from much of the settlement of Pyworthy, however, actual views looking east towards the Proposed Development will be largely screened by intervening features. The ZTV indicates theoretical visibility from south-eastern and western parts of Bridgerule, however, views looking south - southeast toward the Proposed Development will be largely screened by woodland along and close to the north western boundary of the Application Site and vegetation between the Application Site and the settlement. Potential adverse effects on residential views are considered unlikely and therefore visual effects on were not considered further. Due to the proximity of the Application Site to Pyworthy, the settlement was considered within the appraisal.

1.181. In regard to ‘Landscape Effects’, the LVA confirms:

*“The introduction of the Proposed Development will locally alter the existing agricultural use of the Application Site to a landscape comprising a solar farm with associated infrastructure,*



*mixed agricultural land use and new hedgerow and tree planting. During operation, the Proposed Development will initially have a **Moderate adverse** landscape effect on the characteristics of the Application Site, which will reduce to a **Moderate/Minor adverse** effect by c. Year 5 as proposed mitigation planting starts to become established and fills out.*

1.182. *The Proposed Solar Farm will directly affect LCT 5A: Inland Elevated Undulating Land and will result in a solar farm located over c. 66.33 hectares of this landscape. This will result in a localised direct **Moderate adverse** landscape effect and a **Minor adverse** effect across the wider extents of this landscape. The landscape effect will reduce to **Moderate/Minor to adverse** locally by c. Year 5 as the proposed mitigation planting matures helping to further contain and integrate the Proposed Development within the LCT 5A: Inland Elevated Undulating Land.*

1.183. *In terms of designated landscapes, the introduction of the Proposed Development will indirectly affect a small eastern part of the Upper Tamar AGLV. During operation a very localised effect will range from **Minor adverse** to **No change**. It is considered unlikely that the characteristics and qualities of the Upper Tamar AGLV will be compromised by the introduction of the Proposed Development. “*

Paragraph 1.297 – Paragraph 1.299

1.184. In terms of ‘Visual Effects’, the LVA confirms

*“Potential views of the Proposed Development within the local landscape will be limited to a small number of the nearest residential receptors and passing transient receptors on recreational routes and minor roads. The visibility of the solar farm and associated structures will be largely contained by the mix of hedgerows and trees within the boundaries of the Application Site and surrounding farmland, along with screening by built elements and local topographical variations. Any such views of the Proposed Development will be limited to parts of the overall development. The potential changes to the existing views of these receptors have been determined from the viewpoints in the above assessment.*

*The appraisal identifies operational **Moderate adverse** and **Moderate/Minor adverse** visual effects from Viewpoints 8 (Footpath 1), and 9 (Footpath 7) respectively. From other visual receptors with potential views of the Proposed Development visual effects during operational Year 0 will range from **Moderate/Minor** to **Minor adverse**, reducing to **Minor adverse** or less by around c. operational Year 5 as mitigation planting establishes.”*

Paragraph 1.300 – Paragraph 1.301

1.185. With regard to Cumulative Impacts, the LVA confirms:

*“Cumulative effects are largely limited to localised interactions with the baseline of existing elements of energy infrastructure developments including Crinacott Solar Farm which will result in **Moderate adverse** cumulative landscape effect on LCT 5A. **Moderate Adverse** cumulative visual effects are limited to recreational receptors on short sections of Footpaths*

1 and 3 (Viewpoint 8). From other receptors cumulative visual effects will be limited and will range from localised **Minor adverse** effects to **No Change**.”

Paragraph 1.302

1.186. In relation to mitigation, the LVA states:

*“Mitigation measures are proposed to help reduce any potential landscape and visual effects. The existing trees and hedgerows around the Application Site will be retained as far as is practicable. Trees will be introduced along sections of the eastern and southern western boundaries to help screen inward views gained from Footpath 7. Hedgerows and screen planting will also be introduced along open sections of the boundaries to help screen inward views and provide additional biodiversity opportunities.*

*As the mitigation planting thickening out and increase in height, this will further enclose the Proposed Development.”*

Paragraph 1.303 – Paragraph 1.304

1.187. The LVA conclusion states:

*“The overall design of the Proposed Development has carefully considered its setting within the confines of LCT 5A: Inland Elevated Undulating Land setting of the Upper Tamar AGLV to ensure the potential effects upon landscape and visual receptors are limited. The siting of the Proposed Development within the limits of the existing field system will help to integrate the Proposed Development within the surrounding rural landscape.*

*The relatively low elevation of the Application Site, low heights of the various proposed structures, and presence of existing vegetation across the landscape of the study area all greatly help to screen potential inward views of the Proposed Development from the majority of visual receptors. Actual views are limited to a small number of receptors within relatively close proximity to the Proposed Development.*

*Proposed mitigation measures will further help integrate the Proposed Development within the landscape of LCT 5A: Inland Elevated Undulating Land. At the end of the Proposed Development’s lifespan the predicted effects are reversible as the lands can be returned to an agricultural use similar to its current state, with relative ease.”*

Paragraph 1.305 – 1.307

## Ecology and Biodiversity Enhancements

- 1.188. This application is supported by an Ecological Impact Assessment (EclA) to assess the potential impacts on ecology from the Proposed Development - **Technical Appendix 2 of Volume 3**.
- 1.189. The Application Site does not lie within or adjacent to any statutory designated environmental sites. Within 15km of the Application Site boundary there are three internationally designated sites: three Special Areas of Conservation (“SACs”). The closest of these is the Culm Grasslands SAC, located 5.06km north of the Application Site at its closest point. There are also three Sites of Special Scientific Interest (“SSSIs”) within 5km, namely Kingford Fen SSSI, Small Brook SSSI and Brendon and Vealand Fen SSSI.
- 1.190. The Application Site overlaps one non-statutory designated environmental site and adjoins three others. Derril Water 2 Unconfirmed Wildlife Site (“UWS”) overlaps Field 25 and the adjacent woodland to the south; Hopworthy County Wildlife Site (“CWS”) is present immediately north of Field 13 and Lower Hopworthy CWS is present immediately northeast of Field 16 (see **Figure 3, Volume 2: Planning Application Drawings**). Monk’s Farm UWS is present immediately north of Fields 15 and 16.
- 1.191. No connectivity with any of the statutory designated sites was identified, with the exception of Brendon and Vealand Fen SSSI. The EclA notes:

*“No hydrological connectivity exists: all the statutory sites are several kilometres upstream of the Application Site. No notable species populations associated with the SACs are considered likely to range to the Application Site.*

*As a result, it is considered that there are no pathways for potential impacts on these international sites from the Proposed Development. They have therefore been dismissed from further assessment.*

*Of those species and populations associated with the SSSIs, only otters from Brendon and Vealand Fen SSSI are considered at all likely to make potential use of the Application Site. There is therefore potential ecological connectivity between the site and Brendon and Vealand Fen SSSI.”*

Paragraph 2.94 – Paragraph 2.96

- 1.192. Although there is potential for impacts on qualifying species of the SSSI due to ecological connectivity, potential connectivity is restricted to otter only.
- 1.193. The EclA notes:

*“The Proposed Development will be subject to mandatory pollution prevention measures under the Control of Pollution Act 1974 (as amended)<sup>21</sup>. Measures have been included within the development design to prevent dust and other pollution entering the watercourse.....*

<sup>21</sup> <https://www.legislation.gov.uk/ukpga/1974/40/part/III/crossheading/construction-sites>



*A 10m buffer from watercourses has been incorporated into the design of the Proposed Development (i.e. not as mitigation). As a result of the development design and the implementation of the above measures, it is considered there will be **no significant adverse effects** upon otters through physical or chemical pollution.”*

Paragraph 2.106 – Paragraph 2.107

- 1.194. In terms of mitigation relating to the Brendon and Vealand Fen SSSI, the EclA states:

*“All excavations are to be covered or closed off securely at the end of each working day to prevent the accidental trapping of commuting otters.*

*Although not relied on as mitigation, the 5m drainage ditch and 10m watercourse buffer zones adopted for the Proposed Development during project design will be clearly demarcated on site.”*

Paragraph 2.159 – Paragraph 2.160

- 1.195. The EclA identified Derril Water UWS 2 as being the only non-statutory designated site that that could potentially experience a significant adverse effect in the absence of mitigation due to the Proposed Development. It notes:

*“The project design has taken ground conditions into account, limiting development to drier (and therefore less distinctive and lower-quality) areas of the culm grassland in Field 25. Fencing will also be microsited, and will therefore avoid the wetter of the areas along the proposed fence line (and consequently also those that are more typical of culm grassland).”*

Paragraph 2.135

- 1.196. Mitigation measures recommended for Derril Water UWS 2 are as follows:

*“As a precaution, a pre-commencement survey of the marshy (culm) grassland in Field 25 will be undertaken immediately prior to construction. This will enable fence panels to be microsited to avoid any areas of culm grassland seen to be of higher ecological quality or distinctiveness than that surrounding it.*

*No signs of protected or Priority fauna strongly associated with culm grassland were recorded during the species scoping survey. However, the pre-commencement survey will also allow any such species to be identified, if present. Mitigation will be updated as necessary if such species are found.*

*Security fence installation in and immediately adjacent to Derril Water 2 UWS will be supervised by a suitably experienced Ecological Clerk of Works (“ECoW”). Excavations connected with fence installation in this area will ensure that the material excavated is removed carefully, preserving vegetation and soil structure as far as possible. The material will be stored close to the fence installation trench, and carefully laid back either side of the fence to fill the trench as soon as possible.*

*The creation of new tree, hedgerow and species-rich grassland planting (see **Appendix 2.3: Biodiversity Management Plan**) will strengthen the green infrastructure connected to Derril Water 2 UWS. It will also strengthen the ecological connectivity of non-statutory designated sites including Lower Hopworthy CWS, Monk's Farm UWS, Trelana UWS and Derrill Fields UWS. This accords with Policies ST03, ST14 and DM09 of the North Devon and Torridge Local Plan 2011 – 2031."*

Paragraph 2.161 – 2.164

1.197. In terms of residual effects, the EclA notes:

*"With the implementation of the above mitigation measures and the ecological enhancements designed as part of the Proposed Development (see **Appendix 2.3: Biodiversity Management Plan**), adverse effects will be minimised and counterbalanced by beneficial effects. It is therefore considered that, overall, Brendon and Vealand Fen SSSI and Derril Water 2 UWS will experience **no adverse effects** as a result of the Proposed Development."*

Paragraph 2.166

1.198. An extended phase 1 habitat survey of the Application Site and a 50m buffer around its boundaries (Ecological Survey Area) was undertaken to record and map semi-natural vegetation and other wildlife habitats in order to assess their potential importance for nature conservation. See **Appendix 2.1 of Technical Appendix 2: Volume 3** for further details.

