

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

Date 23rd May 2024

Application No:	SMD/2023/0594	
Location	Land at Blythe house farm, south of the A50, Draycott in the Moors, ST10 4JN	
Proposal	Installation of a solar array, substation and associated works forming an extension to Blythe solar farm (ref: SMD/2022/0160)	
Applicant	Mr Rob Parish – Innova Renewables Developments Ltd	
Agent	Miss Helen Donnelly - Corylus Planning & Environmental Ltd	
Parish/ward	Draycott in the Moors/Checkley Ward	Date registered 29 th November 2023
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com		

REFERRAL

The application is major planning application and is an extension to an approved development considered by Committee. It is therefore in the public interest, and for consistency, for the application to be referred to Committee.

1. SUMMARY OF RECOMMENDATION

Approve, subject to conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site relates to agricultural land which is located within the open countryside, as defined by the Local Plan Policies Map. The site lies outside of any nationally designated landscape, and does not fall within the Green Belt. The site extends to approximately 24ha of land.

2.2 Running parallel to the site to the northeast, is the A50, a dual carriageway which is part of the Strategic Highways Network, which is bound by embankments and landscaping. To the southwest is the Stoke to Derby railway line which again runs parallel to the site. Overhead powerlines and pylons cross the fields in a southeast-northwest direction. An existing solar farm is located adjacent to the site at Lower Newton Farm.

2.3 Beyond the railway line to the southwest is the River Blithe. Part of the application site is therefore located within Flood Zone 2 and 3, although the majority of the site lies within Flood Zone 1.

2.4 The site is split into two principal parcels, along with access routes. The northeast parcel contains three fields with their boundaries primarily defined by hedgerows and trees. An access track which crosses the A50, and leads to Blythe House splits this parcel. That access track, in part forms the route of PROW Checkley 5.

2.5 The southwest parcel is larger and contains three fields, which are again separated by lines of hedgerows and trees. PROW Checkley 5 crosses one of the fields. While PROW Checkley 7 runs immediately adjacent to the northeastern boundary of the central field.

2.6 The red edge, includes a narrow strip of land crossing fields to the west from Upper Newton Farm. This would generally align with access routes for approved development in those adjacent fields. While the red edge also includes the access route to Upper Newton Farm from Draycott Road.

2.7 The red edge boundary also includes two smaller detached, linear parcels of land, one adjacent to the railway line and one to the access and boundary with Blythe House. A further field is identified within the blue edge boundary, which lies to the south of the site. This is crossed by PROWs Checkley 5 and 15.

2.8 The site has a sloping topography with land rising southwest to northeast. The fields are generally open. With the exception of the transport and power infrastructure noted above, the immediate surrounding landscape, at present, remains generally open. However, the fields between Upper Newton Farm and the main parcels of the application site, have recently had planning consent for the installation of a solar farm.

2.9 Blythe House and its associated outbuildings are located adjacent to the site to the east, while Upper and Lower Newton Farms and their associated farm buildings are located to the west. Blythe House is a Grade II Listed Building. Upper Tean is located approximately 1.3km to the northeast, while Draycott-in-the-Moors is located approximately 1.1km to the northwest (from the site access).

2.10 There are no designated sites of national biological importance within 2 km of the site. Six Local Wildlife Sites and Biodiversity Alert Sites, which are of countywide ecological importance, are located within 2km of the site. This includes the Blythe House Local Wildlife Site which is located c.80m to the south of the site and is designated for its marshy habitat grassland. This site acts as a floodplain to the River Blithe.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application which seeks consent for a solar farm, and associated infrastructure, including the construction of a substation. This application is proposed as an extension to an approved solar farm at Upper Newton Farm (Reference: SMD/2022/0160). This approved scheme has not yet been implemented. As noted in the Officer comment section below at Paras 7.60

and 7.90, there are two small areas of overlap with SMD/2022/0160. The applicant is fully aware of this and has advised that an amendment will be sought shortly to ensure that both schemes can be implemented unimpeded.

3.2 The proposed solar panels would have an export capacity of 17MWp. The approved scheme has an export capacity of 27.7MWp. Together the developments would have a total export capacity of 44.7MWp. This falls below the threshold of 50MWp which would be deemed a Nationally Significant Infrastructure Project (NSIP). To confirm, the site is not connected with, and would operate completely independently to (with separate connection to the grid), the existing operational solar farm at Lower Newton House Farm.

3.3 The proposed solar panels would occupy six fields in two main parcels of land (a northern and southern parcel). The panels would be aligned in rows with a southerly orientation. A total of 29,588 panels would be installed each with a 575W capacity. The panels would be set away from the existing field boundaries, which would be retained. The panels would have a dark colour finish, with a 20-25° angle. Their maximum projection above ground level would be 3.1m, with a depth of 4.485m. The panels would be mounted on narrow metal legs. Inverters would be installed to the rear of some of the panels. The northern parcel would include one pair of transformers and a storage container. The southern parcel, would include three pairs of transformers and one storage container. The solar panel areas would be surrounded by deer proof fencing of up to 2m in height. CCTV columns are also proposed.

3.4 A substation compound is proposed to be positioned centrally along the southwestern boundary of the site, immediately adjacent to the existing overhead power lines. This would house the switch room, transformers, capacitor banks, relay rooms and storage area and would be surrounded by palisade fencing and include a screening bund. The location of the substation would replace that previously approved under SMD/2022/0160.

3.5 The scheme also includes a separate field for bird mitigation enhancements. Two lengths of tree screening are also proposed, one adjacent to the boundary with Blythe House, and one adjacent to the railway line. Enhancements to existing hedgerows, and new hedgerow and tree planting is also proposed.

3.6 Access tracks throughout the site are proposed, which would link with previously approved access tracks. Small aprons of hardstanding are proposed under and around the proposed buildings. Access to the site would be via the approved access at Upper Newton Farm which has a private track leading to Draycott Road. The main construction access is proposed via this existing access track.

3.7 The operational period of the solar farm will be 40 years from the first export of electricity. At the end of this period, the site will be decommissioned. All structures and hard surfacing will be removed, and the land would be restored to agricultural use.

3.8 The application has been supported by detailed plans, and the following documents:

- Planning Statement
- Design and Access Statement incorporating Statement of Community Involvement
- Flood Risk Assessment & Surface Water Management Plan (Ref: 613/SP03 (v3))
- Construction Traffic Management Plan (Ref: 2109-041/CTMP/02B)
- Noise Impact Assessment (Ref: 9944/PJW)
- Arboricultural Statement (Ref: CW/10450-AS3)
- Ecological Impact Assessment (Ref: 15483_R02c_DP)
- DEFRA Metric for Biodiversity Net Gain
- Historic Environment Desk-Based Assessment (Ref: 279240.01)
- Landscape and Visual Impact Assessment (Ref: BH/613/11/23/LVIA-4)
- Glint and Glare Assessment (dated 23rd October 2023)
- Agricultural Land Classification Report (dated November 2023)

3.9 During the course of the application, the proposals have been amended to remove operational development from flood zone 2 and 3. An amended layout has therefore been provided. In addition, following consultation responses, the following updated documents have been received:

- Planning Statement (v4)
- Glint and Glare Assessment
- Ecological Impact Assessment (Ref: 15483_R02d_DP)
- Updated DEFRA Metric for Biodiversity Net Gain

3.10 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

[Planning Applications - Staffordshire Moorlands District Council \(staffsmoorlands.gov.uk\)](http://staffsmoorlands.gov.uk)

4. RELEVANT PLANNING HISTORY

4.1 The following is a summary of the relevant planning applications relating to the site.

SMD/2022/0160 - Installation of solar farm with battery storage facility and associated works – Approved – 01/02/2023

4.2 Other applications of relevance in the wider area:

Lower Newton Farm

SMD/2014/0197 – The erection of a solar photovoltaic (PV) array (11.5MW) and ancillary development – Approved – 26/08/2014

Totmonslow Farm

SMD/2023/0197 – Temporary development of a solar farm with ancillary infrastructure, security fence, access, landscaping and continued agriculture, to generate power to feed into the local distribution network – Approved – 17/08/2023

Lower Tean Leys

SMD/2023/0059 – Installation of a 49.9MW solar photovoltaic array/solar farm with associated infrastructure (Cross boundary site with East Staffordshire Borough Council) – Refused – 02/04/2024

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 - Development Principles
SS2 – Settlement Hierarchy
SS10 – Other Rural Areas Strategy
SD1 – Sustainable Use of Resources
SD2 – Renewable/Low Carbon Energy
SD3 – Sustainability measures in development
SD4 - Pollution and Water Quality
SD5 – Flood Risk
DC1 – Design Considerations
DC2 – The Historic Environment
DC3 – Landscape and Settlement Setting
C3 – Green Infrastructure
NE1 - Biodiversity and Geological Resources
NE2 – Trees, Woodlands and Hedgerows
T1 - Development and Sustainable Transport
T2 – Other Sustainable Transport Measures

Checkley Parish Neighbourhood Development Plan

DES1 – Design
DES3 – Landscape and Rural Character
TRA1 - Transport

National Planning Policy Framework

Section 2: Achieving sustainable development
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making Effective use of land
Section 12: Achieving Well-designed Places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Other National Policy

National Policy Statement for Energy (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

6. CONSULTATIONS CARRIED OUT

Site notice	Expired
Neighbour letters	Expired
Press notice	Expired

Public Comments:

3 representations of objection received. Comments relate to:

- Cumulative effect of solar developments in the area;
- Effect on landscape character

Consultation Responses

A summary of the consultation responses received are provided below.

