

**When telephoning, please ask for:** Craig Miles  
**Telephone No:** 0115 914 8308  
**Our Reference:** 22/00709/ADVICE  
**Date:** 30th September 2022

Exagen Development Limited  
 c/o Jack Ellis  
 Pegasus Group  
 First Floor  
 South Wing  
 Equinox North  
 Great Park Road  
 Almondsbury  
 Bristol, BS32 4QL

Dear Sir/Madam,

**Reference:** 22/00709/ADVICE  
**Development:** Renewable energy development comprising the installation of 49.9MW ground mounted solar farm with associated battery storage and associated infrastructure.  
**Location:** Land At Willoughby-on-the-Wolds and Wysall, Wysall Lane Willoughby on the Wolds, Nottinghamshire

Thank you for your recent enquiry relating to the above development. I have now had an opportunity to review the details provided and offer the following advice in relation to your proposal. Please accept my apologies for the delay in providing a response.

The enquiry relates to a proposed 49.9MW solar farm (and associated development) within a circa 180-hectare site located to the north of the settlement of Willoughby-on-the-Wolds.

It is unusual to consider what is effectively two separate proposals as part of one single pre-application enquiry submission. The submitted information indicates that the entirety of both sites measures some 180ha, with an anticipated output of some 49.9MW which would generally fall significant below the anticipated generating capacity of a site this size.

The submission itself identifies the sites as being separate. The northern parcels of land being called Willoughby 1 and the southern parcels known as Willoughby 2.

The draft revised EN-3 sets out an example of the size of site and number of panels required to generate over 50MW of solar energy – between 100,000 to 150,000 panels and 125 to 200 acres. The development of some 444 acres would equate to a significantly higher generating capacity and therefore at this time (whilst the EN-3 has not formally been revised), and therefore if the entirety of the site (Willoughby 1 and the southern parcels known as Willoughby 2) is developed it would constitute a National Infrastructure Project submitted to The Planning Inspectorate in accordance with the Planning Act 2008.

The comprehensive pre-application submission contains many of the details expected of a full application. In my opinion, the purpose of the pre-application process is to consider the principle of development; advice is given regarding the technical aspects of what should be included as part of any future application and what matters might be considered. Based on further discussion, it is also apparent that not all of the site would be development and some guidance is sought which area of the either Willoughby 1 or Willoughby 2, might be more suitable. The response has therefore been structured on this basis and is given as an Officer's opinion rather than any formal determination by



**Email:**  
 customerservices  
 @rushcliffe.gov.uk

**Telephone:**  
 0115 981 9911

[www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

**Postal address**  
 Rushcliffe Borough  
 Council  
 Rushcliffe Arena  
 Rugby Road  
 West Bridgford  
 Nottingham  
 NG2 7YG



the planning authority and is without prejudice to the determination of any future planning application.

In respect of landscape, the authority replies upon external input to provide comment on the methodology and importantly the specific landscape and visual effects of the proposals. It would be during the consideration of a planning application when a full LVIA has been submitted where full consideration of the landscape and visual affects would be considered in detail.

Separately, given the scale of the proposed development, it is recommended that a screening opinion request be made prior to the submission of any future application, to determine if the proposals represent EIA development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As part of this submission, an environmental impact assessment screening checklist should be provided to demonstrate the potential environmental effects, and support your conclusion whether or not it is EIA development.

## **Planning Policy**

The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (Core Strategy) (2014) and the Local Plan Part 2: Land and Planning Policies (LPP2) (2019). Other material considerations include the 2021 National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance), and the Rushcliffe Residential Design Guide (2009).