1.199. The EclA states:

*"The construction of the Proposed Development will occur over land which has been identified primarily as arable habitat. This habitat is generally of low ecological value and currently offers limited potential to support wildlife. Only arable land, fence, improved and poor semi-improved grassland are present under the proposed solar panels.*

*Proposed security fencing and access tracks will also cross these habitats plus six dry ditches, 10 wet ditches (running water), marshy grassland, 11 native species-rich hedges with trees and 10 intact native species-rich hedges. Some or all of these hedges may be classified as 'Important' under the Hedgerows Regulations 1997<sup>22</sup>. Breaks of circa 1.5m, totalling 29 breaks across these 21 hedges, will be created where needed. However, fences will be microsited to reduce disturbance, and any existing gaps will be used where possible.*

*A total of 3.4m species-rich hedge (from a single hedge) and 5.85m of species-rich hedge with trees (from two hedges) will be removed to create road access. A single section of 40.5m of species-rich hedge will require removal to improve visibility along the road. Construction will not involve the removal of any other trees or sections of hedgerow.*

<sup>22</sup> Available at <https://www.legislation.gov.uk/uksi/1997/1160/contents/made>

*The relatively minor extent of habitat loss in a local context where these habitats are frequent is **not considered to be significant** in terms of the Application Site's intrinsic habitat interest.*

*As part of the design proposals (rather than as ecological mitigation), hedgerow sections lost will be replaced with new native species-rich hedges. **Figure 1.14 of Technical Appendix 1** shows the location of the proposed planting. However, in the absence of mitigation, the hedgerow breaks will still constitute loss of small amounts of a Priority habitat. This will lead to effects of **low to negligible spatial** and **medium-term temporal** magnitude, i.e. negligible to minor and **not significant** effects. These magnitudes have been assigned because the loss of hedgerow length will be much less than 10% and, although the new hedges will provide biodiversity benefits in the long term, it will be a number of years until they attain the value of the existing hedges."*

Paragraph 2.168 – Paragraph 2.172

- 1.200. Enhancement measures include the creation of new species-rich grassland, hedgerows, scrub and trees, and the creation of habitat interest features for protected species. The EclA states:

*"With the implementation of the Proposed Development's design measures, best practice measures implemented during the construction phase, and the habitat management outlined, there will be **beneficial effects** on habitats."*

Paragraph 2.181

- 1.201. It concludes:

*"It is considered that the short-term disturbance resulting from the Proposed Development **will not be significant** if the recommended mitigation is undertaken. With the implementation of pre-commencement surveys and the proposed mitigation measures, it is considered that there will be **no significant negative effects** upon protected or notable species during the construction phase. The BMP and LEMP propose a number of habitat creation and enhancement measures centred around new hedgerows, species-rich grassland, tree and scrub planting, log piles and bird, mammal and invertebrate houses/boxes. With the implementation of these, **the potential of the site to support local wildlife will increase** and the Proposed Development will lead to a **significant positive effect** on a number of protected or Priority species during the operational phase.*

*The Proposed Development conserves and enhances biodiversity, minimising impacts, providing **net gains** and strengthening existing and retained green infrastructure. This accords with national planning policy, and with Policies ST03, ST14, DM04, DM08 and DM09 of the North Devon and Torridge Local Plan"*

Paragraph 2.280 – Paragraph 2.281

## Cultural Heritage and Archaeology

1.202. The application is accompanied by a Cultural Heritage Impact Assessment (CHIA) evaluating the potential direct and indirect effects of the Proposed Development upon cultural heritage assets and archaeological remains. A search of high-grade heritage assets such as World Heritage Sites, Scheduled Monuments, Parks and Gardens of Special Historic Interest, Historic Battlefields and Heritage Coasts has been carried out within a 5km study zone of the Proposed Development, while Listed Buildings and Conservation Areas have been assessed within a 2km study zone. Non-designated archaeology and heritage sites within the local Historic Environment Record have also been assessed within a 1km study zone.

1.203. A walkover survey of the Application Site was conducted in September 2020 and the CHIA states:

*“Overall, the walkover survey identified no earthworks of archaeological significance within the proposed site area; the few that were identified are likely to be removed field boundaries or relate to medieval or post-medieval agricultural land use. However, the ground and vegetation conditions under which the walkover survey was carried out were not ideal for the identification of slight earthworks. In general, there are a lack of heritage assets identified on the Devon Historic Environment Record in this area, which may correspond with a lack of archaeological remains; may be a result of medieval and later agricultural activity removing evidence for earlier occupation or may derive from a lack of archaeological investigation in this area”*

Paragraph 3.83

1.204. In terms of archaeological and cultural heritage assets within the Application Site and its surrounding area, the CHIA states

*“There are no designated or non-designated sites recorded within the Application Site itself. A total of 16 Scheduled Monuments were identified within the 5km study zone, while 10 Listed Buildings (including one Grade I, one Grade II\* and eight Grade II) were identified within the 2km study zone (Figure 3.1: Appendix 3A). In addition, a total of 16 non-designated assets from the Historic Environment Record (HER) were identified within the 1km study area (Figure 3.2: Appendix 3A). However, no World Heritage Sites, Historic Parks and Gardens, Registered Battlefields, Heritage Coasts or Conservation Areas were identified within their respective study zones.”*

Paragraph 3.64

1.205. 12 of the 16 scheduled monuments within the 5km study zone are prehistoric bowl barrows, largely dated from the late Neolithic to the late Bronze Age. In addition to the bowl barrows, a round barrow cemetery is also recorded as a scheduled monument to the south of the Application Site. These sites indicate that the Application Site lies within a landscape containing wider evidence for prehistoric activity.

- 1.206. Two of the 16 scheduled monuments in the 5km study area also correspond to the Iron Age period and indicate that the surrounding landscape similarly has evidence for Iron Age settlement activity.
- 1.207. 'St Anne's Well in Whitstone Churchyard' (NA08) is a scheduled monument believed to date from 1309 and set within a building originating from the 15<sup>th</sup> century. No further sites from the early historic and medieval periods are contained within the HER inside the 1km study area, but several records are associated with agricultural remains, which are possibly indicative of consistent agricultural land use in the local area since the medieval period.
- 1.208. The majority of the local HER sites are of predominately post-medieval origin. While no recorded sites are present inside the Application Site boundary, the site inevitably has some potential for post-medieval remains associated with its agricultural land use.

### Direct Effects

- 1.209. In relation to direct effects, the CHIA states

*"As no recorded archaeological or heritage assets are located within the Application Site, **no direct effects** will occur on these resources as a result of the Proposed Development."*

Paragraph 3.84

- 1.210. In terms of ground disturbance, different levels of intrusion and disturbance are anticipated for different construction elements of the proposed solar farm. As such, the potential for impacting upon sub-surface remains is dependent on the type and scale of each construction element. The majority of the Application Site area will be utilised for solar panels only, which comprises a 'pin-prick' effect considered to be fairly minimal in terms of potential direct impacts upon sub-surface archaeology. Deeper excavation work, including that required for cable trenches, inverter/transformer stations, substations, etc, have the potential to cause direct impacts of a greater magnitude.

- 1.211. The CHIA calculates

*"the overall proposed footprint constitutes a relatively small percentage of the total area of the Application Site (66.33ha):*

- *24,072.9m<sup>2</sup> for infrastructure (c. 3.63% of the Application Site area); and*
- *320.12m<sup>2</sup> for piling (c. 0.05% of the Application Site area).*

*The total ground disturbance area resulting from the Proposed Development is therefore 24,393.02m<sup>2</sup> or c. 3.68% of the Application Site area."*

Paragraph 3.89 – Paragraph 3.90

## Archaeological Potential

1.212. In terms of archaeological potential, the CHIA notes

*“While the lack of any recorded sites inside the Application Site does not suggest any specific indicators for archaeological remains, the baseline analysis and site inspection identified some features of minor significance. This includes linear features likely to represent former field boundaries, footpaths, drains or plough marks / ridge and furrow. Above-ground remains identified during the site inspection were indistinct and very subtle, so it cannot be ascertained that they are of archaeological origin, but the features have potential to represent the above historical agricultural land use features, likely dating from the post-medieval period and possibly the medieval period. It is also noted that confirmed remains from local fieldwork results mentioned previously are limited to similar linear ditch features. As such, by considering the above ground disturbance calculations, the potential for the proposed development to impact upon medieval and post-medieval agricultural remains is considered to be **Moderate to low**, with such remains likely to be of **Low/Local** importance.*

*Consultation with the council planning and archaeology departments highlighted that, although there is a lack of designated heritage assets inside the Application Site, there may be potential for prehistoric remains due to the number of bowl barrows (scheduled monuments) identified in the surrounding area. The locations of these monuments (see **Figure 3.1: Appendix 3A**) indicates that the landscape in general has potential for remains associated with prehistoric settlement activity. As the site inspection report identified, the likely agricultural use of much of the land within the study area from at least the medieval period onward means that although any prehistoric features are unlikely to survive as above-ground earthworks, some remains may still exist below ground. As such, by considering the above ground disturbance calculations, the potential for the Proposed Development to impact upon prehistoric remains is considered to be **Low**, but with such remains likely to be of potentially **High** significance.*

Paragraph 3.91 – Paragraph 3.92

## Indirect Effects

1.213. A total of seven Scheduled Monuments and six Listed Buildings (including one Grade II\* and five Grade II) are located within the calculated ZTV.

1.214. The summary of indirect effects states:

*“There were seven scheduled monuments identified within the 5km study zone that lie inside the calculated ZTV for the Proposed Development. Of these assets, **Low to negligible** indirect effects are anticipated for the ‘Two Bowl Barrows 690m and 760m South West of Leworthy’ (NA02), the ‘Two Bowl Barrows 450m and 500m West of Leworthy’ (NA03), the ‘Two Bowl Barrows 430m North West of Leworthy’ (NA05) and the ‘Round Barrow Cemetery 240m North East of Lower Trebarrow’ (NA11), while **Negligible** effects are anticipated for the ‘Bowl Barrow*

470m North East of Dux' (NA01), 'St Anne's Well in Whitstone Churchyard' (NA08) and the 'Three Bowl Barrows 560m South East of Cherry Cross' (NA16).

There were six listed buildings, including one Grade II\* and five Grade II, identified within the 2km study zone that lie inside the calculated ZTV for the Proposed Development. Of these assets, **Low** indirect effects are anticipated for the 'Church of St Swithin' (NA18), while **Low to negligible** effects are anticipated for 'The Coach House' (NA19) and 'The Old Rectory' (NA20), and **Negligible** effects are anticipated for the 'Boundary Stone at NGR SS 3007 0338' (NA21), the 'Robert Beckley Monument' (NA22) and 'The Villa' (NA23).

There were 16 non-designated sites identified in the HER that are within the 1km study zone, including nine polygon records and seven point records, all of which lie inside the calculated ZTV of the Proposed Development. **Negligible** indirect effects are anticipated for all 16 sites (NB01 – 16).

There were no Parks and Gardens of Special Historic Interest, Conservation Areas, World Heritage Sites, Heritage Coasts or Historic Battlefields identified in their respective study zones.

As the Landscape and Visual Impact Assessment identified that moderate cumulative visual effects as a result of the Proposed Development will be limited to local footpaths, while only minor cumulative visual effects will occur elsewhere, no additional significant cumulative visual effects are considered to be present for surrounding heritage assets."

Paragraph 3.124 – Paragraph 3.128

1.215. Finally, the summary of the CHIA states

*"All potential direct and indirect impacts upon designated and non-designated heritage assets within the study zones have been assessed through appropriate methods.*

*As no direct effects are anticipated upon recorded heritage assets, no specific mitigation measures are required in relation to these resources and so **no residual direct effects** are anticipated upon recorded heritage assets.*

*Following the implementation of an appropriate archaeological programme of works as outlined above, measures will be in place for further investigation of the archaeological potential of the Application Site, as well as for the full recording or preservation of any sub-surface remains of significance that are identified within the Application Site. Assuming this is implemented, **residual direct effects upon sub-surface archaeological remains are estimated to be Low.***

*As no mitigation is expected to be required for indirect effects, residual indirect effects can be considered to be unchanged at **Low** in the worst-case."*

Paragraph 3.137 – Paragraph 3.140

## Flood Risk and Drainage

- 1.216. A Flood Risk and Drainage Impact Assessment have been produced as part of the planning application.
- 1.217. The EA Flood Map for Planning shows that the Application Site is mostly located in Flood Zone 1, an area described as “*Low probability*” of flooding. However, there is a small part of the Application Site within Flood Zone 2 and 3, towards the eastern boundary of Field 16.
- 1.218. The proposed type of development is classed as ‘Essential Infrastructure’ and therefore development in Flood Zone 1 is deemed appropriate. The small area of Flood Zone 2 and 3 has been avoided in the design iteration process.
- 1.219. In relation to fluvial and coastal flood risk, the FRA states:

*“The EA Mapping shows that only the eastern boundary of Field 16 within the Application Site is identified as being at risk of flooding from fluvial or coastal events. A 10m buffer from Derril Water has been incorporated into the design of the Proposed Development. There is also a 5m buffer from the panels to fence line, meaning that the panels will be at least 15m away from this watercourse. In addition, the flood zone was overlaid onto the topographical survey and it showed that the areas of Flood Zone 2 and 3 extended to approximately 110.25 Above Sea Level (ASL) contour. All infrastructure is above this level, with the panels having a freeboard of at least 300mm.*

*Therefore, no infrastructure will be built where the land is deemed to be Flood Zone 2 or 3.”*

Paragraph 4.61 – Paragraph 4.62

- 1.220. In addition to fluvial and coastal flood risk, the EA also provide surface water flood maps which indicate multiple areas of surface water flooding within the Application Site.
- 1.221. In relation to potential surface water flooding, the FRA notes:

*“...In addition to the site visit assessment, the topographical survey and aerial maps were studied to determine what likely depth of surface water could be possible in a storm event. It was found that it would be unlikely that any major ponding would form and surface water levels would likely be a maximum of 0.3m deep before feeding into the existing field drain network.”*

*“The only infrastructure which is located within the areas of surface water will be solar panels, which will be raised at least 0.6m AGL and therefore, above the surface water level of approximately 0.3m with a suitable freeboard. The surface water levels have been based off the ‘Medium Risk Scenario’ which correlates to a 1 in 100 chance of flooding, with onsite and topographic checks for accuracy.”*