Checkley Parish Council

Checkley Parish Council acknowledge that the Applicant has submitted an Application that in general appears to be sound provided it is in keeping with neighbouring property and there are no local objections and it conforms with planning policies as defined in the Checkley Parish Council Regulation 16 Neighbourhood Development Plan and the Staffordshire Moorlands District Council Core Strategy and the National Planning Policy Framework. Checkley Parish Council however are disappointed that the Applicant has not:

1. Made a solid commitment to making a financial provision for the restoration of the site at the end of operation, for example, by providing a financial bond which the Developer would pay into during the life of the solar farm.
2. Fully demonstrated the Provision of a suitable grid connection by submitting evidence of a formal offer of a connection from the service provider, such as Western Power Distribution (WPD) or similar relevant organisation. Ideally, WPD (or similar) should be consulted prior to the submission of a planning application, so that any technical constraints in regard to grid connection can be considered and addressed to ensure the development of the site is planned in the most effective way.
3. Provided an indication of the route of the cabling required to connect the development to the national grid. The nature and extent of such cabling (e.g.: whether overhead or underground) should be indicated. Such cabling should avoid areas of high landscape, ecological or archaeological sensitivity, and should be

designed so as not to be extensive or visually intrusive. Where connection to the grid risks causing an accumulation of overhead wiring in sensitive areas the cumulative impact may need to be assessed.

Checkley Parish Council therefore request SMDC Planning consider the use of requisite planning conditions to ensure provision of the above.

SMDC – Watse

No issues regarding waste collections.

SMDC – Regeneration

The proposed development will impact on the local economy in terms of jobs and purchasing of supplies and services. In order to assess the economic impact of this development, we have relied upon the data supplied by the applicant and used the Council's approved multipliers to prepare these comments.

The current use of the proposal site is agricultural. The application states that the state does not currently support any part time or full-time employment

The applicant states that the proposal will create one FTE, this is not clear if this is additional to the original application SMD/2022/0160

Between 4.5 and 9% of employees overall household spend is spent within 2-3 miles of their place of employment. Based on the creation of one full time employment role in the Staffordshire Moorlands this has been assessed as £1394 uplift per annum for local shops and traders. Additionally the council would benefit from an increase in NNDR from the scheme.

SMDC – Environmental Health

Noise: A noise assessment has been undertaken by Acoustic Consultants Ltd ref. 9944/PJW dated 19/10/23 to determine the daytime and night time impacts of the development. The primary noise concerns with this type of development during the operational phase will be caused by battery storage units and inverters which could cause adverse impacts to local sound levels especially at night. According to the assessment, the predicted levels of cumulative noise caused by this proposed and previous development including penalties (rating level) would exceed background noise levels when assessed under BS4142:2014+A1:2019. The report advises with mitigation current background sound levels can be protected (Table 10.3). This proposal would satisfy the standard condition advised by the Environmental Health Department and the condition which applies to the existing solar farm. It is essential the developer works with his acoustician in completing the required mitigation at the site to ensure background sound levels are not adversely impacted. We would advise if granted permission the development should not be brought into full use until a full noise assessment is conducted to show compliance with the standard condition that background sound levels are not exceeded when the site is operational. Where exceedance is found the site should not be brought into full operation until compliance is established.

Construction Impacts: Condition.
Contamination: Condition.
Security Lighting: Condition advised

SMDC – Planning Policy

Updated NPPF Sept 2023 (another updated expected imminently?) therefore updated para numbers (eg para 154 now 158)

Applicant's submitted EIA screening assessment concluded EIA not required

Also continued emphasis by Government of importance of battery storage generally (including when colocated within decentralised installations) eg NPPG Paragraph: 032 Reference ID: 5-032-20230814

Incoming BNG duty (expected January 2024) the proposed onsite ecological mitigation area is noted.

According to particulars current scheme proposes 90.73% BNG

The majority of the application site (apart from vehicular access roads) falls within

Checkley Parish. Note that Checkley Parish Council have submitted a draft Neighbourhood Plan

consequently the draft Neighbourhood Plan should only be afforded 'limited' weight in development management determination (as per section 70(2) TCPA)

It is stated in the particulars the extension (without ecological area) covers between 22-23ha, with an export

capacity of approximately 17.6MW which would power around 4,653 homes a year

Solar arrays are ground mounted in a way which allows continued sheep grazing

SMDC - Conservation Officer

The site seems to consume a medieval water meadow. Dates 1486-1799, Post medieval, monument ID - MST14683.

I suggest Shane Kelleher is consulted for archaeology.

Staffordshire County Council – Minerals and Waste

Where proposals are temporary or easily removed and involves minimal disturbance of the ground, we would conclude that the proposal is unlikely to create a significant safeguarding issue.

The Mineral Planning Authority has no comment to make, please refer to our standing advice above.

Staffordshire County Council – PROW Officer

The following should be brought to the attention of the applicant and noted in the planning consent if granted:

Public right of way Footpath No. 5 Checkley Parish runs across the application site from the River Blithe in the south across the whole extent of the application site to the A50 on the northern side.

Public right of way Footpath No. 7 Checkley Parish from the previous development on the western side to Blyth House on the eastern boundary.

Public right of way Footpath No. 15 Checkley Parish runs across the bird mitigation area of the application site from its junction with Public footpath no. 5 Checkley Parish at the River Blithe to the south, in a north easterly direction leaving the application site south east of Blyth House.

The public rights of way are shown on page 10 in the Design and Access Statement and on the document BF/613/01. The alignment of the routes shown on these documents are not entirely accurate particularly at the following locations:

- From Access Gate 3 south east across the bird mitigation area. (P.F. Checkley 5)
- P.F. Checkley 7 specifically west of its crossing point with P.F. Checkley 5 and west of Blyth House
- P.F. Checkley 5 from its crossing point with P.F. Checkley 7, north to the proposed hedgerow.

The applicant must ensure that the correct alignment of these rights of way is acknowledged and shown in the planning documents so that the development if granted does not obstruct the legal public rights. The alignment is available on our interactive map at the link below or via a digital file available from the Definitive Map and Spatial Information Team at the county council.

Staffordshire County Council – Archaeology

Considering the scale of below ground impact required by the proposed scheme, it is advised, should permission be granted, that an archaeological watching brief be maintained during key construction works (details of which to be agreed with the applicant/their archaeological advisors in due course) associated with the scheme.

This approach is in line with NPPF paragraph 194, which requires applicants to describe the significance of any heritage assets and the potential impact of any proposed development upon them. It is also supported by NPPF paragraph 205 which states that ‘...they [Local Planning Authorities] should also require developers to record and advance understanding of significance of any heritage asset to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible’.

The archaeological monitoring should be undertaken by a suitably experienced archaeologist(s) working to the Chartered Institute for Archaeologists ‘Code of Conduct’ and the relevant standards and guidance (2014).

Staffordshire County Council – Lead Local Flood Authority

We have no objection to the application at this stage subject to the condition below being attached to any planning permission, to ensure that the site is brought into use in line with the approved documents.

Staffordshire County Council - Highways

Site Visit Conducted on: 13-Dec-2023

No objection subject to conditions:

1. The submitted Construction Traffic Management Plan shall be implemented for all traffic movements associated with the development.
2. No mud, other debris or deleterious material shall be deposited on the highway. Any that is shall be immediately removed using mechanical means.

The access is included within the red line and it is described in the D&A and in the CTMP. The access off C109 Draycott Road was resurfaced and widened under SMD/2014/0197. The CTMP has considered access. There are no recorded personal injury collisions on C109 Draycott Road within 120m of the access in the previous five years.

Environment Agency

Flood Risk:

The site is (partially) located in Flood Zones 2 and 3, which are the medium and high risk zones respectively and are defined for mapping purposes by the Agency's Flood Zone Map. Whilst slight encroachment into Flood Zones 2 and 3 it should be noted that the majority of the site falls within Flood Zone 1, the low risk Zone.

The River Blythe (designated Main River) lies to the south and the small watercourse that runs along the eastern edge of the proposed development is classed as an 'ordinary watercourse' and therefore falls under the jurisdiction of your Council as the Lead Local Flood Authority (LLFA).