The relevant policies from the LPP1 are:

- Policy 1 (Presumption in Favour of Sustainable Development)
- Policy 2 (Climate Change)
- Policy 4 - Nottingham-Derby Green Belt)
- Policy 10 (Design and Enhancing Local Identity)
- Policy 11 (Historic Environment)
- Policy 17 (Biodiversity)

The relevant policies from the LPP2 are:

- Policy 1 (Development Requirements)
- Policy 16 (Renewable Energy)
- Policy 18 (Surface Water Management)
- Policy 28 (Conserving and Enhancing Heritage Assets)
- Policy 37 (Trees and Woodlands)
- Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network)
- Policy 40 - Pollution and Land Contamination

The relevant parts of the NPPF are:

- Chapter 2 (Achieving sustainable development)
- Chapter 12 (Achieving well-designed places)
- Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)
- Chapter 15 (Conserving and enhancing the natural environment)
- Chapter 15 (Conserving and enhancing the historic environment)

## **Assessment**

Based on the information provided as part of this enquiry, the main considerations are:

- Principle of development
- Landscape and visual impact
- Heritage
- Environmental Health
- Highways

- East Midlands Airport
- Ecology
- Agricultural Land Quality
- Flood Risk

## Principle of Development

The application site is located within a countryside location as identified on the proposals Map of the adopted Rushcliffe Local Plan Part2: Land and Planning Policies (2019).

Policy 22 - Development within the Countryside sets out the strategy for new development within the countryside. It is stated that renewable energy proposals would be acceptable in countryside locations on the basis that “the appearance and character of the landscape, including its historic character and features such as habitats, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is conserved and enhanced” and that they accord with Policy 16 – Renewable Energy.

Policy 16 states that Proposals for renewable energy schemes will only be granted planning permission where they are acceptable in terms of:

- a) compliance with Green Belt policy;
- b) landscape and visual effects;
- c) ecology and biodiversity;
- d) best and most versatile agricultural land;
- e) the historic environment;
- f) open space and other recreational uses;
- g) amenity of nearby properties;
- h) grid connection;
- i) form and siting;
- j) mitigation;
- k) the decommissioning and reinstatement of land at the end of the operational life of the development;
- l) cumulative impact with existing and proposed development;
- m) emissions to ground, water courses and/or air;
- n) odour;
- o) vehicular access and traffic; and
- p) proximity of generating plants to the renewable energy source.

This will be the overall policy basis when considering any future application for ground mounted solar development. Whilst the development plan allows for renewable energy proposals in principle, it is only on the basis that the above criteria is met. It is anticipated that any future application would be accompanied by a detailed planning statement (and supporting surveys) addressing how each criterion is met.

## Landscape and Visual Impact

A Landscape Sensitivity Study was jointly commissioned by Rushcliffe and Melton Councils. Although the document relates to wind energy, the overall landscape considerations are largely applicable to your proposal. The Borough Council's Landscape Character Assessment identifies that the site falls within Nottinghamshire Wolds: East Leake Rolling Farmland. The overall landscape strategy is to conserve and enhance. In considering the relevant landscape actions for this character area, it should be ensured that your proposal:

- Conserves the rural character with built form infrequent in views
- Conserve hedgerows and where present ensure that infill planting is undertaken where gaps occur rather than infilling or replacement with fencing

- Enhance the distribution of hedgerow trees by encouraging greater planting of trees within hedgerows.
- Conserve the framed vistas towards Kinston Hall from adjacent roads
- Conserve the estate character of Kingston on Soar and the estate lodges at entrances to halls

The submission does not include a full Landscape and Visual Impact Assessment, however separate landscape and visual statements have been provided that includes photomontages and ZTVs, together with a description of the landscape character area and a short assessment of the potential impact.

In respect of Willoughby 1, the fields alongside Willoughby Road to the north of Willoughby on the Wolds, would clearly be exposed in local views and potentially much wider views. In my opinion, development in these fields would have an urbanising impact on the approach to Willoughby on the Wolds from the north and would have a detrimental impact on the wider countryside given the lack of screening and its exposed location. Without having a detailed landscape plan or layout it is difficult to comment implicitly, but in comparison to other parcels of land, my opinion is that these fields should be avoided.

The western parcel of land consisting of five agricultural fields and measuring some 35.6ha in area appears to be relatively well contained in the wider landscape. It is bounded by primarily agricultural land with separate areas of woodland. Although there are two Public Right of Ways crossing the western site; one in the eastern extent aligned in a southeast to north-west orientation; and one in the western extent aligned in a broadly north-east to south-west orientation, the wider visual impact of the proposals are likely to be limited by the adjacent areas of dense woodland and hedgerows, together with any potential additional planting.