Paragraph 4.65 – Paragraph 4.66



- 1.222. In regard to groundwater flood risk, the PFRA showed that there is less than a 25% chance of groundwater flooding where the Application Site is located. In regard to this, the FRA states the following:

*“...it’s likely that the higher vulnerability of groundwater flooding is near to the watercourses and within low lying areas of the Application Site. During the site visit, various areas of marshy land were noted and development within these areas was avoided during the design iteration process. See **Appendix 4B**.*

*In addition, the main impacts to groundwater include the contamination risk during the construction phase. These impacts will be managed and outlined within the Construction and Traffic Management Plan (CTMP): **Technical Appendix 5 of Volume 3** and the Outline Construction Environmental Management Plan (OCEMP): **Technical Appendix 8 of Volume 2**, both being submitted in conjunction with this report to form the planning application. Therefore, the groundwater vulnerability is presumed to be **Low**.”*

Paragraph 4.68 – Paragraph 4.69

- 1.223. The Proposed Development will have a very limited extent of impermeable ground cover (1,472.4m<sup>2</sup>). The entire site area totals 663,327.4m<sup>2</sup>. The area beneath the solar panels will remain as grassland and the post-development site infiltration rate will not change.
- 1.224. Estimated using the area of impermeable surfaces added to the Application Site due to the Proposed Development; indicative storm water storage volumes were estimated using Causeway’s Drainage Design Flow software. The storage calculations include up to the critical storm 100-year return period event (including a 40% allowance for climate change) and the design limits discharge rates back to greenfield runoff rates. This determined that the storage requirement to be attenuated from the critical storm 100-year return period (including 40% for climate change) from the Proposed Development would be 109.0m<sup>3</sup>.
- 1.225. The DIA explains the proposed drainage strategy to be implemented across the Application Site as part of the proposals:

*“It is proposed to construct a series of filter drains / infiltration trenches and swales across the Application Site in order to maintain greenfield run off rates as well as reducing the risks of soil erosion and limiting any impacts on downstream receiving watercourses or agricultural land. The location of the filter drains / infiltration trenches and swales have been chosen within fields with the steeper gradients, near to the site boundaries, where overland flow will be directed.*

*The proposed filter drains / infiltration trenches will have an overall combined length of approximately 1,515m, with a base width of 0.5m, a 0.5m design depth and a 0.15m freeboard. They will be filled with crushed rock with a void ratio of 20%. They will provide a total storage volume of approximately 75.8m<sup>3</sup>*

*The proposed swales will be of an overall length of approximately 330m, with a base width of 500mm, a 500mm design depth, 150mm freeboard and a maximum side slope of 1 in 3. They will provide a total storage volume of approximately 330m<sup>3</sup>.*

*In total, proposed drainage strategy will provide a storage volume of approximately 405.8m<sup>3</sup>. This is greater than the volume of additional runoff generated as a result of the impermeable buildings (109.0m<sup>3</sup>). It is therefore considered that this not only adequately mitigates the increase in flow rates as a result of the minor increase in impermeable area, but provides improvement.*

*The SuDS features will be implemented during the construction phase of the Proposed Development and the swales will be planted with vegetation to protect against soil erosion. They will be maintained throughout the lifespan of the Proposed Development, generally in accordance with the recommendations in the appropriate guidance.*

*The proposed discharge points vary throughout the Application Site, but will generally be located at the closest field drain or watercourse.*

*Additional drainage measures to be implemented on-site include the following:*

- *Solar Panels: current grass cover is to be retained or reinstated adjacent to and under panels in order to maximise bio-retention;*
- *Access Tracks: access tracks are to be unpaved and constructed from local stone. Swales or similar shall be utilised to collect runoff from access tracks, however these will be designed at the detailed design stage. Where swales are utilised, check dams formed from gravels and other excavated material shall be placed in the swale at frequent intervals; and,*
- *Inverter Substations: Filter strips will surround the concrete bases of the ancillary buildings to capture any runoff from the roofs. This will be discharged to a percolation area or into the sites drainage network where it is close enough. Should surface water accumulate around any of these locations then a simple soakaway can be constructed to allow water soak into the underlying subsoils.”*

Paragraph 4.97 – Paragraph 4.103

1.226. The summary of the FRA states:

*“The FRA and DIA has therefore demonstrated that the Proposed Development will **not increase flood risk** away from the Application Site during the construction, operation and decommissioning phases. The Proposed Development is therefore considered to be acceptable in planning policy terms.”*

## Access, Traffic and Transport

- 1.227. The Construction Traffic Management Plan (CTMP) provides a framework for managing the movement of traffic to and from the Application Site, and to minimise the impact on the local road network during the construction period of the Proposed Development. As outlined in this document and in **Technical Appendix 5 of Volume 3**.
- 1.228. The Application Site will be accessed from four existing farm access points off the unnamed road which dissects the Application Site. The speed limit on this unnamed road is likely to be 60mph, however no signs were noted on the site visit. It was observed that vehicles are highly likely to travel at speeds lower than the statutory speed limit due to it being a single carriageway with limited visibility.
- 1.229. An Automatic Traffic Count (ATC) survey took place on the unnamed road that the site is accessed from at three different points. These were within the vicinity of each of the site entrances and the survey equipment was set up on the 23<sup>rd</sup> January 2021 and was left in place for one week. The purpose was to collect real time data to determine the speed of road users at each point
- 1.230. The CTMP states

*“The survey concluded the following:*

- The 85<sup>th</sup> percentile speed along the road at Route Analysis 1 (See **Figure 5.1: Appendix 5A**) averaged 42.2mph eastbound and 42.8mph westbound. As these speeds were similar, the worst-case westbound speed of 42.8mph was used in standard Stopping Distance (SSD) calculations. This equates to a required visibility splay dimension of 115m in the ‘y’ direction and 2.4m in the ‘x’ direction. For this access point the hedgerow will require 26.7m to be trimmed back and 4.25m to be removed.*
- The 85<sup>th</sup> percentile speed along the road at Route Analysis 2 (See **Figure 5.1: Appendix 5A**) was 37.4mph eastbound and 37.5mph westbound. As these speeds were similar, the worst-case westbound speed of 37.5mph was used in standard Stopping Distance (SSD) calculations. This equates to a required visibility splay dimension of 70m in the ‘y’ direction and 2.4m in the ‘x’ direction. For the entrance at Route Analysis point 2, 56.4m of hedgerow will need to be trimmed back and 2.5m to be removed to achieve the required visibility.*
- The 85<sup>th</sup> percentile speed along the road at Route Analysis 3 and 4 (See **Figure 5.1: Appendix 5A**) averaged 36.8mph eastbound and 39.8mph westbound. Using standard Stopping Distance (SSD) calculations, this equates to a required visibility splay dimension*

*of 65m in the 'y' direction for eastbound traffic and 105m in the 'y' direction for westbound traffic, and 2.4m in the 'x' direction for both. For the entrance at Route Analysis point 3, 89.3m of hedgerow need to be trimmed back and 3.4m to be removed to achieve the required visibility. For the entrance at Route Analysis point 4, 40.5m of hedgerow will need to be realigned to achieve the required visibility.*

*Although it is proposed to utilise existing entrance points, they will all have to be upgraded so that the largest construction vehicles can manoeuvre into the Application Site. Initial swept path analysis was used in the design of the entrance points and therefore they are all suitable for the largest construction vehicles to access the Application Site once the upgrades have been completed"*

- 1.231. The haulage route will likely be from the A386 to the east of the Application Site. A map showing the proposed local access route is presented in **Figure 5.1: Appendix 5A of Technical Appendix 5**.
- 1.232. Additional and upgraded access tracks will be constructed to allow access for the construction, operation, maintenance and decommissioning of the solar panels and associated infrastructure.
- 1.233. Tracks will measure 4m wide with a 3.5m running width, however, this will increase at bends. The surface will be a compacted granular material (crushed rock) up to an approximate thickness of 0.3m, dependent on the ground conditions. The access tracks will remain in-situ after construction completes to provide access for maintenance and repair work, the landowner's use and decommissioning. The intent will be that the new access tracks would be removed as part of the decommissioning process unless otherwise agreed by the Council. Details of the access track construction can be found in **Figure 6 of Volume 2: Planning Application Drawings**.
- 1.234. Construction of the Proposed Development is anticipated to occur over a six-month period. During this period, there will be a combination of HGVs (for the component and material deliveries) and cars/vans (for construction staff) on site. HGV movements are expected to be the most intense during the first few weeks of construction, reducing in numbers towards the final weeks. Car/van movements are expected to be constant throughout.
- 1.235. All traffic will be limited to the hours of 07.00 to 19.00 on Monday to Friday and 08.00 to 16.00 on Saturdays. Outside of these times works are limited to a) commissioning and testing and b) works required in an emergency where there is the potential of harm or damage to personnel, plant, equipment, or the environment, provided the developer retrospectively notifies the Council of such works within 24 hours of their occurrence. Deliveries will be scheduled to avoid peak times such as rush hour and school pick up times.
- 1.236. It is forecast that there will be approximately 50 staff on site at any one time during the construction period, although this will vary subject to the overall programme of works. It is

likely that there will be a degree of vehicle sharing by staff and therefore, less than 50 staff vehicles (estimated maximum at 25-30 per day at peak construction periods) are expected to arrive onto the Application Site each day. Labour vehicle sharing will be actively encouraged to reduce vehicular movements.

- 1.237. The number of HGVs deliveries required for the construction phase is anticipated to be approximately 783 (i.e. 1,566 movements) with 10-15 LGVs expected each year for routine maintenance. The number of HGVs involved in the decommissioning period will be slightly higher than the construction phase (10% increase) due to the materials not being as neatly packed as when shipped from factory conditions.
- 1.238. To control, prevent and minimise dirt on the access route and emissions of dust and other airborne contaminants during the construction works, mitigation measures including wheel washing, dampening down site roads, speed limitations, avoidance of dust generating works in windy periods and covering of soil stockpiles is to be implemented.

## Acoustics

- 1.239. A Noise Impact Assessment (NIA) was undertaken in order to identify and describe any likely significant noise effects on keys receptors during the operational phase of the Proposed Development. For further detail, see **Technical Appendix 6 of Volume 3**.
- 1.240. The main sources of sound within the Proposed Development are the 14 inverters and transformers located at the solar inverter substations along with two grid transformers at the grid substation / Client/DNO substation. The inverters are assumed to be operating during daytime periods only when the solar farm is generating power, while the transformers are assumed to be operating at all times. In order to determine baseline noise levels, noise surveys were undertaken by Hoare Lea Acoustics between Friday 8<sup>th</sup> January and Monday 11<sup>th</sup> January 2021.
- 1.241. Following the collection of baseline data and assessing the impact of the Proposed Development, the NIA notes:

*“Whilst the potential for significant adverse impact has been identified, BS 4142: 2014 states that absolute levels might be more relevant than the margin above background in circumstances where the background noise levels are low, as is the case at this site. Consultation with the Environmental Health Department at Torridge District Council has been undertaken to identify an appropriate absolute noise limit. A rating level of 35 dB L<sub>Aeq</sub> at the curtilage of third-party properties was deemed to represent an acceptable level of impact. Excluding H8-H11, which are owned by landowners of the project, this level is met at all properties during the evening/at night and at all but H7 during the day.*

*Mitigation, in the form of acoustic barriers installed at the three nearest inverter substations, is proposed in order to reduce the noise levels at H7.”*

- 1.242. The Noise Impact Assessment concludes:

*“An assessment of the acoustic impact of the proposed Derril Water solar farm has been undertaken in accordance with BS 4142: 2014. Whilst the margin by which the rating level exceeds the background indicates the potential for significant adverse impact, such an assessment may not be appropriate in the context of the low background sound levels at this site. BS 4142: 2014 allows for assessments to be made against absolute limits in this situation. An assessment against absolute limits, agreed with the Torridge District Council Environmental Health Department, demonstrates that such limits can be met with appropriate mitigation measures.”*

## Glint and Glare

- 1.243. A glint and glare assessment was undertaken in order to assess the potential impacts on ground-based receptors such as roads, rail and residential dwellings as well as aviation assets. For further detail, see **Technical Appendix 7 of Volume 3**.

- 1.244. Solar panels are designed to absorb as much light as possible and not to reflect it. However, glint can be produced as a reflection of the sun from the surface of the solar PV panel. This can also be described as a momentary flash and may be an issue due to visual impact and viewer distraction on ground-based receptors and on aviation.