Flood Risk Assessment (FRA):

As stated above, and confirmed within the submitted FRA, the site lies predominantly within Flood Zone 1 (low). Based on the scale and nature of the proposed development we would not request site-specific modelling be undertaken to ascertain the most accurate flood information in this instance. We accept that the associated infrastructure is all located in Flood Zone 1 and that, whilst a small area of solar panels fall partially within an area of flood risk, the panels themselves will be set at a minimum of 800mm above ground level. Raising the panels on narrow-legged metal frames or plinths/stilts, given the limited extent of the site with Flood Zones 2 and 3, will ensure there will be a negligible reduction in floodplain storage capacity.

National Highways – Further Response (11/03/24)

Further response following receipt of updated Glint and Glare Assessment

Recommend that conditions should be attached to any planning permission that may be granted:

LEMP
CMTP

National Highways – Initial Response (27/12/23)

National Highways recommend that the planning permission not be granted for a period of three months from the date of this response to allow sufficient time for the applicant to provide further information, for National Highways to review and respond to information provided.

Updates/clarification on content of Glint and Glare Assessment required.

Natural England

Soils and Agricultural Land Quality - Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources and agricultural land, including a required commitment for the preparation of reinstatement, restoration and aftercare plans; normally this will include the return to the former land quality (ALC grade).

General guidance for protecting soils during development is also available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and should the development proceed, we recommend that relevant parts of this guidance are followed, e.g. in relation to handling or trafficking on soils in wet weather.

The British Society of Soil Science has published the Guidance Note Benefitting from Soil Management in Development and Construction which sets out measures for the protection of soils within the planning system and the development of individual sites, which we also recommend is followed.

We would also advise your authority to apply conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.

Protected Species - Natural England has produced standing advice¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Naturespace – Newt Officer

Due to the confirmed presence of Great Crested Newt on and around the development site, it is considered that a licence will be required to proceed. This is in line with the recommendations provided by Tyler Grange in their 2023 Ecological Impact Assessment, submitted in support of this application.

Staffordshire Wildlife Trust

There does appear to be a typo in the metric spreadsheet relating to watercourses.

There is no impact so there will be no loss.

We will need to see a Landscape and Ecological Management Plan (LEMP) which covers a minimum period of time of 30 years and includes monitoring of the habitats.

Ramblers Association

Three paths could be affected if development takes place. Checkley 5 ,7 and maybe 14 are P.R.O.W and must remain open at all times. Any diversions must be approved by the authorities.

Peak and Northern Footpath Society

Thank you for the opportunity to comment on this Application which appears to affect ROWs Draycott- in-the-Moors 14 & 15 and Checkley 14 & 15.

If planning permission is granted, please include a condition that there must be no obstruction of any public right of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed, and the diversion route, with a satisfactory surface and adequate width and marking, is available for public use.

We would expect that the safety of users of the ROWs are fully investigated, especially with regard to electro magnetic fields, high voltages, and physical structures.

Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

This comment is made on behalf of Peak and Northern Footpaths Society, a registered charity which exists to protect and improve public rights of way for use by walkers.

Nothing in this response should be taken to imply the Society's support for the development.

Staffordshire Fire and Rescue Authority

Standing Advice offered regarding the installation of Battery Energy Storage Systems (BESS)

Staffordshire Police

General comments provided regarding design and security of proposals.

7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Planning Policy Context

7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "*shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations*". The Development Plan currently consists of the Staffordshire Moorlands Local Plan (Adopted 2020).

7.3 The application site falls within the Checkley Neighbourhood Plan Area. The draft Checkley Neighbourhood Plan (the CNP) is at a very advanced stage, and when adopted will formally become part of the Development Plan. The CNP was supported at referendum on the 2nd May (88% in favour). However, at the time of writing this report, the Neighbourhood Plan was yet to be formally "made" by the Council which is the final stage of preparation. Nonetheless, as there are no unresolved objections and given the stage at which the CNP is at, great weight can be attached to its policies where they are relevant to the proposals.

7.4 Paragraph 11 of the National Planning Policy Framework (NPPF) explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay; or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Principle of Development and background

The Development Plan

7.5 The proposals relate to the construction of a solar array, as an extension to a previously approved development which is yet to be implemented (SMD/2022/0160). The site lies wholly within the open countryside, as defined by

the Local Plan policies map. Policy SS2 of the Local Plan sets out the settlement hierarchy for the District and identifies, within “Other Rural Areas”, which comprises the open countryside, development is normally unacceptable. Policy SS10 sets out the strategic development principles for development in “Other Rural Areas”.

7.6 Policy SS10 states that these areas will provide for only development which has an essential need to be in such locations, supports rural diversification and the sustainability of rural areas, promotes tourism, or enhances the countryside. SS10 sets out further how these policy objectives could be met.

7.7 Before considering whether the proposals would satisfy the strategic objectives of Policy SS10, it would be necessary to consider other Policies of the Development Plan which are specifically relevant to the principle of the development proposed.

7.8 Policy SD2 relates to renewable and low carbon energy. SD2 confirms that the Council will strive to meet its future energy demand through renewable or low-carbon energy sources through a range of technologies including solar. With the exception of wind turbine schemes, support will be given to small and largescale standalone renewable energy schemes, subject to a number of considerations.

7.9 These other considerations relate to, the impact on the landscape; the environmental/social and economic benefits of the scheme, and how social and economic benefits have been minimised; the impact on biodiversity; the impact on the amenity of residents and other interests, including the historic environment; the degree to which individual policies reflect current evidence regarding renewable energy; and, in the case of solar energy (not affixed to buildings), whether previously developed land is available before greenfield sites, and the effect on agricultural land.

7.10 Policy SD2, therefore, confirms that support will be given to largescale renewable energy proposals. Given the essential need to meet energy demand through renewable and low carbon technologies it would therefore be compliant with the overarching objectives of Policy SS10. Further, in this location, large scale solar developments have been deemed to be acceptable with the overwhelming need to deliver renewable forms of development justifying its location (when considering the Development Plan as a whole).

7.11 Allied to the above, it should be highlighted that Staffordshire Moorlands District Council declared a climate emergency on 10th July 2019 and committed to make the Staffordshire Moorlands carbon neutral by 2030.

7.12 There are no policies within the CNP which are directly relevant to the principle of renewable or low carbon developments. Although there is a policy which refers to landscape impact considerations of development in the Neighbourhood Plan area.

National Planning Policies and Guidance

7.13 The National Planning Policy Framework 2023 (the NPPF) at section 14 sets out the national policy for meeting the challenge of climate change. Paragraph 157 states that the planning system should support the transition to a low carbon future, and help to “shape places in ways that contribute to radical reductions in greenhouse gases”.

7.14 Paragraph 163 confirms that, when determining planning applications for renewable and low carbon development, LPA’s should, inter alia:

- a) Not require applicants to demonstrate the overall need for renewable or low carbon energy;
- b) Approve an application if its impacts are, or can be made, acceptable. Once suitable areas have been identified in plans, subsequent applications outside of these areas should demonstrate that the location meets the criteria in identifying suitable areas.

7.15 There is clear policy support, at national level for the delivery of renewable energy schemes. With specific reference to 163b), the Local Plan at present does not identify specific “suitable areas” for low carbon developments. Therefore, there is an “in principle” support for the proposals. In determining this application, it is only the impacts of the development therefore which require consideration.

7.16 Whilst not policy, Planning Practice Guidance (the PPG), provides further advice on the delivery of low carbon and renewable developments. This confirms that *“planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable”*. (Paragraph: 001 Reference ID:5-001-20140306).

7.17 The PPG goes on to confirm that *“examples of considerations for particular renewable energy technologies that can affect their siting include proximity of grid connection infrastructure and site size”*. (Paragraph: 006 Reference ID:5-006-20140306).

7.18 The PPG confirms that, in considering planning applications it is important to be clear that, need does not automatically override environmental protections; cumulative impacts require particular attention; local topography is an important factor; care should be taken to conserve heritage assets; proposals in National Parks and the AONB will need careful consideration; protecting local amenity is important and should be given proper weight. (Paragraph: 007 Reference ID:5-007-20140306).

7.19 The PPG (Paragraph: 013 Reference ID:5-013-20140306) also provides specific advice relating to large scale solar farms, confirming that they *“can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively”*. The following (summarised) factors are then set out, which includes:

- Encouraging effective use of land, by focussing previously developed land and non-agricultural land;

- Where greenfield land is proposed:
 - Use of agricultural land is shown to be necessary, and poor quality agricultural land used; and,
 - The proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays
- That they are normally temporary structures, and conditions used for their removal;
- The visual impact, including the effect of glint and glare;
- The extent of additional impacts if arrays follow the sun;
- Need and impact of security measures;
- Conserving heritage assets;
- Potential to mitigate landscape impacts, through screening;
- The energy generating potential; and,
- The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines.

7.20 It is considered that the considerations set out in the PPG are consistent with the Policies of the Development Plan.

7.21 The National Policy Statement for Renewable Energy Infrastructure (EN-3), came into force on 17th January 2024 and, given the scale of the development, can be considered to be a material consideration in the determination of this application.