In respect of Willoughby 2, there are two separate parcels of land measuring some 107.4 ha in total located to the west of Wysall.

The northern parcel is approximately 73.7 ha in area and comprises 11 agricultural land parcels and buildings associated Lodge Farm. It is crossed by three public rights of way, bounded by woodland to the north and a mixture of agricultural land and woodland to the east, south and west. It is also directly to the west of a proposed ground mounted solar installation at Highfield Farm, Wysall (Ref: 22/00303/FUL) which is yet to be determined. No consideration of the cumulative affects of the proposals seems to have been undertaken to date, but if this application is either undetermined or approved upon submission it is recommended this be included within the LVIA.

The land itself it relatively well contained in the wider landscape. There is a public footpath running though the site and it is directly adjacent to a local nature reserve (north) which also contains ancient woodland. It is considered that views from the local nature reserve (which contains a variety of pathways) also have value. Development directly alongside the nature reserve is not considered appropriate not only visually would it provide a negative juxtaposition, but it may also harm the root protection of existing trees and have an impact on wildlife within it. There should be consideration of a buffer along the entirety of the northern boundary and some form planting behind the proposed panels. The eastern part of the site also appears to include a detached dwelling and would be directly alongside another dwelling accessed from Bradmore Road. There should be sufficient distance to these properties not to adversely affect their amenity, outlook and setting. Without a detailed layout it is difficult to comment meaningfully.

The southern parcel measures some 33.7ha in area and comprises of six agricultural fields, bounded by a mixture of agricultural land and woodland. It is also directly to the west of a proposed ground mounted solar installation at Highfield Farm, Wysall (Ref: 22/00303/FUL) which is yet to be determined. The site would be exposed in views from the south, but it acknowledged that the majority of these would be distant views.

Similarly, there needs to be some consideration of the cumulative effects of the adjacent proposed ground mounted solar development.

In summary, it is considered that only part of Willoughby 1 is potentially suitable for ground mounted solar development (west parcel of land). At Willoughby 2, it is considered that the sites are relatively contained in the wider landscape by existing vegetation but are constrained by the existing nature reserve to the north, and existing dwelling on and alongside the east part of the site. The cumulative affects also need further consideration.

## Heritage

The council's Conservation Officer has been consulted on the application and comments as follows:

The proposal relates to five individual sites as shown on the location map supplied. The application refers to these as Willoughby 1 and Willoughby 2. I have reviewed the information submitted within the proposals, in particular the comprehensive Heritage Impact Assessment. I am satisfied that this has demonstrated that it has taken into consideration the impacts of the proposal on the nearby heritage assets for both sites.

Willoughby 1: Approx. 69.2 ha in area and comprises three separate land parcels located to the north and north-west of Willoughby-on-the-Wolds known as the 'eastern site', the 'central site' and the 'western site'.

- The eastern site comprises a single agricultural field c. 6.6 ha in area, bounded by agricultural land to the north, east and west, and gardens associated with residential dwellings along Main Street to the south.
- The central site comprises part of five agricultural fields and is c. 26.9 ha in area. One land parcel lies to the east of Widmerpool Lane whilst the remaining four lie to the west of the road. The surrounds of the site predominantly comprise agricultural land with woodland to the north and a small amount of development to the west of the eastern extent of the central site.
- The western site consists of five agricultural fields and is c. 35.6 ha in area. The site is bounded by primarily agricultural land with some areas of woodland. Two public rights of way cross the western site; one in the eastern extent aligned in a southeast to north-west orientation; and one in the western extent aligned in a broadly north-east to south-west orientation.

The land within the sites has historically been utilised as agricultural land with associated farm dwellings. The landscape consists of rolling hills across which agricultural fields, field boundaries and intervening woodlands and mature vegetation, intermittent dwellings and village settlements visible in long distance views.

The Willoughby 1 site is not within a conservation area and does not contain any heritage assets but a number of these are found nearby at varying distances given the expanse of the proposal site (the closest is within 140m). The setting of the designated heritage assets within the closest proximity considered are: Thorpe in the Glebe medieval settlement, including church site and open field system Scheduled Monument; The Grade I Listed Church of St Mary and All Saints; The Grade II Listed Church Site Farmhouse; and The Grade II Listed Annabells Farm. The nearest conservation area is Wysall.