- 1.245. Glare is significantly less intense in comparison to glint and can be described as a continuous source of bright light, relative to diffused lighting. This is not a direct reflection of the sun, but a reflection of the sky around the sun.

- 1.246. The assessment states:

*“In terms of reflectance, photovoltaic solar panels are not highly reflective surfaces. They are designed to absorb sunlight and not to reflect it. Nonetheless, photovoltaic panels have a flat polished surface, which omits ‘specular’ reflectance rather than a ‘diffuse’ reflectance, which would occur from a rough surface. Several studies have shown that photovoltaic panels (as opposed to Concentrated Solar Power) have similar reflectance characteristics to water, which is much lower than glass, steel, snow and white concrete by comparison”*

Paragraph 7.24

- 1.247. Geometric analysis was conducted at 50 residential receptors and 35 road receptors. Following an initial assessment, rail receptors were scoped out as assets that will be impacted upon from the Proposed Development as the closest rail receptor falls outside of the 1km study area. While there were four aviation assets within 30km of the Proposed Development, no airfields required detailed assessment as the Proposed Development is located outside their respective safeguarding buffer zones.

- 1.248. The assessment concludes that:

- *“Solar reflections are possible at 42 of 50 residential receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as **High** at 35 receptors, **Medium** at three receptors, **Low** at four, and **None** at the remaining eight receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts remain **High** at two receptors and reduce to **None** at the remaining 48 receptors. Once mitigation was taken into consideration, impacts remain **High** for Receptor 39 (Landowner) and reduce to **None** for Receptor 44. Therefore, overall impacts are **High** for Receptor 39 and **None** for all remaining receptors.*
  - *Solar reflections are possible at 32 of 35 road receptors assessed within the 1km study area. Upon reviewing the actual visibility of the road receptors, glint and glare impacts reduce to **None** at all receptors.*
  - ***No impact** on train drivers or railway infrastructure is predicted.*
  - ***No impact** on Aviation Assets is predicted.*
- 1.249. *Mitigation measures recommended include the infilling of hedgerows and planting of a berm along the eastern boundary of Field 3. These mitigation measures will screen all views to Residential Receptor 44. Therefore, reducing its impact to **None**.*
- 1.250. *The effects of glint and glare and their impact on local receptors has been analysed in detail and once mitigation measures have been introduced there is predicted to be **No effect** on all residential receptors except for Residential Receptor 39, which is owned by the landowners. Therefore, impacts are not deemed to be significant.”*
- Paragraph 7.153 – Paragraph 7.155
- 1.251. The LEMP details this mitigation planting and can be found in **Figure 1.14 of Technical Appendix 1: Volume 1**.

## Best and Most Versatile Land

- 1.252. Paragraph 171 of the National Planning Policy Framework (NPPF) states:

*“Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.”*

*“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”*

- 1.253. While the quality of agricultural land is one material consideration to be considered in determining whether a site is suitable to accommodate a solar farm development, there are multiple factors relevant to considering whether such development suitable at a particular location. These can be technical matters, such as grid availability and proximity to the grid, which affect deliverability, and/or environmental and planning considerations.
- 1.254. The Application Site has been subject to an Agricultural Land Classification (ALC) assessment (See **Technical Appendix 9 of Volume 3**), which has demonstrated that the majority of the site comprises of grade 3b and grade 4 land (55.1%), which is not considered best and most versatile. Only 39.8% of the land comprises grade 3a.
- 1.255. As the surveys and assessments in Volume 3 have concluded that the Proposed Development will not result in any unacceptable impacts at this location, and the planning reports in Volume 1 have concluded that the Proposed Development is compliant with the North Devon and Torridge Local Development Plan and national planning policy and guidance; the small proportion of best and most versatile land which will be used in development is not considered a significant constraint to development.
- 1.256. As previously alluded to, the Proposed Development will not result in the permanent loss of land and upon cessation of the production of renewable energy, the land will be restored to its former use. The ground level footprint of the Proposed Development is less than 4%, with the highest ground disturbance occurring from the proposed access tracks, temporary construction compounds and cable trenches. A lower area of ground disturbance will occur from excavations required for infrastructure such as the ancillary buildings. The cumulative 'pin-prick' ground disturbance occurring from the piling for the panels themselves will be less than 0.5% of the Application Site area.
- 1.257. It is also the case that taking the fields out of traditional agricultural use for a long period of time will give the site the opportunity to recover its fertility and productivity in the future. It is therefore considered that the Proposed Development accords with the NPPG on Renewable and Low Carbon Energy in this respect.

## Design

- 1.258. The Applicant, with assistance from Neo Environmental Limited have developed a rigorous site selection process in order to ensure that only the best projects are developed, and such projects are able to be sensitively integrated into the wider landscape, encouraging the protection and enhancement of the environment.
- 1.259. The layout of the Proposed Development has been designed to make the most efficient use of the Application Site, whilst respecting nearby residential properties and existing features such as hedgerows and trees as far as is practically possible.
- 1.260. Throughout the design iteration process, the Application Site has reduced in size from circa 80 hectares at the EIA Screening stage to the current site area of 69.5 hectares. This was to





accommodate 100m buffers from nearby residential properties and to ensure that the Proposed Development fits sympathetically within the surrounding environment, reducing the potential for visual or cumulative landscape impacts.

- 1.261. A 5m buffer has been included within the design around all existing hedgerows and a 10m buffer has been employed around the woodland to reduce potential negative impacts on local wildlife. Additionally, a 30m buffer has been included around the badger sett identified on the southern boundary of the Application Site. 10cm gaps have been designed into the bottom of the security fencing which spans the perimeter of the Application Site to ensure connectivity for mammals and compensatory hedgerow planting and infill have also been proposed See **Technical Appendix 2: EclA of Volume 3** for further details.
- 1.262. Lastly, 10m buffers from the watercourse, Derril Water has been implemented into the design of the Proposed Development ensuring that that Flood Zones 2 and 3 are avoided and that all infrastructure associated with the development are located within Flood Zone 1 (at little to no risk of flooding).

### Crime and Disorder Statement

- 1.263. For security and safety purposes, the Proposed Development will be closed to the general public via security fencing and a locked gate. The security fence installed around the perimeter of the solar farm will be erected at the start of the construction programme and will remain for the duration of the operation until decommissioning of the solar farm (See **Figure 9 of Volume 2: Planning Application Drawings**).
- 1.264. As the Proposed Development will be unmanned other than for scheduled maintenance visits, there will be 86no. CCTV cameras with infrared lighting located at intervals around the perimeter of the security fence monitoring the site. These will be operating 24 hours a day. Additionally, there will be danger signs located on the gates / fences of the development warning the public of high voltage equipment and that the site is protected by video surveillance.
- 1.265. Access to the Application Site during construction hours will be controlled by personnel located at the entrance of the development. All visitors will sign in and out with security.

## BENEFITS OF THE PROPOSED DEVELOPMENT

### Clean Energy Benefit

#### Renewable Energy Statement

- 1.266. The most notable benefit of the Proposed Development is the support it will provide towards the Central Government's commitments to reduce emissions of greenhouse gas emissions to combat the effects of climate change. In May 2019, the Central Government announced an 'Environment and Climate Emergency' which led to them committing to a goal of net zero emissions by 2050.
- 1.267. Although significant progress towards this goal has already been made, the UK have far to go. The CCC published the Sixth Carbon Budget: The UK's Path to Net Zero<sup>23</sup> on 9<sup>th</sup> December 2020 which sets out the actions needed to achieve net zero emissions. The CCC's recommended pathway, the *Balanced Net Zero Pathway* requires a 78% reduction in UK territorial emissions by 2035, a 63% reduction from 2019.
- 1.268. The Proposed Development will have an export capacity of 42MW; a solar farm of this size will generate a significant amount of electricity from renewable sources, therefore offsetting the need for power generation from the combustion of fossil fuels including coal and oil. Consequently, during its operational lifespan the Proposed Development has the potential to displace electricity generated from fossil fuels and consequently represents carbon savings.
- 1.269. The amount of CO<sub>2</sub> savings therefore depends on which source of electricity generation the wind farm generating capacity is displacing at any given time. A renewable energy development would have a maximum potential to save carbon emissions when substituting coal fired generation. However, it is not appropriate to define the electricity source for which this renewable electricity project would substitute due to uncertainty in the future grid mix.
- 1.270. Using BEIS's "all fossil fuels" emissions statistic of 446 tonnes of carbon dioxide per gigawatt hour (GWh) of electricity supplied in Table 5E of the *Digest of UK Energy Statistics (July 2020)*<sup>24</sup>, the estimated prevention of emissions in CO<sub>2</sub> from the Proposed Development has been calculated both annually and for the estimated lifetime of the solar farm. The estimated figure of energy production for the development is 41.723 GWh.

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<sup>23</sup> [The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf](#)

<sup>24</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/905060/DUKES\\_2020\\_MASTER.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/905060/DUKES_2020_MASTER.pdf)

Table 2: Estimated prevention of emissions in tonnes of CO<sub>2</sub>.

Estimated Prevention of Emissions in CO <sub>2</sub> (tonnes)	
Annual	Solar Farm Lifetime (40 years)
18,608t <sup>3</sup>	744,338t <sup>3</sup>

- 1.271. The development of the Proposed Development will mean a substantial reduction of 18,608t<sup>3</sup> of CO<sub>2</sub> emissions annually. Scaling this up to the CO<sub>2</sub> displaced over the lifetime of the Proposed Development (40 years), circa 744,338t<sup>3</sup> of CO<sub>2</sub> will be displaced. This represents a significant contribution to the legally binding national and international requirement and associated targets to increase renewable energy generation and reduce CO<sub>2</sub> emissions.
- 1.272. Based on BEIS average domestic household consumption per year, 3,578kWh, the Proposed Development can meet the energy needs of approximately 12,100<sup>25</sup> homes. The generation of this level of renewable energy therefore represents a substantial benefit which would be experienced if planning permission were to be granted.
- 1.273. In addition, the operation of the Development could, based on the same assumptions, also displace other gases related to coal-fired electricity generation including those associated with acid rain such as sulphur dioxide (SO<sub>2</sub>) and oxides of nitrogen (NO<sub>x</sub>).

## Biodiversity Benefits

- 1.274. The construction of the Proposed Development will occur over land which has been identified primarily as arable land, of low ecological value which offers limited potential to support wildlife. With the introduction of solar farm, the land would be converted from arable to pasture, with light grazing proposed (i.e. the site will be dual use; production of renewable energy and agricultural activities). Grazed pastures provide nesting and feeding habitat for various species of birds. In addition to this, the land will no longer be sprayed with artificial pesticides and fertilisers, improving the quality of the land for local pollinators.
- 1.275. By implementing the proposed Landscape and Ecology Management Plan (**Figure 1.14 of Appendix 1A: Technical Appendix 1**), in addition to the Biodiversity Management Plan (**Appendix 2.3 of Technical Appendix 2: Volume 3**), there will be a net-gain for biodiversity at the Application Site. The Net Gain Assessment (**Appendix 2.4 of Technical Appendix 2: Volume 3**) highlights a **90.27% gain** in area habitat units. Such a large gain well exceeds the 10% requirement that is expected to become law later in 2021. A **29.83% gain** in hedgerow units is also predicted. This is again well in excess of 10%, showing that the Proposed Development is expected to lead to **significant biodiversity net gain**. This accords with national planning policy, and with policies ST14 and DM08 of the North Devon and Torridge Local Plan.

<sup>25</sup> [Sub national electricity and gas consumption summary report 2019 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## Improving Drainage at the Application Site

- 1.276. It is proposed to construct a series of filter drains / infiltration trenches and swales across the Application Site in order to maintain greenfield run off rates as well as reducing the risks of soil erosion and limiting any impacts on downstream receiving watercourses or agricultural land.
- 1.277. In total, proposed drainage strategy will provide a storage volume of approximately 405.8m<sup>3</sup>. This is greater than the volume of additional runoff generated as a result of the impermeable buildings (109.0m<sup>3</sup>). It is therefore considered that this not only adequately mitigates the increase in flow rates as a result of the minor increase in impermeable area, but provides improvement.
- 1.278. The SuDS features will be implemented during the construction phase of the Proposed Development and the swales will be planted with vegetation to protect against soil erosion. They will be maintained throughout the lifespan of the Proposed Development, generally in accordance with the recommendations in the appropriate guidance.
- 1.279. Additional drainage measures to be implemented on-site include the following:
- Solar Panels: current grass cover is to be retained or reinstated adjacent to and under panels in order to maximise bio-retention;
  - Access Tracks: access tracks are to be unpaved and constructed from local stone. Swales or similar shall be utilised to collect runoff from access tracks, however these will be designed at the detailed design stage. Where swales are utilised, check dams formed from gravels and other excavated material shall be placed in the swale at frequent intervals; and,
  - Inverter Substations: Filter strips will surround the concrete bases of the ancillary buildings to capture any runoff from the roofs. This will be discharged to a percolation area or into the sites drainage network where it is close enough. Should surface water accumulate around any of these locations then a simple soakaway can be constructed to allow water soak into the underlying subsoils.
- 1.280. Further information can be found in **Technical Appendix 4 of Volume 3**.