7.22 EN-3 confirms at 2.10.9 that *“solar is a key part of the government’s strategy for low-cost decarbonisation of the energy sector”* and, at 2.10.10, that *“the government expects a five-fold increase in combined ground and rooftop solar deployment by 2035”*.

7.23 EN-3 highlights the relevant assessment which includes:

- Factors which will influence site selection and design:
 - irradiance and site topography;
 - network connection;
 - proximity of a site to dwellings (in considering visual amenity and glint and glare);
 - agricultural land classification and use type;
 - accessibility;
 - public rights of way; and,
 - security and lighting.
- Technical considerations:
 - Capacity of a site;
 - Site layout design, and appearance;
 - Project lifetime;
 - Decommissioning; and,
 - Flexibility in project details.
- Impacts:

- Biodiversity, ecological, geological conservation and water management;
- Landscape, visual and residential amenity;
- Glint and glare;
- Cultural Heritage;
- Construction including traffic and transport noise and vibration.

EN-3 goes on to identify how certain impacts could be mitigated.

7.24 It is clear that EN-3 emphasises the importance that central government place on the delivery of schemes comprising solar energy. Again, it is considered that the considerations set out in the EN-3 are consistent with the considerations which are highlighted within the Policies of the Development Plan.

Conclusions of the principle of development

7.25 There is clear local and national policy support for the development of renewable and low carbon developments. Therefore, subject to meeting the criteria set out in Policy SS10, SD2, and national guidance, the principle of such development in this location is acceptable. Compliance with specific criteria of these policies, and other policies of the Development Plan, are considered below.

Energy Generation and Site Capacity

7.26 As detailed at 7.14 above, there is no requirement to demonstrate an overall need for a renewable energy development. Nonetheless, the need to deliver developments which contribute towards a low carbon future is compelling.

7.27 The application proposals would result in the delivery of a 17MW solar array. A total of 29,588 panels would be installed each with a 575W capacity. This would generate enough electricity to power in the region of 4,500 homes a year, which is understood to be over 10% of the homes in the District. This development would save approximately 3,200 tonnes of carbon dioxide per year.

7.28 The approved solar array has the capacity to generate 27.7MW. The Committee Report for that application confirmed that the approved development would generate enough electricity to power *“around 7,107 homes a year, equivalent to 16% of homes in the district and will save approximately 5,601 tonnes of carbon dioxide per year”*.

7.29 Cumulatively, the development would have a capacity of 44.7MW, which would generate energy to power approximately 11,600 homes a year, or 26% of the homes in the District. Carbon dioxide saving would amount to circa 8,800tonnes a year. These are clear environmental benefits of the proposed development which attract substantial weight in favour of the development.

Site Selection

7.30 In consideration of site selection, the applicants have reviewed the Councils brownfield land register (2022). This identifies 39 sites, and only three of which do

not benefit from an extant planning permission or allocation within the location plan. Two of the remaining sites are under 0.1ha, while the third is 0.37ha (London Meek Mill). The London Meek Mill site is also identified as being constrained, in an urban area and unsuitable for a solar farm. Clearly, all of these sites are of limited size in comparison to the scale of the development proposed, and would not deliver the environmental benefits of carbon saving compared to the approved scheme. Therefore, no brownfield sites have been identified which would deliver a development of the proposed scale, with its environmental benefits highlighted in the section above.

7.31 In addition to the above, the site would be associated with the approved solar farm at Upper House Farm and would operate as one site. This site has an available, direct, point of connection to the National Grid without the requirement for additional infrastructure.

7.32 The applicants have also highlighted that a significant primary benefit of the site is *“the full utilisation of the available Grid connection at a time when the UK renewables industry is experiencing delays over Grid connections. The National Grid itself has reported in early 2023 that there are about 600 renewable energy projects with a combined capacity of 176GW in the queue in England and Wales against 64GW of connected capacity. The additional areas of solar panels will also ensure the viability of the project. The Approved Blythe Solar Farm project was in development for over two years and during that time, due to various factors including rising inflation, the costs of equipment and infrastructure have risen significantly”*.

7.33 For those reasons highlighted above, it is considered that the selection of this greenfield site, as an extension to the existing approved solar farm, is appropriate.

The Use of Natural Resources and Agricultural Land

7.34 The national policies cited earlier highlight the need to consider the use of, and effect on, agricultural land when considering applications of this nature. In addition, Policy SD1 requires all development to make sustainable use of resources which will be achieved by having regard to the best and most versatile (BMV) agricultural classification of the land. SD1 identifies a preference for the use of lower quality over higher quality agricultural land. Development should also aim to minimise soil disturbance.

7.35 The NPPF at, 180 states that decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 62 confirms that 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.

7.36 Planning Practice Guidance confirms that where a proposal relates to greenfield land consideration will need to be given to *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.

7.37 As indicated above, the use of a greenfield site in terms of site selection is considered acceptable. The application relates to a 30.5ha of agricultural land (including blue edged land) which is not insignificant. The application has been supported by an Agricultural Land Classification report which identifies the ALC across the site. The report has been informed by desk top study of the relevant information, and a detailed survey of the soil properties at 39 auger bore locations across the site.

7.38 Agricultural land is divided into 5 classifications, Grade 1 being “excellent” and Grade 5 being “very poor”. Grade 3 is divided into two sub categories Grade 3a) being “good” and Grade 3b) being “moderate”. The NPPF confirms that Best and Most Versatile agricultural land is identified as falling within Grades 1, 2 and 3a.

7.39 The table below is taken from the ALC Report which confirms that 59% of the land is Grade 4, 26% Grade 3b and 15% Grade 3a. The application site therefore extends to 85% of land which is not classified as being BMV.

ALC Grade	Area (Ha)	Area (% of Total Site)
Grade 1 (Excellent)	0	0
Grade 2 (Very Good)	0	0
Subgrade 3a (Good)	4.5	15
Subgrade 3b (Moderate)	8.1	26
Grade 4 (Poor)	17.9	59
Grade 5 (Very Poor)	0	0
Non-agricultural / Other land	0	0
Total	30.5	100

7.40 The proposals are of a temporary nature and the effect on the use of agricultural land, in this instance, would not be permanent. The proposals are of such a design whereby the land and soil would not be lost to the development. The degree of temporary loss of BMV identified above, particularly having regard to considering the availability of agricultural land used for food production, is not considered to be significant and would be acceptable. Therefore, the development would not result in a significant effect on agricultural land or the agricultural economy.

7.41 While the application indicates that the solar arrays would be surrounded by fencing, the continued agricultural use around the arrays is unclear. Nonetheless, the nature of the proposals would not result in a significant potential loss of grazing land, and the land could provide for a degree of grazing. In addition, the scheme would deliver wider biodiversity improvements as detailed later in this report.

7.42 With regard to the land following decommission, the infrastructure can be removed and land restored in accordance with a scheme which could be secured via condition. Site restoration could, for example, bring the land back into more

productive agricultural use which would not be unfeasible given a development of this nature. The definition of previously developed land, as identified by the NPPF, confirms that this excludes “*where provision for restoration has been made through development management procedures*”. Therefore, with a condition in place to restore the land following decommission, as proposed, the site would remain greenfield land.

7.43 With regard to the effect on resources underground, such as sand and gravel, Standing Advice from Staffordshire County Council (the relevant minerals and waste authority) confirms that where proposals are temporary, or easily removed, and involves minimal disturbance of the ground, they would conclude that the proposal is unlikely to create a significant safeguarding issue. The application proposals are of a nature which would meet this Standing Advice and, therefore, the proposals would not result in implications on minerals safeguarding.

7.44 Therefore, with regard to the use of natural resources, the proposals are considered to be compliant with Policy SD1 of the Local Plan and the NPPF.

Landscape and Visual Impacts

7.45 The policies and guidance cited earlier make clear that landscape and visual impacts of a development are a primary consideration when assessing a development of this nature. In addition to this, other policies of the development plan are relevant.

7.46 Policy SS1 requires development to protect and enhance the natural environment of the District. Policy DC1 requires development to be designed to respect the site and its surroundings. Policy DC3 seeks to protect and, where possible, enhance local landscape and the setting of settlements. This will be achieved by resisting development which would lead to a prominent intrusion into the countryside, and supporting development which respects and enhances local landscape character. Policy DES3 of the CNP states that development should minimise impact on, and where possible enhance, inter alia, local landscape character, and landscape features.

7.47 The site is located on land situated between Upper and Lower Newton Farms to the northwest and Blythe House to the south-east. The north eastern boundary is formed by the A50 corridor, while the southwestern edge includes the Stoke-Derby railway line, and overhead powerlines. Within the fields between these features, an existing operational solar farm occupies three large fields, while planning consent has been granted for eight further fields to include solar development and associated infrastructure. The proposed development would be provided within 6 of the remaining fields and would essentially consolidate the existing operational and approved solar developments in the immediate area. The proposals would not encroach beyond the southeastern boundary of Blythe House or the Upper and Lower Newton Farmsteads to the northwest.