Willoughby 2: Approx. 107.4 ha in area and comprises two separate land parcels located to the west of Wysall.

- The northern parcel is approximately 73.7 ha in area and comprises 11 agricultural land parcels and buildings associated Lodge Farm. It is crossed by three public rights of way, bounded by woodland to the north and a mixture of agricultural land and woodland to the east, south and west.
- The southern parcel is approx. 33.7 ha in area and comprises part of six agricultural land parcels, bounded by a mixture of agricultural land and woodland.

The land within the sites has historically been utilised as agricultural land with associated farm dwellings. During the medieval period the southern site and the eastern half of the northern site being historically located in the parish of Wysall. The western extent of the northern site was historically located in the parish of Costock. Parts of the northern site (including the non-extant historic Lodge Farm and Highfields) were likely associated with the estate lands of Bunny Hall although there is no association today. The landscape consists of rolling hills across which agricultural fields, field boundaries and intervening woodlands and mature vegetation, intermittent dwellings and village settlements visible in long distance views.

The Willoughby 2 site is not within a conservation area and does not contain any heritage assets but a number of these are found nearby at varying distances given the expanse of the proposal site (the closest is within approx. 215 m). The setting of the designated heritage assets within the closest proximity considered are: The Wysall Conservation Area c. 215m south-east of the northern site and c. 295m east of the southern site; The Grade II Listed Highfields c. 435m west of the northern site and c. 670m west of the southern site (1260277); and The Grade I Listed Church of Holy Trinity c. 510m east of the southern site (1259980). The nearest conservation area is Wysall.

Recommendations within the submitted heritage statements for both sites are supported, including those for further development prior to a full application.

The measures suggested within the Heritage Statements to lessen potential impacts on the identified designated heritage assets are considered appropriate in that they seek to reduce potential harm resulting from the development proposals. (see para. 7.2 and 7.3 of Section '7. Conclusions of the Willoughby 1 Pre-Application Heritage Statement' and para. 7.2 and 7.3 of Section '7. Conclusions of the Willoughby 2 Pre-Application Heritage Statement') Such an approach is supported by Conservation.

The consideration of potential effects on significance through early assessment to inform the scope and form of development is a best practice approach and is in accordance with guidance from Historic England. In this instance, the development proposed seeks to reduce potential harm by appropriate placement of solar panel arrays through setbacks along a number of boundaries at both sites. This would, to give one example, retain the agricultural approach to the Wysall Conservation Area. The strengthening of vegetation and planting along boundaries and in views is proposed and supported. While screening may be viewed as mitigating negative impacts, I do not consider this to be the case with this proposal. The careful design takes account of local landscape character and seasonal and diurnal effects.

It is recommended that the specialist advice of the archaeology advisor be as part of the preparation of the heritage assessment as these comments are provided in relation to the built heritage and therefore do not offer comments upon archaeology.

It is considered that a carefully designed proposal could be designed in a manner not resulting in harm to heritage assets, owing to the overall anticipated height of the proposals that could be further mitigated by a detailed landscaping scheme. On this basis there would be limited opportunities to affect Wysall Conservation Area or its setting. There would also be limited opportunities to cause harm to the significance of the Listed Buildings and their settings, subject to design.

## **Environmental Health**

The Borough Council's Environmental Health Officer has not commented specifically on the proposals, but their standard advice identifies the following minor adverse effects:

- "The construction element of the proposal and the laying of the infrastructure to feed the power to the grid. This will be temporary, and impacts will be determined by the need to connect to the grid. Any impacts will be minimal and occur at the outset of

the installation and upon removal. Any negative impacts such as noise and dust from the construction phase should be mitigated in any application and consideration should be given to the hours of operation of any noise construction work.

- The operation of transformers on site can produce low frequency/humming noises. This is likely to result in very minor impacts and the location of the site would mean that noise from these plant/equipment would not be audible to any current residence. We note that a full application would be supported by a Noise Impact Assessment (NIA) and support this approach. This assessment would be based on the noise specifications, operational hours of plant/equipment including performance and locations”.