## Landowner and Legacy Benefits

- 1.281. The Proposed Development will provide a stable and diversified source of revenue over a sustained period while improving the ecological value of the site and safeguarding its reuse for agriculture in future.
- 1.282. Where possible, the Proposed Development retains and enhances existing landscape features, particularly the hedgerow field boundaries and promotes the use of traditional field hedges and diversity of native hedgerow species. Additionally, the Proposed Development will leave a positive legacy in the form of improved biodiversity and landscape value thanks to additional planting and infilling of hedgerows at the construction phase, the ecological enhancement measures and the ongoing sensitive site management for the duration of the Proposed Development's lifespan, including through proposed species rich neutral grassland and introduction of bird crop of nectar rich wildflower mix. The mitigation proposals will result in some benefits to the local vegetation and ditch pattern. This ecological and landscape enhancement is a benefit to be afforded further weight in favour of granting planning permission.
- 1.283. Following decommissioning, the site can be returned to agricultural use with the benefit of retaining the enhanced landscape and biodiversity value from the matured mitigation planting.

## Socio-Economic Benefits

- 1.284. The Proposed Development will generate a range of direct economic benefits for North Devon and Torridge both in terms of its construction and operation, generating jobs for installation, maintenance, and its eventual decommissioning and remediation.
- 1.285. The scheme represents a significant financial investment as a range of support services will be required including haulage, on-site welfare facilities, refuse and recycling facilities, transport and local accommodation for construction workers.
- 1.286. It estimated that there will be 50 construction workers on site during peak times of the construction period, which is expected to be 6 months. The Solar powered growth in the UK report, Cebr<sup>26</sup> gives an employment multiplier for large-scale solar PV investments of 2.33 – i.e. for every job supported on-site, 1.33 additional indirect/induced jobs are supported in the wider economy. Applying this multiplier to the 50 on-site jobs, the Proposed Development could support 66 additional temporary jobs in the wider economy.
- 1.287. In total, the Proposed Development could support around 116 temporary jobs, both direct jobs on-site and indirect roles in the wider economy, during the 6- month construction period.

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<sup>26</sup> Solar powered growth in the UK – the macroeconomic benefits for the UK of investment in solar PV: Cebr (report for the Solar Trade Association), September 2014.

- 1.288. Many of these services will also be required during the site's decommissioning and restoration.

## Summary of Benefits

- 1.289. The need to foster and encourage economic development is given much weight in the NPPF, especially in rural areas where this type of development is necessary.
- 1.290. The most notable benefit of the Proposed Development is that supports the Central Governments net zero targets by providing a source of renewable energy; enough to power 12,100 homes and would displace c. 18,608 tonnes of CO<sub>2</sub> per annum.
- 1.291. In addition to this and with the ecological and landscape enhancement proposed, the Proposed Development will result in a **net beneficial gain** for biodiversity by way of habitat creation and enhancement measures centred around new species-rich grassland, tree and hedgerow planting and hibernacula. The Net Gain Assessment (**Appendix 2.4 of Technical Appendix 2: Volume 3**) highlights a **90.27% gain** in area habitat units. Such a large gain well exceeds the 10% requirement that is expected to become law later in 2021. A **29.83%** gain in hedgerow units is also predicted. This is again well in excess of 10%, showing that the Proposed Development is expected to lead to **significant biodiversity net gain**.
- 1.292. As a result of the above, it is considered that the limited harm that may occur as a result of the Proposed Development is well outweighed by the many benefits associated with the scale of renewable energy that will be provided.

## CONCLUSION

1.293. In devising the Proposed Development, a number of rigorous technical environmental assessments have been undertaken to ensure compliance with all relevant planning and associated legislation, with appropriate mitigations and enhancements having been proposed. In all cases, the assessments have concluded that the Proposed Development will not result in any unacceptable impacts, with any limited harm that may occur being well outweighed by the many benefits associated with the scale of renewable energy that will be provided. These benefits include:

- An expected generation of c. 42MW of renewable energy which could generate enough electricity to power circa 12,100 homes per year for the local distribution network;
- A significant saving of CO<sub>2</sub> per year compared to equivalent fossil fuel generation (18,608t<sup>3</sup>);
- Assisting National and local efforts to achieve legally binding renewable energy targets;
- Providing local economic benefits both in terms of its construction and operation, generating jobs for installation, maintenance and its eventual remediation; and
- Long-term environmental benefits in the form of improved biodiversity and landscape value thanks to additional planting and infilling of hedgerows at the construction phase and the ecological enhancement measures and the ongoing sensitive site management for the duration of the Proposed Development's lifespan.

1.294. The above planning assessment has demonstrated that:

- The Proposed Development is compliant with the North Devon and Torridge Local Development Plan and national planning policy and guidance.
- The development and operation of the solar farm would give rise to a wide range of environmental and economic benefits which amount to a very substantial weight in favour of planning permission being granted; and
- The impacts associated with the Proposed Development at this location are limited.

1.295. In consideration of the above, the Proposed Development has been shown to achieve the main objectives of sustainable development (environmental, social and economic) without causing undue detriment to any of these matters.



- 1.296. There is significant support for the principle of renewable energy developments and presumption in favour of sustainable development throughout the NPPF. Paragraph 148 is clear that the planning system should support transition to a low carbon future, specifically renewable and low carbon energy and associated infrastructure. Granting planning permission for the proposed solar farm would comply with these requirements and demonstrate support for such schemes.
- 1.297. The NPPF also directs that planning applications for renewable development should be approved if impacts are (or can be made) acceptable. As outlined above, the assessments of environmental effects have been shown to be limited and would also accord with the provisions of national policy and the NPPG where these specifically refer to environmental effects. The Proposed Development is deemed to have struck an acceptable balance between renewable energy production and all relevant planning and environmental considerations and, on this basis, we contend that planning permission should be granted.



## APPENDICES

Appendix A: Pre-application Response

Appendix B: EIA Screening Direction





## Appendix A: Pre-application Response



**Please reply to:**

Planning Officer: Laura Davies  
Direct Dial: 01237 428967  
Email: [Laura.Davies@torridge.gov.uk](mailto:Laura.Davies@torridge.gov.uk)

Renewable Energy Systems  
C/o Neo Environmental  
Cinnamon House  
Crab Lane  
Warrington  
WA2 0XP

**Our Ref:** FPEM/0650/2020                      Your Ref:  
**Date:** 10<sup>th</sup> November 2020  
**Enquiry:** Proposed 49.99MW Solar Farm development  
**Location:** Land At Monks Farm, Pyworthy, Holsworthy, Devon

Dear Ms Beckett

I write further to your recent pre-application submission at the above site and our subsequent meeting of 22<sup>nd</sup> October 2020.

**Proposed Development**

The submitted details propose the installation of a 50MW solar farm on land surrounding Monks Farm, Trelana Farm and New Park to the west of the settlement of Pyworthy. The submitted site plan indicates an extensive potential site area of some 120ha although it is understood that this relates to a wider site assessment with the eventual site area being likely to be closer to 70ha.

The application site is currently in agricultural use and includes a number of fields which are all bound by mature hedgebanks with some mature trees. It is noted that there is an existing sub-station located to the eastern boundary which is used in relation to the adjacent solar farm at Crinacott Farm.

The site falls within Flood Zone 1 and is not subject to any protected landscape designation. The submitted information confirms that the site contains both Grade 3 and Grade 4 agricultural land and that it is intended that the land continue to be used for grazing throughout the lifespan of the solar farm.

There are a number of dwellings within or immediately adjacent to the application site, at New Park, Monks Farm and Trelana, although it is understood that the owners of these properties are all involved in the proposed development in some manner. The nearest unconnected properties are set at a greater distance to the application site, to the west, south-west and south of the application site.

No details of the layout of the application site or any ancillary buildings, fencing or security cameras have been provided for comment at this stage. In addition, the proposed points of access into the site have also not been confirmed.

**Relevant Planning History**

There is no specifically relevant history related to the application site. It is noted that various development proposals have been approved at Monks Farm for agricultural buildings and the conversion of barns to holiday accommodation.

There have however been a number of applications within the immediate vicinity of the application site related to the nearby solar farms which have previously been installed. These include the provision of an underground cable to the east of the application site in connection with the solar farm at Derriton Fields (application reference: 1/0904/2013/FUL) which was approved in 2013. In addition, planning permission was also granted for the provision of an underground grid connection cable for the solar farm at Crinacott Farm, to the west of the application site in 2013 (application reference: 1/0333/2013/FUL). A further application granted planning permission for the installation of 5 km of underground electrical cable to serve the Pitworthy solar park (application reference: 1/0781/2013/FUL). This cable extends along the public highway which runs east-west through the application site.

## **Main Planning Considerations:**

### **1. Principle of Development**

Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

In policy terms, the entire site is located within the open countryside and therefore the provisions of Policy ST07 of the North Devon and Torrige Local Plan are relevant, particularly section (4) which states:

*'In the countryside, beyond local centres, villages and rural settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a countryside location'.*

Policy ST16 of the Local Plan relates to renewable energy and heat noting, at section (3) that;  
*'Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:*

- (a) Landscape sensitivity is best able to accommodate them, assessed in accordance with the Council's Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;*
- (b) There is no significant impact on local amenities; and*
- (c) The special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved or enhanced.'*

Section (4) of Policy ST16 further notes:

*'Renewable and low carbon energy development (other than wind energy) will be supported where it can be demonstrated that the cumulative impact of operational, consented and proposed development on landscape character does not become a significant or defining characteristic of the wider fabric, character and quality of the landscape.'*

Whilst the application site is located outside of the settlement boundaries of both Bridgerule and Pyworthy, a spatial strategy for each settlement is set out in the Local Plan. The spatial strategy for Pyworthy, Policy PYW specifically notes the need to retain the character of the village and the protection of the local and natural environment.

It is considered that the principle of developing a large-scale solar scheme in this countryside location would be acceptable, given such developments are *'necessarily restricted to a countryside location'*. It is noted that you are in the process of determining the precise site area and size of the development

based on the constraints emerging from the initial site assessments. Guidance contained in the National Planning Practice Guidance (NPPG) notes that consideration should be given to the agricultural quality of land to be used for solar farms with use of the poorer quality land rather than the higher quality land. It is understood that the red lined application site area indicated includes predominantly Grade 4 land with some areas of Grade 3. Once the developable part of the site is finalised, a full agricultural land classification report will need to be undertaken to justify the site selection for the proposed development and likely impact on the agricultural land available. It is noted that the intention is for grazing to continue within the developed site.

There are concerns about the potential cumulative impact of the proposed development when considered in the context of the surrounding solar developments which are within reasonably close proximity. Further consideration will be given to this aspect in subsequent sections.

Notwithstanding this location being appropriate in principle for the development proposed, any application proposal would need to be compliant with other key policy areas and, in particular, an assessment would be needed as to the impacts on landscape, local amenities, biodiversity, heritage assets along with an evaluation of the cumulative impact with nearby operational, consented and proposed development. These more detailed matters are considered under the relevant headings below.

## 2. Impact on Character and Landscape Appearance

The application site is identified to be located within landscape character type 5A (Inland Elevated Undulating Land) as set out in the Joint Landscape Character Assessment for North Devon and Torrige Districts (JLCA). This landscape character type is characterised by long views from elevation ridgelines, a patchwork of fields and hedges and includes valued Culm grassland areas and wetland habitats. In addition, the area is identified as being quiet, relaxed and tranquil. The JLCA identifies a number of forces for change which have previously or are currently taking place in this landscape character area including the installation of prominent pylon lines crossing through the landscape, the noise and intrusion of main roads dissecting the landscape and the demand for commercial scale wind turbines on open ridgelines. In relation to future forces for change, the JLCA specifically notes demand for large scale photovoltaic developments capitalising on solar radiation levels of slopes with a southerly aspect.