7.48 The proposal includes the installation of solar panels across 6 fields, along with the construction of a substation, and other ancillary infrastructure. The panels would be aligned in rows, with a southerly orientation off set from the field

boundaries. A network of access routes are proposed which pass through, and align with, the extant permission. Landscape mitigation includes strengthening of hedgerows, new tree planting, two screening belts of trees, bunding around the substation, a large bird mitigation field, and enhancements to the low level flora.

7.49 The Councils Landscape and Settlement Character Appraisal identifies that the site is located within the 'Settled Plateau Farmland Slopes' Character Type. This confirms that the characteristics of this character type are:

- Gentle undulating landform with flat open valleys.
- Small scale ancient hedgerow field pattern.
- Low lying wet fields with ponds and well vegetated streams.
- Views limited by hedgerow pattern and dense tree cover.
- Predominantly low intensity pastoral farming.
- Urban fringe farming with horse-culture.
- Incongruous A50 dual carriageway corridor and mainline railway

7.50 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the visibility of the site and landscape sensitivity. The LVIA goes on to assesses the potential landscape and visual effects of the proposed development, including an assessment of 14 representative viewpoints of potential visual receptors of the development. While it also considers cumulative effects and the landscape mitigation.

7.51 In terms of the effects on the landscape, the LVIA concludes that the development is likely to cause a major change in the prevailing rural character of the site, the magnitude of which is assessed as being 'substantial'. In consideration of the site's 'moderate' landscape sensitivity, the resultant landscape effect of the proposed development is predicted to be 'major' at the immediate site level. This is prior to the establishment of the proposed mitigation planting.

7.52 In terms of the wider landscape setting, the LVIA concludes that, in consideration of the existing and approved solar development in this part of the Blithe Valley, the development will have a 'moderate' visual impact upon a number of receptors over a relatively extensive area to the south and south-west, which is likely to cause a 'moderate' magnitude of change in respect of local landscape character. In consideration of a 'moderate' sensitivity assigned to the local landscape, it is predicted that the proposed development is likely to give rise to a 'moderate' adverse impact upon the inherent landscape character of this section of the Blithe Valley. The LVIA identifies that the proposed mitigation landscaping will, once established, have a positive impact upon the landscape condition and the value of the local landscape character area.

7.53 With regard to the visual effects the LVIA acknowledges that the development would be visible from a number of public footpaths on the perimeter of the site, but would also be visible to some extent from a network of public rights of way and a small number of isolated dwellings and farmsteads over a wide area to the south and south-west. The initial visual effects of the development on receptors on some sections of public footpaths 'Checkley 5' and 'Checkley 7' adjacent to the site are predicted to be 'major' and adverse. Once landscaping has

established it is concluded that the medium to long-term, the visual effects of the development upon footpaths immediately adjacent to the site will be of 'minor' to 'moderate' significance. The visual effect (from one field) on Blythe House Farm is predicted to be 'moderate' adverse, although this will potentially reduce to 'minor' or 'negligible' once the proposed woodland planting on the northern edge of the field becomes established.

7.54 Within the wider landscape the LVIA anticipates that the development will have some 'moderate' adverse visual effects upon the network of public rights of way to the south and south-west of the site. The effects of the solar farm extension in longer distance views from some farmsteads and dwellings extension development upon receptors at these locations are generally predicted to be 'minor'. While the effect from rail passengers is identified to initially be a 'moderate' adverse, reducing any visual impacts to 'minor' or 'negligible' once the landscaping tree belt is established.

7.55 The Council has sought views from a Landscape Consultant (Stuart Ryder). He considers that the proposals will effectively turn the collection of fields into a solar park and this change can only be classified as a Moderate, Adverse and Temporary effect that is an inevitability of development. He identifies that the proposals are arguably similar to other solar fields in the area and are now part of the pastoral landscape character of the Settled Plateau Farmland Slopes providing local context for the proposals. He acknowledges that the proposal to enhance hedgerows would reduce effects on the landscape. Although he has queried long term management and maintenance of existing features such as hedgerows, trees and ponds, and the effects of the bird mitigation field. The LPA's opinion is that this could be secured by a long term LEMP.

7.56 With regard to the visual effects, he has identified that from PROW Checkley 5, after crossing the A50, there are arrival views across the Blithe Valley which would experience the most change. The arrays in field 1, and partially field 2, would block this view, causing a Major / Moderate, Adverse visual effect.

7.57 With regard to PROW Checkley 5, 13 and 15, views would be through gaps in boundary hedges, above hedges from mid distance, or screened by hedging. Although the sense of scale from some views may be experienced.

7.58 From the railway line he considers that the change in the visual quality is considered Moderate to Minor, Adverse reducing to Minor, Adverse with the mitigation. With regard to the effect on Blythe House he considers that the existing vegetation combined with the new woodland belt to the west of the farm will keep the arrays from the farm complex itself, but they will be visible on the approach to it.

7.59 With regard to cumulative effects, he considers that the development will be read as one large solar facility for the whole of the northern valley side running down to the River Blithe. The combined scheme will also be perceived as part of the existing solar fields to the south west adding more to the mass of solar arrays in this particular landscape. He advises that any further applications for solar

developments come forward in this area that the challenges of cumulative effects and a broader sense of proliferation should be thoroughly investigated.

7.60 Some design amendments have been suggested by the Landscape Consultant to reduce the visual effect of the development, principally the removal of fields 1 and 2 from the proposals and relocating the panels to field 7 (where bird mitigation is proposed). As noted above there is a small overlap here because Field 1 is also included in the red edge site for SMD/2022/0160 and an amendment to this scheme is expected shortly to address this. Field 1 was previously proposed for development in the approved application, SMD/2022/0610. However panels were removed from this field due to concern over the visual effects.

Amendments to relocate the solar panels from fields 1 and 2 to field 7 have been discussed with the applicant. The applicant has advised that field 7 is proposed to support the bird mitigation area for both the approved and proposed developments. Field 7 is larger than fields 1 and 2 and birds prefer larger, open areas where risks from predators would be less. Furthermore, field 7 is partially within a flood zone, and as such, would not be appropriate to deliver development in this location. Amendments have occurred elsewhere to remove operational development from the FZ including solar panels, and the applicants consider that fields 1 and 2 need to be retained. Further, as the approved and proposed developments would be constructed as one, the applicants have stated that *“the extension area must be located in close proximity to the PoC and to Blythe solar farm. The Applicant has been limited in terms of the land available due to the A50 to the north and the railway line to the south, both of which would incur costs associated with cable route crossings to the PoC which would impact upon the viability of the development”*. As such the applicants have sought to retain fields 1 and 2 for solar development.

7.61 The view from crossing the A50 would principally be to the rear of the solar panels within Field 1, the presence of panels in Field 2 would be more oblique in the view across the valley albeit noticeable. The proposals include screening adjacent to both of these fields which would help to soften the effect of the development, which would be towards the hard edge of the solar panels. In any event, this view over the valley would include approved solar panels in adjacent fields further down the hillside and within the wider context. The reasons for not locating the panels within field 7 are noted and agreed with. In addition, this would result in a further spread of panels across the valley, rather than consolidating the existing field network. Furthermore, development in this field would further envelope Blythe House, eroding its agricultural setting, with potential for further heritage and visual implications to that property. For all of these reasons it is considered that development in fields 1 and 2 would be more appropriate when considering other factors. In this context, it is considered that the visual effect on this view would not be so significant, when weighed against the benefits of the proposals.

7.62 A number of conditions have been suggested by the Landscape Consultant, which are noted.

7.63 It is acknowledged that planning permission was recently refused for a significant solar development at Lower Tean Leys Farm (SMD/2023/0059). One of the reasons for refusal was the cumulative effect of similar developments in the area on the landscape. That development was proposed to be located to the southeast of the application site, resulting in a spread of solar development along the River Blithe valley.

7.64 Noting the concern of cumulative effects, it is considered that this proposal is materially different and needs to be considered in the context of the immediate surroundings. As indicated above, these proposals would ultimately consolidate existing solar development, rather than resulting in a spread of development further across the valley, as would arise in the Leys Farm proposal. In this context, the cumulative effects, in landscape and visual terms, are less harmful than the Leys Farm proposal.

7.65 In conclusion, it is inevitable that a solar farm of this size will have some adverse landscape and visual effect. However, the proposal works with the existing landscape structure, retaining the pattern and network of field boundaries. Through mitigation any residual harm would be limited and localised. Ultimately this is a temporary and fully reversible project and after decommissioning there would arguably be some landscape improvement.

7.66 For all of these reasons the landscape and visual harm would be mitigated by the proposed new and enhancement planting and provided this is secured through conditions the development will not conflict with Policy DC3 and the NPPF

Living Conditions

7.67 Policy DC1 requires development to *“protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution”*.

7.68 The main considerations in relation to a development of this nature, would be the effect on living conditions by reason of visual impact/outlook, and noise and disturbance. It is not considered that such development would give rise to amenity issues relating to daylight, sunlight, or privacy etc. Matters relating to Glint and Glare are considered separately below.