## Highways

The Highway Authority (Nottinghamshire County Council) note that little information has been provided in terms of precise access arrangements and anticipated vehicle numbers during construction, maintenance and decommissioning. They note however that it is stated that a full planning application would be accompanied by a Transport Assessment and Construction Management Plan, and these should fully assess vehicle access and traffic movements associated with the construction and operational phases of the development.

It is stated that the development will be accessed via existing access points on the boundaries of the site parcels, although no further details on the accesses or their locations are provided. Suitable access arrangements will therefore need to be confirmed in terms of visibility and access geometry/construction. Further details on vehicle access design requirements can be found in the Nottinghamshire Highway Design Guide. (<https://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>).

The applicant should also contact the Public Rights of Way Team at an early stage to discuss any potential implications to public footpaths and bridleways that cross or abut the application site. The applicant will be required to provide full details on how any affected public rights of way will be accommodated throughout the site, and any impact both during and following the initial construction phase. Further information with regard to Public Rights of Way can be obtained by contacting [countryside.access@nottsc.gov.uk](mailto:countryside.access@nottsc.gov.uk). The applicant must be confident of the recorded line of any rights of way. It is recommended land searches are obtained from Nottinghamshire County Council. <http://www.nottinghamshire.gov.uk/planning-and-environment/walking-cycling-and-rights-of-way/rights-of-way/search>

## East Midlands Airport

The site is located within East Midlands Airport Safeguarding area. The East Midlands Airport Safeguarding Authority have responded to state that they have no objections to the proposals based on the information submitted (which excludes design and layout). Their standing advice in relation to ground mounted solar development is that the applicant should ensure that the following information is submit with their application:

- Precise grid references for the parameters of the site.
- Technical specification of the solar PV
- An aviation perspective Glint & Glare assessment
- If the G&G assessment does not predict any potential for ocular damage to pilots, then a planning application for this scheme would also need to include a Bird Hazard Management Plan to ensure that the site does not become a haven for species of birds that are hazardous to aircraft.

## Ecology

The Borough Council's Environmental Sustainability Officer has provided the following comments:

"The northern site falls within the Gotham Hills, West Leake and Bunny Ridge Line Focal are identified within The Rushcliffe Biodiversity Opportunity Mapping Report online at [https://nottsbag.org.uk/wpcontent/uploads/2021/01/Rushcliffe-BOM-Report-2015\\_V3.pdf](https://nottsbag.org.uk/wpcontent/uploads/2021/01/Rushcliffe-BOM-Report-2015_V3.pdf) and the southern sites fall within the South Rushcliffe Pondscales Focal Area. This provides recommendations for biodiversity opportunities within these areas, which should be considered within any mitigation / enhancement plans.

No protected or priority sites are found within the red line boundary, however 3 of the individual sites are adjacent to Local Wildlife Sites (Woodside Farm Grassland LWS, Thorpe in the Glebe Plantation Grassland LWS, Thorpe Plantation LWS, Intake Wood, Costock LWS, Costock Road (iii) LWS and Bunny Old Wood LWS), a number of other local wildlife sites are nearby. It is unlikely these sites will be directly impacted during operation, but care will be required to prevent any runoff during construction.

The rare plant: *Anthemis cotula*, *Nymphaea alba* and *Ranunculus arvensis* are recorded on the development sites. Badgers are recorded onsite and wild birds. Bats, small mammals, and reptiles are recorded close to the development sites. It is likely Brown Hare and Hedgehog are using this site. Hedgerow, Ponds, and Arable Farm Margin priority habitats are found on site

I note the area in which the development lies is within an area highlighted by Natural England as at a medium risk of impacting on GCN's, if the applicant will be removing ponds or natural habitats such as grass or shrubs. Rushcliffe is now part of the Natural England District Level Licencing Scheme for Great Crested Newts; the applicant can consider joining the DLL scheme and paying compensation or alternatively an assessment of the risk to GCN must be included in ecological surveys and they must set out any measures which they propose to take to safeguard against significant risks. This may result in the need for a GCN site mitigation licence if the developer chooses not to use DLL. Further details about the DLL scheme is available online at <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes>

I also note a number of ponds lie within the red line boundary. This also provides the applicant with the potential to create / restore further GCN ponds onsite, funded through the DL scheme.