The Council has prepared an Assessment of the Landscape Sensitivity to Onshore Wind Energy & Field-Scale Photovoltaic Development in Torrige District which assesses the landscape sensitivity of the various parts of the District to different scale renewable energy projects. This identifies the likely landscape impacts of a large scale solar farm within the landscape character type 5A as having a medium to high sensitivity. This is defined as being a situation where the key characteristics and qualities of the landscape are sensitive to change from the type and scale of renewable energy being assessed. It should be noted however that due to the age of this document, a large scale solar farm is defined as being 10-15ha whereas the area which is likely to be proposed in this instance would be approximately 70ha. The landscape strategy for landscape character type 5A is for occasional photovoltaic developments with a scale related to the landscape. It is against this landscape assessment that any Landscape and Visual Impact Assessment for the proposed development should be set. The full report is available to view on the Council's website ([www.torrige.gov.uk/plans](http://www.torrige.gov.uk/plans)).

Policy ST04 of the Local Plan relates to the quality of development and states that; '*development will achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area*'. Policy DM04 sets out a series of design principles noting that development proposals should be appropriate and sympathetic to their setting in terms of their scale, density, massing, height, layout appearance, fenestration, materials and their relationship to buildings and landscape features in the locality.

Policy DM08A of the Local Plan relates to landscape and seascape character and states that development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and undesignated landscapes.

A detailed Landscape and Visual Impact Assessment (LVIA) would need to be prepared in relation to any formal application and it would be useful for a draft copy of this to be forwarded as part of the pre-application discussions in advance of any formal application. It may also be useful to agree potential viewpoints to be used within any LVIA in advance.

The red lined application site at this stage covers an extensive area and the preference would be for a smaller, tighter development located over a smaller area than that currently proposed. It is understood from the meeting that the red line site area should shrink by approximately half when the constraints of the site have been identified and the site layout plans drafted. Further comments can be provided on the likely landscape impact with the submission of a draft LVIA and a proposed Site Layout Plan. Any proposed site layout plans should include the proposed locations of ancillary buildings, lighting, CCTV cameras and fencing as well as the solar panels themselves. Within any formal application submission, full plans and elevations of any proposed buildings as well as elevations of the proposed fencing and lighting/CCTV cameras should be provided. Details of the proposed materials for these elements of the development, as well as the potential light spill from any lighting will assist in assessing the landscape and ecological impacts.

It is noted that the existing fields are surrounded by mature hedgerows with some mature trees included within these which will provide some immediate landscape mitigation, however consideration should also be given to additional landscape mitigation within the proposed development and the careful siting of the proposed solar panels, buildings etc. so as to minimise any landscape impacts.

As noted above, there are concerns about the likely cumulative impacts of the proposed development given the proximity of a number of other solar farms within the surrounding landscape. A more detailed assessment of this aspect of the development can be undertaken with the submission of a draft LVIA to assist in identifying the key viewpoints. Given the conclusions of the Council's Assessment of Landscape Sensitivity in relation to large scale solar farms within this landscape character type, it would be essential for any LVIA to robustly assess the impacts of the proposed development on the surrounding landscape character type and how these can be mitigated. Ultimately, the prospects for achieving a positive planning decision come down to the balance between the economic and environmental benefits of providing this level of renewable energy against any resultant harm to the landscape.

Consultation responses have been received from Natural England and the Police Architectural Liaison Officer.

**Natural England:** Response notes the proximity of the Cornwall AONB within 10km of the application site and reference to the Management Plan for this AONB should be made within any LVIA submitted for the site. In addition, the degree to which soils on the site will be disturbed or harmed as part of the development is queried and the need for an Agricultural Land Classification to accompany any formal application is noted. Further, Natural England highlight the need for biodiversity net gain to be considered within any formal application and this will be discussed further in the subsequent Ecology section.

A full copy of this response will be attached to this letter for your information.

**Police Architectural Liaison Officer:**

*'Solar farms are by their very nature and location always potentially vulnerable to criminal attack and so any appropriate means of preventing/deterring this is in principle supported.'*

*The fence is described as a 'deer style' security fence. I am unsure of exactly how secure this fence may be unless it is known to comply with any recognised security standards?*

*The following advice and information is given regarding CCTV systems. The Pre-Application document mentions the inclusion of CCTV which is again supported hopefully cameras will not only cover the main entrance and boundary but also the buildings within the facility?*

*A passport for compliance document, previously known as an Operational Requirement (OR), should be drawn up prior to installation to ensure any system will be fit for purpose. This site may not need that many cameras but I would advise that any system has the capacity to install more cameras at a later stage if desired. Cameras, wiring and recording or monitoring equipment should be secured. CCTV should be designed in co-ordination with external lighting and landscaping. The CCTV must have a recording format that is acceptable to the Police. Recorded images must be of evidential quality if intended for prosecution. Any CCTV is advised to be installed to BS EN 50132-7: CCTV surveillance systems for use in security applications. CCTV systems may have to be registered with the Information Commissioners Office (ICO) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available via [www.ico.gov.uk](http://www.ico.gov.uk) For guidance on the use of CCTV images as legal evidence see also BS 7958:2005 CCTV Management and Operation Code of Practice. New cameras will have to be positioned so as to be out of easy reach or interference.*

*The buildings should where appropriate have robust external doors/windows. These are advised to meet an appropriate security standard such as LPS 1175 or equivalent. The buildings are also strongly advised to incorporate an intruder alarm ideally monitored and compliant with current National Police Chiefs Councils current guidance. I would suggest that the above brief guidance should also be applied to any compounds during the construction phase of any approved project.'*

### **3. Impact on Historic Character**

Policy DM07 of the Local Plan relates to the historic environment and notes that all proposals affecting heritage assets should be accompanied by sufficient information in the form of a Heritage Statement. Further, Policy DM07 states that proposals which conserve and enhance heritage assets and their settings will be supported and where there is unavoidable harm to assets and their settings, proposals will only be supported where the harm is minimised as far as possible and an acceptable balance between harm and benefit can be achieved.

It is noted that there are no designated heritage assets within the site boundaries and it is understood from our meeting that a walkover archaeological survey has already been undertaken by the applicant. Further comments on any specific impacts on heritage assets can be provided with confirmation of the site layout and area.

Comments have been received from the Council's Conservation Officer and the County Council's Archaeologist in relation to the proposals.

**TDC Conservation Officer:** The Council's Conservation Officer has not raised any specific objections with respect to the impact of the development on heritage assets in the surrounding area, noting that most are well set into the landscape or located within nearby settlements themselves, like Pyworthy. In addition, the Conservation Officer notes the likely temporary nature of the proposed solar farm resulting in a short term intrusion into the landscape.

#### **DCC Archaeology:**

*'I refer to the above scheme and your recent consultation. The proposed solar farm lies in a landscape containing evidence of prehistoric activity and there is the potential that previously unrecorded prehistoric heritage assets are present within the area under consideration and will be affected by any groundworks within the footprint of the solar farm. As such, the Historic Environment Team would advise that any proposals for the development of this area as a solar farm should be informed and*

*supported by a programme of archaeological work to enable an understanding of the significance of the heritage assets within the proposed development site, of the impact of the proposed development upon these heritage assets and the requirement and nature of any mitigation - either by design or further archaeological work - that may need to be implemented.*

*The requirement for such information to inform any future planning application is in accordance with guidance Policy DM07 in the North Devon and Torrige Local Plan (2018) and paragraphs 189 and 190 of the National Planning Policy Framework (2019).*

*Given the potential for survival and significance of below ground archaeological deposits associated with the known nearby prehistoric activity the additional information required to be provided by the prospective applicant would be the results of:*

- i) An archaeological geophysical survey and*
- ii) A programme of intrusive archaeological investigation.*

*The results of these investigations will enable the presence and significance of any heritage assets within the proposed development area to be understood as well as the potential impact of the development upon them, and enable an informed and reasonable planning decision to be made by your Authority.*

*In addition, given the scale of the proposed solar farm within the landscape and presence of prehistoric funerary monument in the surrounding landscape that are protected as Scheduled Monuments I would advise that Historic England are consulted with regard to any comments they will have on the impact of the proposed development upon the setting of these nationally important heritage assets.*

*I will be happy to discuss this further with you, the developer or their agent. The Historic Environment Team can also provide the prospective applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to: <https://new.devon.gov.uk/historicenvironment/development-management/>.*

#### **4. Impact on Residential Amenities**

Policy DM01 of the Local Plan relates to residential amenities and notes that development proposals will be supported where they would not significantly harm the amenities of any neighbouring occupiers or uses.

As noted above, the nearest neighbouring occupiers at Monks Farm, New Park and Trelana are noted to be likely to be directly involved in the proposed development. The proposed development, with the red line as submitted, would be in within a clear view of a number of other neighbouring properties depending on the final locations of the solar panels and ancillary development. Careful considerations should also be given to likely disturbance from low frequency noises due to the nature of the development and the potential for glint and glare for neighbouring occupiers.

Comments have been received from the Council's Environmental Protection Officer in relation to the proposed development:

#### **TDC Environmental Protection Officer:**

*'Solar farms have the potential to adversely impact residential amenity from noise and reflected light. Subsequently, the Environmental Protection Team would require appropriate assessments on the noise impact, particularly low frequency noise arising from inverters and substations, as well as the impact resulting from glint and glare. The assessments should include mitigation measures where*



*adverse impacts are identified. Considering the scale of the development, a construction environmental management plan would also be required outlining measures to prevent disturbance to residential properties during the development. Having reviewed the 'Pre-application Request' document, it would appear that the applicant will be providing the above mentioned documents.'*

## **5. Access and Parking**

Policy ST10 sets out the transport strategy for the District which notes that the function and safety of the road network will be protected and enhanced. Policy DM05 states that all development must ensure safe and well designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Developments should also protect and enhance existing public rights of way.

No details of the proposed access points into the site, the construction management details or likely traffic routes for larger vehicles have been provided at this stage for comment, although all would be required within a Transport Statement to accompany any formal application of this nature.

Comments have been received from the County Council's Highways Officer in relation to the proposed development.

### **DCC Highways:**

*'We are unlikely to have an objection to a proposal such as this subject to adequate site entrance(s) being formed which is likely to require improved visibility splays and hardening of the site access to avoid mud being dragged onto the road. A compound within the site shall be required so that there is no parking or unloading on the highway. Creation of additional passing places on the application land might be required.'*

## **6. Flood Risk and Drainage**

Policy DM02 of the Local Plan relates to environmental protection and section (2) specifically relates to pollution noting that development proposals will be supported where they do not result in unacceptable impacts to the pollution of surface or ground water.

The application site is located in Flood Zone 1 however there is a water course, Derril Water which extends through the site. Careful consideration would need to be made of the likely surface water run off from all parts of the proposed development and how this will be managed on site. Any formal planning application for the proposed development would need to be accompanied by a detailed Flood Risk Assessment and Drainage Strategy.

Comments have been received from the Environment Agency and the County Council's Flood Risk Officers with respect to the proposed development.

### **Environment Agency:**

*'Thank you for consulting the Environment Agency on the above pre-application enquiry. We no longer screen this type of enquiry and provide a site specific response. Please find attached our preliminary opinion advice note which provides guidance on matters within our remit. It signposts where the applicant can obtain further information about the constraints that might affect the development site, and any assessment and permits that might be required.'*

*From a brief review of the information provided it appears that, while the majority of the site lies within Flood Zone 1, there is a watercourse and associated floodplain running through the site. The report indicates that development in this area will be avoided in the final layout. It is important that the floodplain is kept free from development and that a buffer zone is maintained between the river and development.*

*If the applicant would like our detailed site-specific advice, we can provide this as part of our cost recovery service. For £100 per hour plus VAT, we can provide you with a project manager who will coordinate all meetings and reviews in order to give you detailed specialist advice with guaranteed delivery dates. I have attached a leaflet about this service to the email also.*

*The applicant should please contact us at this email address if they would like to use this service or have any further questions.'* ([SPDC@environment-agency.gov.uk](mailto:SPDC@environment-agency.gov.uk))

### **DCC Flood Risk Engineers:**

The County Council's Flood Risk Management Officers have commented on the proposed development raising concerns about the potential for soil erosion from the site during the construction phase and the likely adverse impacts that this would cause on water quality downstream from the site. In addition, the run off from access tracks and the ancillary buildings would need to be carefully considered. The Flood Risk Officers recommend the inclusion of a cross-contour perimeter swale to limit surface water run off from the site. In addition, guidance is provided in relation to vegetation planting on the site to further reduce surface water run off and the need for crossing points to be added into the site to allow works to take place on both sides of Derril Water.

A full copy of their response will be attached to this letter for your information.