7.69 Blythe House is the nearest dwelling to the proposed development, and is located approximately 90m from the nearest solar panels. The main façade of Blythe House, which includes various windows, is its southeast elevation where it enjoys open views across the adjacent agricultural landscape.

7.70 The proposed development would be to the southwest of Blythe House, between which are ancillary buildings and existing landscaping. Views of the development from Blythe House are likely to be glimpsed and not prominent. Furthermore, a belt of landscaping is also proposed adjacent to the southwestern boundary of Blythe House, which would further assist in screening any views of the development to the southwest from the house and its curtilage. A sufficient

buffer between Blythe House and the panels in the fields to its north would be retained. Given this relationship and proposed mitigation, the development would not be prominent from Blythe House or have a detrimental impact on the outlook enjoyed by its occupants.

7.71 The application has also been supported by a noise assessment which has considered the cumulative effects of the proposed development. This has included baseline noise surveys near to the closest noise sensitive properties (Blythe House and Highfields Farm (to the north of the A50)).

7.72 The scheme includes solar panels, which would only operate during daylight hours, and a substation, which would operate 24hrs. The initial estimate from the noise assessment indicates that noise levels generated by the extension would be at least 7dBA below existing background noise levels. Background noise levels in this location are dominated by noise from the A50. As such there would be no adverse noise impact at the nearest noise sensitive receptors arising from the extension.

7.73 The cumulative effect with the approved development has also been considered. The approved scheme included energy storage, which have a greater noise output. The report concludes that there is a requirement to reduce noise output from this part of the scheme by at least 4dBA. The noise attenuation for that proposal is controlled by condition under that planning permission. Environmental Health have considered the Noise Assessment and are satisfied that, subject to a condition requiring noise measurements and testing, the development would be acceptable and offer no objection.

7.74 During construction, the development would result in some disturbance to the amenity of occupants of dwellings along the construction route, particularly through noise and general disturbance from construction traffic. The effect of this would be temporary and limited to the construction 16-week construction period only and is considered to be acceptable.

7.75 Environmental Health have suggested other conditions with regard to hours of construction, pollution control (during construction), unexpected contamination, and artificial lighting. These conditions, along with the condition relating to noise would be sufficient to ensure that the effect of the development on the amenity of occupants of nearby residents, through noise and other disturbance, would be acceptable.

Glint and Glare

7.76 As set out earlier, the effect of glint and glare from the development is a material consideration. The application has been supported by a Glint and Glare Assessment (GGA), which was subsequently updated following consultation responses.

7.77 The GGA considers the effect on static receptors (dwellings), and moving receptors (rail, road and aviation). A total of 34 residential receptors, 34 road

receptors, 17 rail based receptors, and 10 aviation receptors (within a 30km radius), were assessed. Of these 16 residential, 16 road, and 13 rail receptors were identified as having the possibility of glint and glare. Due to the distance from aerodromes no receptors would be affected.

7.78 The GGA concludes that:

- *Solar reflections are possible at nine of the 16 residential receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at four receptors, Medium at one receptor, Low at four receptors and None at the remaining seven receptors, including one residential area. Upon reviewing the actual visibility of the receptors, glint and glare impacts remain High at two receptors and reduce to Low at two receptors and to None at all remaining receptors. Once mitigation measures were considered impacts reduce to Low at two receptors and to None at all remaining receptors.*
- *Solar reflections are possible at 12 of the 17 road receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at 12 receptors, and None at the remaining five receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts remain High at one receptor and reduce to None at all remaining receptors. Once mitigation measures were considered impacts reduce to None at all receptors.*
- *Solar reflections are possible at 11 of the 13 rail receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at eight receptors, Low at three receptors and None at the remaining two receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts reduce to None at all receptors.*

7.79 The assessment identified that mitigation would be required in some places, which should include native hedgerow planting/infilling along certain site boundaries to be maintained to a height of 3.5m.

7.80 The GGA includes the effect on the A50 in its receptors. National Highways initially sought additional clarification on the application. They are now satisfied that the development would not have a negative effect on the safe operation of the Strategic Highways Network, subject to a condition requiring a Landscape and Ecological Management Plan (LEMP).

7.81 Therefore, with appropriate mitigation in place, which would be secured through landscaping and LEMP, the effect on surrounding receptors can be made acceptable.

Biodiversity and Ecology

7.82 Policy NE1 requires biodiversity resources to be conserved and enhanced and expecting all appropriate development to delivery biodiversity net gains, proportionate to the scale of the development proposed. Policy DES3 of the CNP

states that development should minimise impact on, and where possible enhance wildlife habitats, and ecology. The Environment Act 2021 has now come into effect, which requires the delivery of a minimum of 10% Biodiversity Net Gain (BNG). However, as the application was made prior to 12th February 2024 the 10% delivery is not a statutory requirement.

Impact on Sites

7.83 The application has been supported by an Ecological Impact Assessment (EclA). The EclA is robust and considers the effect on all relevant sites, habitats and species.

7.84 With regard to the effect on statutory sites, the site lies within the zone of influence of two sites (West Midland Mosses SAC and Midland Meres & Mosses – Phase I Ramsar). Due to distance and lack of connectivity it is concluded that these sites would not be affected.

7.85 Six non-statutory sites have been identified, 5 of which would not be affected by the development. The site lies immediately to the north of the Blythe House Local Wildlife Site. The EclA concludes that the nature of the development would add no ecological pressure on this site, although it is connected to the site by a series of ditches. Therefore, it is suggested that, safe working methodologies be employed to eliminate/minimise any surface runoff associated with both the construction and operational phase of the site.

Habitats and Protected Species

7.86 The EclA confirms that onsite habitats of importance would be retained and enhanced, this includes hedgerows, trees and ponds. Those existing habitats which would be directly affected by the operational development, i.e. agricultural land, semi-improved grassland and areas of hardstanding, are of negligible ecological importance.

7.87 A presence of Great Crested Newts (GCN's) is already known on the site and as such no further survey work has been carried out in this regard. As impacts on this species group are likely, the EclA, recommends that the development proceeds under the council's District Level Licensing Scheme. This requirement has also been flagged by the Naturespace, Newt Officer and this process has commenced.

7.88 With regard to badgers, no evidence of badgers was found during the survey work. However, the site does offer suitable habitat for sett excavation. The EclA therefore recommends that, should work commence beyond 6 months from the date of the report, a pre-commencement badger survey should be conducted to re-confirm the status of this species on site.

7.89 A number of trees on site offer roost potential for bats, although these are shown to be retained. However, should the development be amended, and trees are scheduled for removal, then the EclA recommends that further nocturnal or tree-climbing surveys be carried out to determine roost presence/absence.

Development may also impact commuting/foraging routes for bats provided by the line of trees on site. The scheme will implement measures to limit the overall lighting of the site, including generally low lighting levels throughout the site, infrared security CCTV, no lighting around the solar array, and motion sensor lighting in the substation. Enhancement to the site for roosting bats could also be carried out through the installation of bat boxes across the site. The measures can be secured through a CEMP and LEMP.

7.90 The development has the potential to result in the loss of breeding habitat for birds. To mitigate the loss of potential breeding habitat for bird species, a bird mitigation area of roughly 5.44ha of neutral grassland is proposed to be created. The bird mitigation area, indicated under the approved scheme would be lost to development (this is the second area of overlap with SMD/2022/0160 as noted in the Description above, albeit it was 'blue' land rather than being within the red edge application site) However, the EclA indicates the proposed, much larger bird mitigation area, is sufficient to mitigate impacts on bird species for both the approved scheme and this application. The approved bird mitigation area on the approved scheme is secured via condition. As such both schemes could not be implemented together and an amendment to the approved scheme would therefore be necessary, as noted above.

7.91 In addition, the EclA indicates that bird boxes should be installed on retained trees across the site, and that works to remove suitable nesting habitat should be carried out outside the core nesting season, or checked by a suitably qualified ecologist. Again, these measures and enhancements can be secured via a CEMP/LEMP.

7.92 With regard to hedgehogs, sensitive working methodologies are outlined in the EclA which should be adopted during the construction phase of the proposals.

7.93 The EclA confirms that the overall risk to Otters and Water Voles is considered to be low, and that any risk to otters arising from potential pollution runoff could be controlled via the implementation of the pollution control measures outlined in the EclA and further detailed in a CEMP.

7.94 No objections have been received by Staffordshire Wildlife Trust with regard to the effect of protected species or their habitats. Natural England also raise no objection to the proposals. Subject to District Licensing with regard to GCN's and adherence to the measures set out in the EclA, which can be secured by the conditions outlined above, the effects on protected species and habitats can be appropriately mitigated, and is acceptable.

Biodiversity Net Gain (BNG)

7.95 The application has been supported the most recent Defra metric which considers the existing baseline value of the site and the enhancements to biodiversity which are proposed. As indicated above, habitats of value will be retained and would have appropriate buffers. The scheme proposes enhancements to biodiversity to include a dedicated bird mitigation area, woodland

screening belts, enhancements to existing hedgerows (including native tree species), and areas around the panels would include a conservation pasture mix.