I note a Preliminary Ecological Appraisal (PEA) has been undertaken and further protected species surveys are recommended by the consultant ecologist, these should be carried out used to provide an Ecological Impact Assessment (EcoIA) and supplied with the planning application. Ecological surveys must be undertaken by a suitably qualified and experienced ecologist at an appropriate time of the year. See <https://www.biodiversityinplanning.org/wildlife-assessment-check/> for advice PV solar farms, have the potential to negatively impact on flying species, with some reports indicating

they mistake them for water bodies. Additionally, shade from panels can prevent ground flora. However other reports have demonstrated a well-designed PV solar farm can provide many opportunities for enhancement if distances between panels allow the use of wildflower rich grassland underplanting and borders to fields and potential to support ground-nesting birds and brown hare's. An example publication is <http://publications.naturalengland.org.uk/publication/6384664523046912>.

A biodiversity net gain assessment, with a demonstrated gain should be provided, as recommended by CIRIA (2019) Biodiversity Net Gain – Principles and Guidance for UK construction and developments, with the gains implemented and maintained in the long



term, set out in a Landscape and Ecological Management Plan and agreed by the local planning authority.

An ecological construction method statement incorporating reasonable avoidance measures (RAMs), should be agreed and implemented, covering the species identified locally and including the good practice methods below. Other recommendations include:

- The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting> for advice and if lighting is required a wildlife sensitive lighting scheme should be developed and implemented.
- New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds.
- Any existing hedgerow / trees should be retained and enhanced; any hedge / trees removed should be replaced. Any boundary habitats should be retained and enhanced.
- Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*)).
- Sustainable Urban Drainage schemes (SUDs) where required should be designed to provide ecological benefit.
- Good practise construction methods should be adopted including:
  - Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
  - No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
  - All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
  - Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
  - Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
  - Pollution prevention measures should be adopted
- It is recommended that consideration should be given to management of waste during and post construction and the use of recycled materials and sustainable building methods."

## **Agricultural Land Quality**

Criterion 12 of LPP2 Policy 1 states that "development should have regard to the best and most versatile agricultural classification of the land, with a preference for the use of lower quality over higher quality agricultural land. Development should also aim to minimise soil disturbance as far as possible".

In addition, guidance is contained within the NPPG regarding large scale solar farms which states that where a proposal involves greenfield land it should be demonstrated.

- (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and;
- (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

The submitted details indicate that the land does not form the Best and Most Versatile agricultural land quality as the site comprises predominantly of grade 3b (and below) agricultural land and the nature of the development is such that it would likely require reasonably low levels of ground disturbance i.e., for footings, substations and ancillary equipment, access etc. The submitted planning statement states that at the end of the operational lifespan (i.e., circa 35 years), the solar panels and other infrastructure would be removed, and the Site restored back to full agricultural use. This restoration could be secured by attaching a suitable condition to any planning permission.

## **Flood Risk & Drainage**

The entirety of Willoughby 1 and the majority of Willoughby 2 appears to in flood zone 1 on the indicate Environment Agency Flood Risk Map. The exception being that the southern part to Willoughby 2 (from Wysall Road) is included in Flood Zone 3.

It is noted that no specific information has been submitted with regards to flooding or drainage, however the Lead Local Flood Authority (LLFA) have reviewed the proposals and commented that it is a requirement that developments which are located in Flood Zone 1, and over 1 hectare in size should be accompanied by a site-specific flood risk assessment, reviewing the potential flood risks to the development from all sources. An FRA is vital if the local planning authority is to make an informed planning decision.

Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) have reviewed the submitted information and have made some general comments. Whilst they have confirmed that a FRA would be required, they also state that they would also require details of the proposed surface water drainage strategy for the development. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The LLFA advise that any proposed drainage strategy should be in accordance with CIRIA C753 and current best practice guidance. They note that any FRA or drainage strategy should also include following information:

- The provided layout plan shows no provision for above ground sustainable drainage systems as such we request that any surface water scheme submitted at a later date includes provision for above ground SuDS features.
- With regards to an acceptable surface water management scheme for the site we would offer the following comments and recommendations;
- Provide evidence of a proven outfall from site in accordance with the drainage hierarchy the follows options should be considered, in order of preference; infiltration, discharge to watercourse, discharge to surface water sewer or discharge to combined sewer.
- Justification should be provided for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365.
- The maximum discharge should be set to the QBar Greenfield run-off rate for the positively drained area of development.
- The site drainage system should cater for all rainfall events up to and including the 1 in 100-year event including a 40% allowance for climate change.
- For all exceedance to be contained within the site boundary without flooding any properties in a 1 in 100year+CC storm.
- SuDS systems should be incorporated into the surface water management scheme for the site, preference should be given to above ground SuDS which provide multi-functional benefits.
- Details of who will manage and maintain all drainage features for the lifetime of the development will be required prior to construction

They confirm that this is only a brief outline of the minimum information we would be expecting to see and not an exhaustive list.

## **Conclusion**

The policies within the adopted development plan allows for the principle of renewable energy projects in countryside locations subject to certain criteria being met (please see the Policy section above).

In landscape and visual terms, it is suggested that the fields located directly to the north of the settlement of Willoughby-on-the-Wolds, would not be suitable for ground mounted solar development. The western parcel of land forming Willoughby 1 seem to relatively free of constraints and are well contained. It is considered that the fields forming Willoughby 2 are also relatively well contained in the wider landscape but are not without constraint. The nature reserve to the north and the residential properties to the east will limit development of certain parts of the site - without a detailed layout plan it is difficult to comment further. Similarly, there also needs to be consideration of the cumulative effects of the proposals (particularly Willoughby 2) where it would be located directly adjacent to an application for a 49.9MW solar farm (if approved).

A variety of technical documents are required to consider the proposals in detail and these matters have been described above based on the information provided. Without these technical documents, it is difficult to comment further on these matters, but the response provided above does provide what the planning authority expect to be submitted as part of any future planning application and some of the issues which are likely to be raised by consultees.

It is considered that a request for a screening opinion be submitted prior to a planning application submission to consider if the proposals represent EIA development.

The applicant will no doubt be aware, but for completeness, if the generating capacity is anticipated to above 50MWp then it would represent a National Infrastructure Project. A submission would therefore need be made to the Planning Inspectorate rather than this authority.

## **Application Process and Requirements**

### **Submission Documents**

Should you decide to submit a planning application, I would recommend that the following documents are provided;

- Site location plan with application site (including access) outlined in red and the remaining land in the applicants' ownership in blue
- Block plan with critical dimensions to boundaries marked on
- Plans and elevations of all infrastructure
- Statement regarding use of agricultural land
- Transport Statement (including Travel Plan)
- Landscape and Visual Impact Assessment (including consideration of glint and glare)
- Landscape Strategy
- Preliminary Ecological Survey
- Biodiversity Net Gain Statement
- Construction Management Plan
- Noise Impact Assessment
- The appropriate application fees

Although not a statutory requirement, it is also considered that it would be beneficial to enter into a Planning Performance Agreement with the authority that would ensure that expectations of resources and timescale are achieved.

**Pre- commencement conditions**

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 came into force on 1 October 2018. This requires, inter alia, for Local Planning Authorities to agree any pre- commencement conditions prior to the approval of any such planning application (subject to a number of stipulations as set out in these regulations). You are therefore advised to agree submission documents with the Borough Council prior to formal submission, to ensure the submission of sufficient information to avoid the need for pre-commencement conditions.

You will of course appreciate that the advice contained within this letter is offered without prejudice to any decision the Borough Council may reach on a planning application for the proposed development. On receipt of an application, the comments of other bodies will be sought, and these may raise further issues not anticipated at this stage. Therefore, the outcome of the application cannot be guaranteed. Furthermore, this advice may not be relied upon if an application is not made within one year or if there are significant changes in policy.

Yours faithfully,

**Principal Planning Officer**