### **7. Ecology.**

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within the North Devon and Torrige District Local Plan through Policy DM08 which requires new development to 'avoid adverse impacts on existing ecology features as a first principle and enable net gains by designing in biodiversity features'.

A completed Wildlife Trigger List should be submitted in support of the proposed development, together with a Preliminary Ecological Assessment which would be triggered by the site area. Any Assessment should also reflect the relevant mitigation and enhancement measures as required by Policies DM08 and ST14 of the Local Plan. The supporting text to Policy DM08 notes that the DEFRA Metric will be used to assess the extent of any net gain and acceptability of developments having an impact on biodiversity with biodiversity assets being retained or enhanced on site where feasible (paragraph 13.62).

It is understood from the meeting that a Phase 1 walkover survey of the site is being undertaken currently. The proposed lighting details to the boundaries of the site and in relation to any proposed ancillary buildings should be included and assessed within any ecology assessment, including details of the proposed light spill.

### **8. Community Engagement**

The approach to community engagement in the current circumstances was discussed within the meeting and it is noted that a public exhibition would be unfeasible at this time. It is recommended that contact is made with both Pyworthy and Bridgerule Parish Councils together with the local ward Members, Cllr Ken James and Cllr Kit Hepple. The contact details for the parish councils and local ward Members are available to view on the Council's website (<https://www.torrige.gov.uk/article/14618/Councillors-and-Committees>). In addition, it is understood that contact will be made with all neighbouring occupiers within a 500m radius of the site by letter which either includes a copy of a presentation of the scheme or a web link to access the presentation electronically and allow local residents the opportunity to comment on the scheme. In addition, it was suggested that a notice could be placed in the local newspaper.

Having discussed these approaches with my Team Leader, we are in agreement that this would provide suitable community engagement for a scheme of this size, given the current circumstances.

### **Conclusion:**

For completeness, this pre-application response has covered all the material planning considerations associated with the proposal at this initial stage and further comments can be provided as part of the pre-application process with the submission of a finalised site area, site layout plan and draft LVIA. As part of a formal application submission a detailed LVIA would be required to justify the level of development proposed with reference to the local landscape character with mitigation measures included as necessary.

A detailed LVIA will be key in establishing the most appropriate form and scale of development and to identify appropriate mitigation. Appropriate consideration should also be given to the potential heritage impacts of the proposed development and the need for a detailed surface water drainage scheme.

Any submission would need to clearly set out the benefits of the proposal, e.g. the level of electricity that would be generated, so that any identified harm can be balanced against these. The scheme should be further developed with reference to the Council's Landscape Sensitivity Assessment being mindful of the fact this suggests that large scale solar developments would result in a medium to high impact within the surrounding landscape character type.

I would also recommend that an EIA screening should be carried out as early as possible in the process.

Should you wish to submit a formal planning application for the proposed development, please use the following link to our website to download the relevant application form and documents ([www.torrige.gov.uk/planningforms](http://www.torrige.gov.uk/planningforms)). Please find below the documents that you will need to submit with the application for validation:

- Full application form
- Location plan (at a scale of 1:1250 or 1:2500)
- Survey site plan
- Proposed Site Layout Plan
- Proposed elevations and floorplans of all buildings, fencing and lighting as well as the solar panels themselves (at a scale of 1:100 or 1:50)
- Design and Access Statement
- Crime and Disorder Statement
- Renewable Energy Statement
- Agricultural Land Classification Report
- Landscape and Visual Impact Assessment
- Flood Risk Assessment
- Drainage Strategy
- Preliminary Ecological Assessment
- Transport Statement
- Planning Statement
- Geotechnical Report
- Archaeological Programme of Investigation
- Heritage Statement
- Noise Assessment
- Glint and Glare Assessment.

Yours sincerely

A handwritten signature in black ink, appearing to be "Laura Davies".

Laura Davies  
Principal Planning Officer

1. When you make an application please ensure that it meets the requirements of the Council's validation advice note and that a validation checklist appropriate for the type of application is completed and submitted with it.
2. The advice note and relevant checklist can be accessed via the "Applying for planning permission" pages of the council's website (<http://www.torrige.gov.uk/planningforms>).
3. The advice given above does not indicate any formal decision by the Council as Local Planning Authority. Any views or opinions are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application.
4. The final decision on any application can only be taken after the Council has consulted local people, statutory consultees and any other interested parties.
5. A final decision on an application will be made by senior officers or by the Council's Plans Committee and will be based on all the information available at that time.
6. This advice will be carefully considered in reaching a decision or recommendation on any resulting applications; subject to the proviso that the circumstances and information may change or come to light that could alter the position. It should be noted that the weight given to pre-application advice will decline over time.
7. Please be aware that the proposed development may also require Building Regulations Approval. We would suggest you contact Building Control on 01237 428724 if you would like to discuss this further.
8. Please note that due to specific circumstances at the time that this pre-application advice has been given, a full site visit has not been undertaken.
9. If you are planning a new development or extending an existing property over, or within 3 metres of public assets you need to contact South West Water.  
Note: we will not permit building within 4.5 metres of public water mains, sewage rising mains or sewers on a new development or redevelopment site. For more information please refer to the information on our website:

Clean water – <https://www.southwestwater.co.uk/developer-services/water-services-and-connections/building-near-water-mains/>

Waste water - <https://www.southwestwater.co.uk/buildover>

**To:** Planning Manager  
Torridge District Council  
Riverbank House  
Bideford  
Devon  
EX39 2QG

**From:** Flood and Coastal Risk Management Team  
Lucombe House  
County Hall  
Topsham Road  
Exeter  
EX2 4QD

**Date:** 12 October 2020  
**Our Ref:** FRM/TO/0650/2020

**LLFA Officer:** Joshua Lewis  
**Telephone:** 01392383000  
**E-mail:** floodrisk@devon.gov.uk

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**PRE-APPLICATION ADVICE - LEAD LOCAL FLOOD AUTHORITY RESPONSE**

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**REFERENCE NUMBER:** FPEM/0650/2020

**ADVICE FOR:**

**DETAILS OF PROPOSAL:** Construction of a c. 49.9MW solar farm

**LOCATION:** Land circa 1.2km southwest of the village of Pyworthy and c. 395km southwest of Holsworthy. The site is centred at approximate Grid Reference E229936, N101914

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**Observations:**

The applicant has noted within section 8.3 of the Pre Application Request report (dated 1st September 2020) that surface water management shall be assessed before a planning application is submitted.

Construction

Exceptional care will need to be taken during the construction of these sites because the ground surface is likely to be cultivated or severely disturbed by plant movement and left with exposed soil. As a result, there is great potential for soil erosion and the concentration of downslope flows in rills or gullies, as well as water quality issues for any downstream receiving watercourse or agricultural land.

Devon County Council's Flood and Coastal Risk Management Team therefore strongly recommends that no work is undertaken until a wide perimeter cross-contour vegetated swale is constructed around the downstream boundary of the site. It is essential that these swales are constructed to intercept flows and limit the aforementioned impacts to the nearby watercourses and surrounding agricultural land.

Ancillary Buildings

Any ancillary buildings on the site, such as inverter cabins or substations, will likely contribute to the perturbed surface water runoff, and without sufficient control measures, will exacerbate the concentration of downslope flows and soil erosion.

As a means of controlling these impacts, filter strips should surround the concrete bases of the ancillary buildings to capture any runoff from the roofs, which should in turn be conveyed to the wide cross-contour perimeter swale around the downstream boundary of the site.

### Access Tracks

The movement of plant across these sites is likely to further disturb the ground surface and contribute significantly to soil erosion and water quality issues downstream/downslope.

Any access tracks across the site should therefore be constructed with permeable materials which can be demonstrated to withstand the significant loadings of the machinery required for the construction of these sites. In order to manage any surface water exceedance from the permeable tracks, further swales should be incorporated to convey the water to the cross-contour perimeter swale at the downstream boundary of the site in order to maintain downstream/downslope water quality.

### Vegetation

Concentrated runoff from the panels is likely to lead to erosion of the ground surface below, contributing significantly to water quality issues downstream/downslope.

Tussock grasses should dominate around and beneath the photovoltaic panels to limit soil erosion caused by runoff from the panels. Allowing the site to naturally colonise is likely to leave the soil surface significantly vulnerable to erosion, particularly during intense precipitation events. It is also imperative that these grasses are maintained regularly when the site is operational as the soil structure and the quality of the downstream watercourse or agricultural land will greatly depend on this.

It is strongly advisable that the reader consults Natural England's Technical Information Note (TIN101), '*Solar Parks: Maximising Environmental Benefits*', for further information on the vegetation and soil quality issues associated with these developments. The above document can be accessed through the National Archives at the following address: <http://publications.naturalengland.org.uk/publication/32027>.

### Ordinary Watercourses

Ordinary watercourses which run through the site may need to be crossed to enable ground works to take place.

If any temporary or permanent works take place within these watercourses (such as an access culvert or bridge), Land Drainage Consent will need to be obtained from Devon County Council's Flood and Coastal Risk Management team prior to any works commencing. Details of this procedure can be found at: <https://new.devon.gov.uk/floodriskmanagement/land-drainage-consent/>.

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Yours Faithfully

Joshua Lewis  
Flood and Coastal Risk Officer

08 October 2020

Our ref: 329239

Your ref: FPEM/0650/2020



Laura Davies  
Senior planning Officer  
Torridge District Council

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY** [planningsupport@torridge.gov.uk](mailto:planningsupport@torridge.gov.uk);  
[Laura.Davies@torridge.gov.uk](mailto:Laura.Davies@torridge.gov.uk)

Dear Laura,

**Planning consultation:** Pre-application advice – 49.9MW solar farm development.  
**Location:** Land at Monks Farm, Pyworthy, Devon.

Thank you for your consultation email dated and received on 28 September 2020 relating to the above proposal. Natural England has reviewed the pre-application request and can provide advice on the following areas.

### Designated sites

Details of Natural England's designated sites Impact Risk Zones<sup>1</sup> (IRZs) can be found at [www.magic.gov.uk](http://www.magic.gov.uk)

Should the proposal trigger any relevant thresholds for designated sites within the IRZs, any planning application should include a full assessment of the direct and indirect effects of the development on the features of special interest and identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

### Protected Landscapes

This proposal is within 10km of the Cornwall Area of Outstanding Natural Beauty (AONB) and has triggered Natural England's IRZs for solar developments greater than 10ha.

Our advice is that a Landscape and Visual Impact Assessment (LVIA) will be required to understand the potential impacts of the proposal on the special qualities of the Cornwall AONB and the local landscape and to allow your Authority to make a properly informed decision.

Such an assessment should be based on good practice guidelines such as those produced jointly by the Landscape Institute/Institute of Environmental Assessment 2013<sup>2</sup>. Landscape character assessment (LCA) provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change, and to make positive proposals for conserving, enhancing or

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<sup>1</sup> Natural England has published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs to help consider whether a proposed development is likely to affect a SSSI and determine whether they need to consult Natural England to seek advice on the nature of any potential SSSI impacts, their avoidance or mitigation. The dataset and user guidance can be accessed from the [gov.uk website](http://gov.uk).

<sup>2</sup> Landscape Institute and Institute of Environmental Management and Assessment (2013, 3rd edition): Guidelines for Landscape and Visual Impact Assessment- Guidance for England and Scotland

regenerating character, as detailed proposals are developed.

We would also advise you to seek the advice of the Cornwall AONB. Their knowledge of the location and wider landscape setting of the development further informed by an LVIA will help to confirm whether the proposal is likely to impact significantly on the purposes of the AONB designation. They will also be able to advise on whether the development accords with the aims and policies set out in the AONB management plan. We would also draw your attention to paragraph 172 of the [National Planning Policy Framework \(NPPF\)](#)

The applicant may also find useful Torridge District Council's guidance document [An Assessment of the Landscape Sensitivity to Onshore Wind Energy & Field-Scale Photovoltaic Development in Torridge District \(2011\)](#), Natural England's [National Character Area](#) profiles and the [Devon Landscape Policy Group Advice Note No. 2: 'Accommodating Wind and Solar PV Developments in Devon's Landscape'](#) particularly with reference to cumulative impacts and siting and design.

### **Protected Species**

The developer must provide information supporting the application sufficient for your authority to assess whether protected species are likely to be affected and, if they are, whether sufficient mitigation, avoidance or compensation measures will be put in place.