7.96 The metric demonstrates that the scheme would deliver habitat net gains of 63.75units (or 92.5%), and hedgerow gains of 2.06units (or 10.28%). This would greatly exceed the current national target for BNG.

7.97 Staffordshire Wildlife Trust raise no objection and have advised that development would require long-term maintenance and management, which could be secured via condition. It would necessary for the ecological conditions to include updated BNG metric to reflect the final detailed landscaped and ecological enhancements of the site. Therefore, subject to condition, the scheme would deliver an appropriate level of BNG.

Effects on Public Rights of Way

7.98 Policy T1 states that consideration should be given to how schemes can enhance the existing path network and give consideration to the protection of non-definitive public footpath routes in addition to definitive routes. Policy T2 states that the Council will also ensure that all legally recognised public rights of way (PROW) affected by development are protected and, where possible, enhanced.

7.99 Crossing, and adjacent to the site, are a number of PROWs, specifically Checkley 5 and 15 cross the site. The proposed development could be carried out without affecting the route of the PROWs as detailed on the definitive map, and it appears that the development can be carried out without the requirement for diversion. Appropriate spacing between the development and the routes can be provided to ensure that legible routes are provided. The visual effects of the development on the enjoyment of the routes has been considered above.

7.100 Some of the routes within and adjacent to the site are not clear, with lack of clear way markers, and stiles which are in need of upgrade. Improvements and enhancements to the PROW routes could be secured via condition, which would accord with Policy T2. It would also be necessary to advise the applicant of their obligation to ensure that these routes are not affected during construction.

Heritage

7.101 Policy DC2 requires that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. Development which is likely to affect archaeology, will require the submission of a desk-based assessment. S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, sets out the general duty when consideration application which affect listed buildings, and states that special regard be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.102 The application development would not have a direct impact on designated heritage assets. Notwithstanding this, the proposals would be constructed in fields adjacent to Blythe House, which is Grade II listed building.

7.103 The significance of this building lies within its architectural detailing and historic use. The surrounding agricultural landscape forms part of its historic use and, therefore, its wider setting and contributes towards its setting.

7.104 The proposed solar panels, would be sited on the field to the southwest of the building, although an undeveloped buffer would be retained. Land to the east and northeast would remain undeveloped ensuring that an appropriate buffer for the building is retained. Nonetheless, there would be some change in the immediate setting of this listed building, and the agricultural landscape in which it is sited.

7.105 Blythe House is well screened, with vegetation on site, meaning intervisibility between the proposed panels and the farmhouse would be limited to a few vantage points, across the local PROW network.

7.106 The Councils Conservation Officer has raised no concern with regard to the effect of the development on the setting of the Listed Building. Even if harm to the setting of the listed building was identified, then such harm, in heritage terms, would be less than substantial. In such circumstances such harm would need to be weighed against the public benefits of the development. Such public benefits in terms of delivering a renewable form of development are substantial and would outweigh any harm to the setting of Blythe House. It is also noted that the proposed solar panels to the east, which would have a closer relationship with the eastern façade of the listed building, was not specifically refused on heritage grounds.

7.107 In the wider landscape is the Grade II listed and scheduled Paynsley Hall. This distance from this building is such that there would be no detrimental effects on its setting.

7.108 With regard to the effect on archaeological matters, the application has been supported by a Historic Environment Desk Based Assessment (HEDBA), and Geophysical Survey. The content of which are sufficient to provide a good understanding of the archaeological potential of the site. These conclude that there is little archaeological interest or potential in the site, and that construction impacts are likely to be localised.

7.109 The County Archaeologist has reviewed the proposals and is satisfied that they are in agreement with the findings of the HEDBA. Therefore, they conclude that, subject to a condition requiring a written scheme of archaeological investigation, the development would be acceptable in regard to below ground heritage interests.

Highway Safety

7.110 Policy DC1 requires development to make provision for 'safe and satisfactory access' and requires development proposals to 'make a contribution to meeting the parking requirement arising from necessary car use.' Policy T1 states that 'all new development is located where the highway network can satisfactorily

accommodate traffic generated by the development or can be improved as part of the development.

7.111 The main effects of the development on the highway network would be during the construction phase of the development.

7.112 It is likely that the development would be carried out at the same time as the consented solar farm (SMD/2022/0160). The application has been supported by a Construction Traffic Management Plan which assesses the individual and cumulative effects of the development on the highway network.

7.113 Construction traffic routing would be A50 > A521 > Uttoxeter Road (through Draycott in the Moors) > Draycott Road > Upper/Lower Newton Farm Access. This route for construction vehicles would be the same as that for the approved scheme.

7.114 It is indicated that the proposed development would result in 378 delivery movements (756 two way). The consented scheme would result in 663 delivery movements (1326 two way). Therefore, the total construction movements associated with the development would be 1041 deliveries, and 2082 two-way movements.

7.115 It is anticipated that the development would take 16 weeks to construct, with average daily movements amounting to 10 deliveries (20 two-way movements). The consented scheme would result in 22 deliveries (44 two-way movements). Cumulatively, the development would average 64 two-way movements over the 16-week construction period.

7.116 Swept path drawings show that the junction off Draycott Road has sufficient geometry to accommodate the size of vehicles accessing/egressing the farm lane access. As indicated above, the construction vehicle routing would be the same route as approved which was deemed to be acceptable subject to compliance with the CTMP. The increase in construction traffic arising from the development is not considered to have a detrimental effect on the local highway network, and no objections or concerns have been raised by DCC Highways in this regard. Further, National Highways, who consider the effects of the development on the strategic highway network, are satisfied that subject to compliance with the CTMP, that there would be no adverse effect on the effective operation of the A50.

7.117 It is likely that there would be some disturbance locally, arising from the construction phase although the effects would only be temporary.

7.118 During the operational phase, vehicular movements associated with the development would be limited to one or two visits per month. Therefore, during operation, it is considered that there would be no adverse effect on the capacity of the highway network or highway safety issues arising.

7.119 Therefore, subject to compliance with the CTMP, the proposals would not have an adverse effect on highway safety and would comply with Policies DC1 and T1 of the Development Plan.

Flood Risk and Drainage

7.120 Policy SD5 states that a sequential approach to the management of flood risk will be followed, directing development to areas at lowest risk of flooding. SD5 requires all applicable development to be supported by an FRA and that it is designed to be flood resilient and resistant and safe for its users for the lifetime of the development. In addition, all applicable developments should incorporate sustainable drainage measures.

7.121 The application site lies predominantly in Flood Zone 1, although a small part of the site lies within Flood Zones 2 and 3. The scheme initially proposed an access road, and some of the solar panels within the areas which are at higher risk of flooding. In such circumstances, in accordance with the NPPF, the proposal would need to include a sequential test to demonstrate that there are no more sequentially preferable sites to deliver the development.

7.122 Following discussions with the applicant, those parts of the development which were within the areas at higher risk of flooding have been removed with the operational development now falling in FZ1 in its entirety. Therefore, officers are satisfied that there is no longer a need to apply the sequential test with regard to flood risk.

7.123 The application has been supported by a Flood Risk Assessment and Surface Water Management Plan (the FRA). The Environment Agency have reviewed the document and are satisfied that the development is acceptable in terms of flood risk.

7.124 The FRA identifies that run off from the solar panels will be directed to the ground and will infiltrate directly below the panels and indicates that there would be no need for increased mitigation, particularly given the gradient of the land. Internal access tracks would be constructed from gravel which would allow for permeability of rainwater. Some of the electrical infrastructure would be mounted on concrete slabs, in such instances mitigation would be necessary. The sub-station and transformer “pair” 4 would drain to the surrounding gravel which would act as soakaways. Transformer “pairs” 1, 2 and 3 will drain to attenuation areas, which will outfall to surrounding gravel. The report suggests that this would not lead to any practical increase in flood risk. The Lead Local Flood Authority have reviewed the submitted document and are satisfied, subject to complying with the mitigation measures indicated, that the development would be acceptable.

7.125 Therefore, with regard to flood risk and drainage, the proposed development would be compliant with policy SD5 of the Local Plan, and guidance contained within the NPPF.

Public Safety and Site Security

7.126 Staffordshire Fire and Rescue have provided a response to the application highlighting their requires for developments involving Battery Energy Storage Schemes (BESS). This application itself does not propose any BESS and

therefore the comments are not relevant to the proposals. Had BESS been proposed then, in accordance with Planning Practice Guidance, more detailed consideration on the safety of the scheme would have been necessary. There is also specific national guidance in considering this matter.

7.127 The fire safety risks associated with solar panels are limited and do not include the infrastructure or materials upon which greater scrutiny is necessary. Any malfunctions can be remotely monitored.

7.128 With regard to site security, it is acknowledged that the nature of the site can attract rural crime, and the comments of Staffordshire Police in this regard are noted. It would be important, in landscape terms for the development to be carried out consistently with the extant permission. This includes the installation of deer fencing and CCTV around the perimeter of the installations. Other more defensive types of fencing would be more intrusive on the landscape, and from the PROWs crossing the site. Furthermore, this would appear at odds with the approved scheme adjacent.

Other Matters

7.129 Public comments have been received raising concern regarding the cumulative effects of the development and the effect on the landscape. These have been considered above.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision making this means that amongst other things, that local planning authorities should positively seek opportunities to meet the development needs of their area unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and to secure a development that improves the economic, social and environmental conditions of the area.

8.2 The principle of the proposed development is considered to be acceptable. The development would bring with it substantial benefits in terms of seeking to address the affects of climate change and moving to a low carbon future. The policy support in this respect, at both Local and National level is compelling. It is noted that there would be other environmental benefits through achieving biodiversity net gain and improvements to existing landscape features at the site. It is acknowledged that such developments bring with it a degree of impact, which in this instance largely surrounds the effect of the development on the landscape and visual impacts. However, with mitigation in place, which can be secured by condition, the effects of the development can be made acceptable in this regard. Furthermore, other impacts can be made acceptable by mitigation, are limited to the period of construction, are not permanent, or are outweighed by the overwhelming public benefits of the development.

8.3 Accordingly, the proposal is considered to comprise sustainable development under the terms of the NPPF, and is in general conformity with the Policies of the

Staffordshire Moorlands Local Plan 2020 when considered as a whole and is recommended for approval.

9. RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

**BF/613/09 Rev G – Application Plan
BF/613/01 Rev M – Planning Layout
BF/613/11 Rev D - Landscape/Ecological Layout
BF-613-10-1 – PV Panel Details
BF-613-10-2 – CCTV & Fence Details
BF-613-10-3 Rev A – Palisade Fence
BF-613-10-4 – Customer Substation
BF-613-10-5 – Spares Container Store
BF-613-10-6 – Indicative Transformer
BF-613-10-7A Rev A – Indicative Substation Compound**

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The permission hereby granted shall be limited to a period of 40 years from the date when electricity is first exported from the solar panels to the electricity network (The First Export Date). Written notification of the First Export Date shall be given to the Local Planning Authority within 14 days of the event occurring.

Reason:- To define the permission in the interests of proper planning and for the avoidance of doubt

4. No development shall take place until such time that full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- All areas of hard surfacing
- Materials for the solar panels, frames all ancillary buildings and equipment including finish and colour

The development shall be carried out strictly in accordance with the approved details.

Reason:- To protect the character and appearance of the area, residential amenity, flood risk.

Landscape and Visual Impact

5. Notwithstanding the submitted details, no development including site clearance, site stripping and levelling shall commence until such time that a detailed soft landscape mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Landscape/Ecological Mitigation Plan drawing BF/613/11 Rev D and be on a suitably scaled plan(s). The details to be submitted shall include planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing.

The soft landscape proposals approved shall subsequently be implemented in the first growing season after construction has commenced and replacement of dead, diseased or dying stock should be undertaken in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014 or any subsequent re enactment.

Reason:- To protect the character and appearance of the area and retain the overall landscape character and to protect nearby heritage assets and their setting.

6. No tree felling is to be undertaken on site or excavation within root protection areas without the express written agreement of the Council's Arboricultural Officer and after consideration of tree sensitive construction processes.

Reason:- To protect the mature tree stock that contributes to the local landscape.

7. No development shall commence including site stripping and clearance until such time that a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. This should define the excavation and bund formation for all bunding and provide detailed drawings of these proposed raised earthworks. The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of the character and appearance of the area.

8. No development shall take place including any site clearance, site stripping, levelling, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations or the prevailing standard and these shall be retained in

position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity.

9. No external lighting shall be erected/used on site unless precise details of any lighting are first submitted to and approved in writing by the local planning authority. The lighting shall be installed and thereafter maintained in accordance with the approved details for the lifetime of the development.

Reason:- To protect the character and appearance of the area, residential amenity and interests of biodiversity.

Biodiversity

10. Notwithstanding the submitted details, no development including site clearance and site stripping shall take place until such time that a Long-term Landscape and Ecology Management and Monitoring Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the Ecological Impact Assessment (Ref: 15483_R02d_DP RevD), and the Landscape/Ecological Mitigation Plan drawing BF/613/11 Rev D.

The LEMP shall amongst other matters provide detailed off-site ground nesting bird mitigation on the land adjacent to the site, design details for retained ecological and landscape features, details for proposed habitat creation and proposed new planting/landscape features, timescales for implementation, updated biodiversity metric, management and monitoring plan for new and existing habitats and key species including repeat breeding bird surveys at appropriate intervals. The LEMP shall also provide updated surveys to determine the presence/absence of badgers and, if necessary, details of any mitigation or reasonable avoidance measures that may be required. The development shall subsequently be carried out strictly in accordance with the approved LEMP.

Reason:- In the interests of protected species, biodiversity net gain and enhancement and local landscape character

11. No development including site clearance and site stripping shall take place until such time that a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall set out protection and mitigation measures for protected species during construction and site establishment. The development shall subsequently be carried out strictly in accordance with the approved LEMP

Reason:- In the interests of protected species.

Flood Risk/Drainage

12. The development hereby approved shall not be brought into use until all of the mitigation measures detailed in the document referenced Blythe Extension Solar Farm - Flood Risk Assessment and Surface Water Management Plan - Report Ref: 613/SP03 (Version 3) - October 2023, have been implemented in full. The development shall thereafter be retained and maintained in accordance with the approved detail.

Reason:- To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Archaeology

13. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication and interpretation. The Scheme shall thereafter be implemented fully in accordance with the approved details

Reason:- To protect archaeological interests.

Highways

14. The development hereby permitted shall be carried out fully in accordance with the Construction Traffic Management Plan (Ref: 2109-041/CTMP/02B) and adopt in full the mitigation measures set out at Section 6 throughout the construction phase of development.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

15.No mud, other debris or deleterious material shall be deposited on the highway. Any that is shall be immediately removed using mechanical means.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

Temporary Compound

16. Prior to the commencement of development including site clearance and stripping full details of the temporary compound to be established on site shall be submitted to the Local Planning Authority for its written approval. It should include amongst other matters level information, hard surfacing, means of enclosure, earthworks/bunding and a statement ('Statement of Condition') showing the condition of the site before works

begin. The development shall be carried out strictly in accordance with the agreed details and the compound provided before any work on site commences including site clearance and stripping. The temporary use of the land for the compound shall be discontinued and the land restored to its former condition on completion of the construction of the development hereby approved in accordance with a scheme of work and timescale (which shall be based on the Statement of Condition) and which has first been submitted to and approved by the Local Planning Authority.

Reason:- In the interests of the character and appearance of the area and amenity of nearby residents.

Decommissioning

17. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm, customer compound and all ancillary plant and equipment, shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for its written approval. The scheme shall make provision for the removal of the solar panels, ancillary plant and equipment and associated above ground works approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area, residential amenity and highway safety.

18. Within 6 months of the cessation of the export of electrical power from the site, or within a period of 39 years and 6 months following the first export date, a Scheme for the decommissioning of the solar farm, and all ancillary plant and equipment, and how the land is to be restored, to include a programme for the completion of the decommissioning and restoration works, shall be submitted to and agreed in writing by the local planning authority.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area, residential amenity and highway safety.

19. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved Scheme and, in any event shall be removed within a period of 40 years and 6 months following the first export date.

Reason:- For the avoidance of doubt and to define the permission; to protect the character and appearance of the area.

Construction & Demolition Works: Time of operations

20. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours

Construction & Demolition: Pollution Control

21. During the construction phase the following must be adhered to at all times:

- a) Any waste material associated with the construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority upon request;
- b) No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority.

Reason: To protect the amenities of the area during construction

Report of Unexpected Contamination

22. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed

remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Plant and Machinery Noise

23. A) The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the pre-existing background noise levels as set out in the submitted noise assessment, where day time is expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) night time is expressed as LA90 [15 mins] during (night time 23:00-07:00 hours) at the identified Noise Sensitive Receptors (NSRs) above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014+A1:2019.

B) Prior to any part of the development being brought into use noise tests shall be carried out to verify compliance with these limits and the submitted noise assessment. The raw data, calculations and results from the pre completion tests shall be submitted to the Local Planning Authority for its written approval before any of the units hereby approved are occupied.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

Protection and enhancement of public footpaths

24. Prior to the commencement of development including site clearance and stripping a scheme (the 'Scheme') shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- a) measures to protect the public footpaths Checkley 5, Checkley 7, Checkley 15, Draycott 14 and Draycott 15 during construction
- b) measures to improve and promote these public footpaths post construction in conjunction with Staffordshire County Council Rights of Way Officer with timescale for implementation.

The development shall subsequently be carried out strictly in accordance with the approved Scheme

Reason:- To protect and enhance the local public footpath network.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