Natural England has published [Standing Advice on protected species](#) which provides detailed advice on the protected species most often affected by development. It should not be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

### **Soil and Agricultural Land Quality**

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the planning application:

- The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

Post 1988 detailed soil surveys are not available for this site. The Provisional ALC map indicates the area to be Grade 3 or 4. For further information on the availability of existing agricultural land classification (ALC) information see [www.magic.gov.uk](http://www.magic.gov.uk). Natural England Technical Information Note 049 - [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) also contains useful background information.

- The application should provide details of how any adverse impacts on soils can be minimised e.g. avoiding permanent structures on BMV soils. Further guidance is contained in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#).

We would also draw to your attention to [Planning Practice Guidance for Renewable and Low Carbon Energy \(March 2014\)](#) (in particular paragraph 013), and advise you to fully consider best and most versatile land issues in accordance with that guidance.

### **Local sites and priority habitats and species**

Your authority should ensure it has sufficient information to fully understand the impact of the proposal on any Local Sites such as County Wildlife Sites (CWS).

Priority habitats and Species are of particular importance for nature conservation and included in the



England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006 found [here](#)<sup>3</sup>. Consideration should be given to how any loss will be avoided, mitigated or compensated.

### **Biodiversity enhancements**

Development provides opportunities to secure a net gain for nature as outlined in paragraphs 170 and 174 of the revised NPPF (2019) and within the Defra 25 year Environment Plan. Policy ST14 of the Joint Torridge and North Devon Local Plan (JLP) also expects all development to provide a net gain in biodiversity.

We advise you first to follow the mitigation hierarchy as set out in paragraph 175 of the revised NPPF and Policy DM08 of the JLP and consider what existing environmental features on and around a site can be retained or enhanced before considering what new features could be incorporated into a development proposal.

An evidence based approach to biodiversity net gain can help LPAs demonstrate compliance with their duty to have regard for biodiversity in the exercise of their functions<sup>4</sup> (under Section 40 NERC Act, 2006). [Biodiversity metrics](#)<sup>5</sup> are available to assist developers and local authorities in quantifying and securing net gain. Local Authorities can set their own net gain thresholds but the Environment Bill currently sets a 10% threshold.

A development of this scale should be ambitious in its scope for achieving biodiversity net gain. Any habitat creation should be guided by existing plans such as biodiversity action plans or by emerging strategic approaches such as Local Nature Recovery Strategies (LNRS). The site sits within the culm grassland and could contribute to the [Devon Wildlife Trust's Working Wetlands project](#).

### **Solar Parks – Further information**

For additional information relating to Solar Parks please refer to Natural England's Technical Information Note at the link below, which provides a summary of advice about their siting, their potential impacts and mitigation requirements for the safeguarding of the natural environment. [Solar parks: maximising environmental benefits \(TIN101\)](#)

### **Discretionary Advice Service (DAS)**

If the developer would like pre-application advice in addition to that provided above, our advice is that they consult Natural England directly so that they have the opportunity to express an interest in using our discretionary advice (DAS).

The first step is for the developer to fill out a simple form, so we can register their interest, and make sure they have the right adviser for their case. Please visit the gov.uk website for [more information](#) and a downloadable [request form](#).

Yours sincerely

Clare Guthrie  
Lead Adviser – Devon, Cornwall & Isles of Scilly Team  
Tel: 0208 0267393  
Email: [clare.guthrie@naturalengland.org.uk](mailto:clare.guthrie@naturalengland.org.uk)

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<sup>3</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2006/16/section/40>

<sup>5</sup> <http://publications.naturalengland.org.uk/publication/5850908674228224>



## Appendix B: EIA Screening Direction



**Planning and Development Services**



**Screening request under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).**

**Request for a formal EIA Screening Opinion**

<b>Proposal:</b>	<b>Proposed 49.99MW Solar Farm development</b>
<b>Torrige District Council Ref:</b>	<b>1/1162/2020/SCRHID</b>
<b>Site Address:</b>	<b>Monks Farm, Pyworthy, Holsworthy EX22 6LJ</b>

<p><b>1</b> Is this a Schedule 1 development?  <b>If YES – EIA development, EIA required</b>  <b>If NO – go to Box 2.</b></p>	<p><b>NO</b></p>
<p><b>2</b> Is this a Schedule 2 development?</p> <p>(a) Is it of a description mentioned in Column 1 of the table in Schedule 2;  <b>If YES – go to 2(b) and (c);</b>  <b>If NO – not Schedule 2 development, no EIA required.</b></p> <p>(b) Is any part of the site in a 'sensitive area'? (ie SSSI, AONB, World Heritage site, SAC, scheduled monument etc);</p> <p>(c) Is any applicable threshold or criterion in the table in Schedule 2 exceeded or met in relation to the development.</p> <p><b>The proposed development would provide a 49.99MW solar farm with associated infrastructure to be located over a site area of some 79.4 hectares. The proposed site area would be significantly in excess of the threshold of 0.5ha identified in Section 3 (a) of Schedule 2.</b></p> <p><b>The application site should also be considered cumulatively with a number of surrounding existing solar farm developments, with a total of 4 other solar farms of various scales located within a radius of 2.5 kilometres from the application site. A cumulative impact should therefore be considered.</b></p>	<p><b>YES</b></p> <p><b>NO</b></p> <p><b>YES</b></p>



**If YES to either 2(b) OR (c) – Schedule 2 development – go to Box 3**

**If NO to both 2(b) AND (c) – not Schedule 2 development, no EIA required.**

<b>3</b>	<p>Would the development site/proposal be likely to have significant effects on the environment because of factors such as its nature, size or location? (Refer to Schedule 3 for guidance)</p> <p><b>If YES – EIA development, EIA required.</b></p> <p><b>If NO – not EIA development, no EIA required.</b></p>	<b>NO</b>
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**Screening Opinion - reason(s) for decision:**

**Characteristics of the development**

(a) The size of development	79.4ha site
(b) The cumulation with other development	<p>The development should be considered in the context of a number of nearby solar farm developments which have been constructed.</p> <p>There is an existing solar farm at Crinacott Farm which is located adjacent to the south-eastern boundary, Derriton Fields which is located 1.5km from the eastern boundary, Bradford Solar Park which is located 1.1 km to the south west and Pitworthy Farm Solar Park located 2.2 km to the north west of the application site.</p> <p>These sites are physically separated from the application site by field boundaries in all cases and intervening fields/highways within an undulating landscape.</p>
(c) The use of natural resources	Standard construction materials would be involved in the works. The application site is currently largely open agricultural



	land with hedgerow field boundaries. The development is not considered to use significant quantities of natural resources.
(d) The production of waste	Quantities of waste arising from construction works may be produced, although these are not expected to be significant. There will be no ongoing waste issues expected from the development and, once operational, there would be minimal waste generation.
(e) Pollution and nuisances	<p>The main potential pollution and nuisance impacts would be generated at the construction phase including a degree of noise, disturbance of ground (dust or run-off) and vehicular movements.</p> <p>Careful assessment of potential impacts on neighbouring amenities, with particular regards to noise and the number of vehicular movements on the surrounding highway network, will be carried out as part of any planning application.</p>
(f) The risk of accidents, having regard in particular to substances or technologies used	There is a potential risk of accidents during the construction stage however these can be controlled and are generally considered to be low.
<b>Location of the development</b>	
(a) The existing land use	Agricultural
(b) The relative abundance, quality and regenerative capacity of the natural resources in the area	In this context 'natural resources' are taken to mean those resources which exist naturally and can be used to attribute or derive value, including



	<p>biodiversity interests and the natural landscape.</p> <p>The natural resources of the site include the trees and mature hedgebanks to the boundaries of the site as well as within the site itself. Derril Water is located to the eastern boundary of the application site. The application site does not contain any designated landscapes or sites. The nearest Site of Special Scientific Interest is located over 3 kilometres from the boundaries of the site and the nearest Special Area of Conservation (SAC) is located over 5 km from the application site.</p> <p>The main area of the site is currently in agricultural use. Mitigation and enhancements would be expected to be included at the application stage to address any loss of habitats resulting from the development and the required access works, as well as appropriate mitigation and enhancement in accordance with Local Plan policies.</p> <p>Whilst Derril Water is located to the eastern boundary of the application site, the majority of the application site is located in Flood Zone 1.</p>
<p>(c) The absorption capacity of the natural environment</p>	<p>As noted above, there are a number of existing solar parks within the vicinity of the application site, although due to the undulating nature of the surrounding landscape and the prevalence of hedgebanks and mature trees to field boundaries there are limited viewpoints with wide ranging views which would include more than one of the existing solar farms.</p>

**Torrige District Council**  
**Planning and Development Services**



	<p>The same would apply to the proposed development which would be obscured from many public viewpoints due to the undulating landscape and existing field boundaries. The existing hedgebanks and mature trees to the boundaries and within the application site can be secured as part of the assessment of any planning application along with conditions to ensure additional landscaping and screening of the site as may be necessary, to further assist the development's assimilation into the surrounding landscape.</p> <p>It is further noted that whilst the application site is proposed to extend to some 79.4ha the area of development with solar panels would be significantly less than this with a number of existing fields being left undeveloped or partly developed.</p> <p>As a result, a significant impact from the proposed development is not considered to result.</p>
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**Characteristics of potential impact**

(a) Extent of the impact	The extent of the potential impacts are considered to be localised, taking into consideration the scale and nature of the proposed development. As a result, it is not considered that these impacts alone would be sufficient to warrant a full Environmental Impact Assessment.
(b) The transfrontier nature of the impact	There would be no transfrontier impact in a literal sense. The proposed development should however be considered in the context of the existing solar farms within the surrounding area.



	<p>The nature of the proposed development would not include buildings of a significant height and the proposed solar panels are intended to be located within the existing field pattern. Due to the location of the application site in relation to neighbouring dwellings, a harmful impact is not considered likely to result. The closest dwellings to the development are located at Monks Farm, New Park and Trelana and it is considered that there would be sufficient space within the site for adequate distance between the solar panels and infrastructure development to ensure that a harmful visual impact does not result. This can be secured via detailed plans at the planning application stage.</p> <p>The precise location of the solar panels and associated infrastructure would be secured via detailed plans provided as part of a formal application submission and any subsequent planning permission.</p> <p>Due to the siting of the proposed development and its relationship to neighbouring properties, a harmful impact on</p> <p>Whilst the proposed development in terms of site area would exceed the thresholds set out in Column 2 of Schedule 2, the nature of the proposed development and its siting within the existing landscape is unlikely to result in the effects be significant and insufficient to warrant a full Environmental Impact Assessment.</p>
<p>(c) The magnitude and complexity of the impact</p>	<p>The impacts of the construction works on the site associated with the proposed development would be temporary.</p>





	<p>Principal impacts have been identified and assessed above and are not considered to be sufficiently complex or significantly large in scale to warrant a full Environmental Impact Assessment.</p>
<p>(d) The probability of the impact</p>	<p>Degrees of visual impact on varying potential receptors are certain during the lifetime of the development, but these are not considered significant enough to warrant a full Environmental Impact Assessment. This conclusion takes account of the undulating nature of the surrounding landscape and the capacity of the application site to retain the existing hedgerows and trees as well as landscape enhancements as part of the development.</p> <p>All other potential impacts noted above are considered to be low.</p>
<p>(e) The duration, frequency and reversibility of the impact</p>	<p>The initial construction impacts would be for a period of months and once in place the proposed structures and roads would be permanent.</p> <p>It is noted that solar farm developments are generally granted on a temporary basis (e.g. approximately 30 years) and therefore the impacts of the development are considered able to be reversible with the removal of the panels and infrastructure and the potential return of the entire site to agricultural use.</p>

**Conclusion**

Having regard to the characteristics, scale and potential impacts of the development, the proposal would exceed the threshold set out at part 3 (a) of Schedule 2 in terms of the area of the site. Notwithstanding this, the application site is not located in a sensitive area. In addition the nature and scale of the proposed development within this undulating landscape has been assessed against the criteria set out in Schedule 3

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outlining where an EIA is required. This conclusion is reached noting the potential cumulative effects of the development with surrounding solar farm developments and the surrounding landscape character type.

**Reason for the decision**

This decision is made having regard to the criteria set out within Schedule 2, appropriate consideration to Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and the Government Guidance contained within the National Planning Practice Guidance.

**Screening Opinion - EIA not required**

**Environmental Impact Assessment is not required.**

(Note: This screening opinion is provided on the basis of the information submitted to Torridge District Council 14<sup>th</sup> December 2020 and on the assessment made in respect of the relevant criteria of Schedule 2 of the Regulations, as detailed above.

<b>Case officer: Laura Davies</b>	<b>Date: 21/12/2020</b>
<b>Development Management Team Leader: James Jackson</b>	<b>Date: 23/12/2020</b>



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