

22/00319/FUL Further Comments
Cllr C Thomas, Ward Member, 8 March 2023

Having had a chance to read the officer report, I offer the following comments.

1. Adverse impacts on Landscape and Visual impacts

Insufficient weight has been given to the harm to the landscape, judged to be "major adverse" by the independent landscape advisor.

I wish the following planning appeal to be considered by way of a precedent:

APP/M1005/W/22/3299953 Land north west of Hall Farm, Church Street, Alfreton DE55 7AH

The application was refused and the appeal was dismissed. The first reason of refusal was:

The magnitude of the scale and nature of the solar park proposals would have a significant adverse impact on landscape character and visual amenity, contrary to ... [Amber Valley local plan policies listed]... and paragraphs 155 and 180 of the National Planning Policy Framework, which seek to support the use and supply of renewable and low carbon energy and heat provided the adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).

Part of the conclusion reads:

60. The need for renewable or low carbon energy does not automatically override environmental protections. I have taken into account all the other matters raised including the proximity of a suitable grid connection, but in the overall balance, the harm caused to landscape character and visual amenity is decisive. The adverse impacts cannot be addressed satisfactorily on a site of this size and character, and the suggested planting mitigation measures would be seriously out of keeping and would largely worsen, rather than mitigate for the landscape and visual impact. ... I consider that 40 years is a very significant period in people's lives during which the development would seriously detract from landscape character and visual amenity.

There are strong similarities with our application 22/00319/FUL, and I would suggest a similar reason for refusal, along with a statement that VSC have not been demonstrated for this green belt site. Relevant policies in our case would include:

Core Strategy: policies 1; 4; 10; 16; 17

LPP2: policies 1; 16; 21; 22; 34; 37; 38; 42

Gotham Neighbourhood Plan: policy GS1

2. Local Wildlife Sites, Rushcliffe's Nature Conservation Strategy, Wildlife Corridors

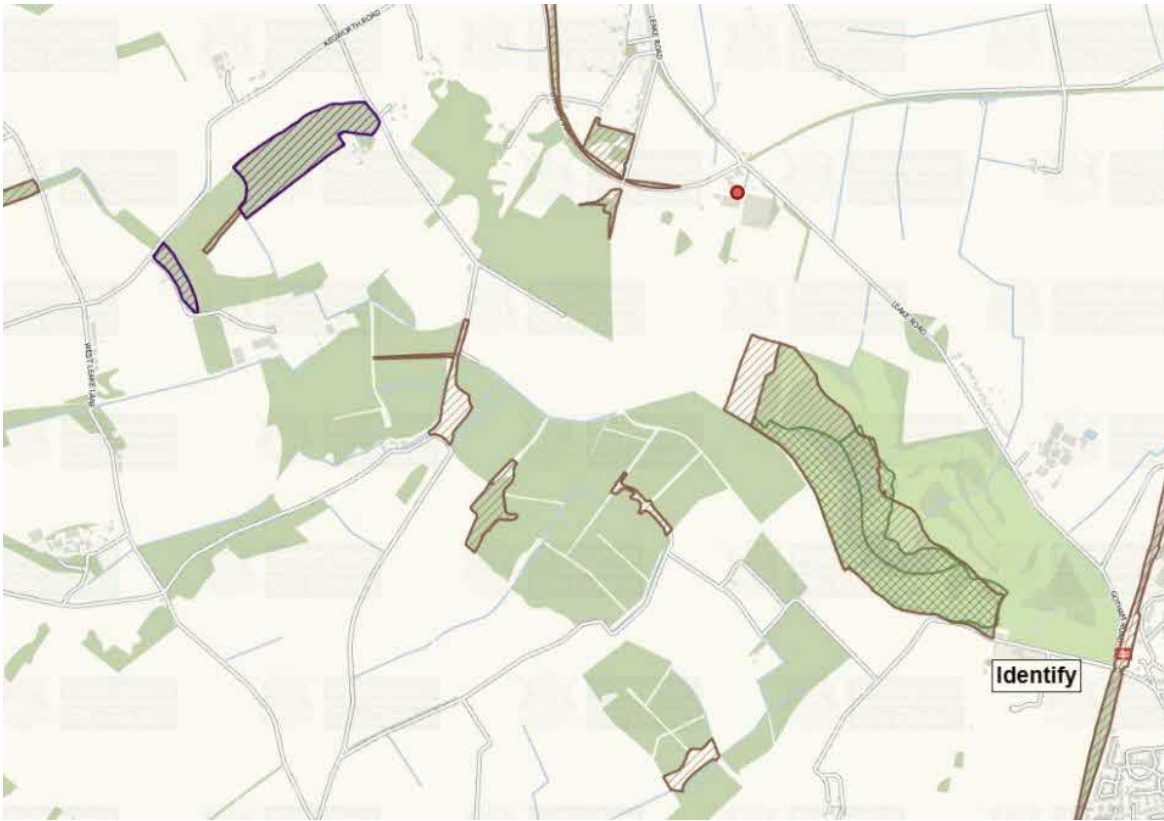
Insufficient consideration has been given to the local wildlife sites in the area. Para 140 of the officer report assesses this, quoting the applicant's ecological assessment that says:

"within a 5km radius of the site there are five Sites of Special Scientific Interest ("SSSIs") and that there are seven Local Nature Reserves ("LNRs"), but no National Nature Reserves ("NNRs"), within 5km".

"Within 5 km" significantly underrepresents the situation. The SSSI (Golf Course) adjoins the site. There are seven further local wildlife sites in and around the adjacent woods (Leake New Wood Track, Ash Spinney Assart, Crowend Wood - Eastern and Western Assarts, and Crowend Wood Ride, Court Hill Grassland, Gotham Wood), showing the richness of the habitat here. (See map)

The officer report does not cover consideration of the approved Rushcliffe Nature Conservation Strategy and Biodiversity Action Group. The importance of this 1.5 mile long site as part of an important network of wildlife corridors has not been fully assessed.

Insufficient consideration of the impact on local wildlife sites, wildlife corridors and the relevant strategy is a reason for refusal.



3. Gypsum

There are two aspects to consider – safeguarding minerals (policy 42) and land instability from mining under the site. Paragraphs 227 to 234 in the officer report consider this.



Para 228 quotes 4.72 of the adopted local mineral plan which says there is no longer a demand for gypsum because of the increased supplies of DSG. With coal fired power stations closing this statement is highly suspect.

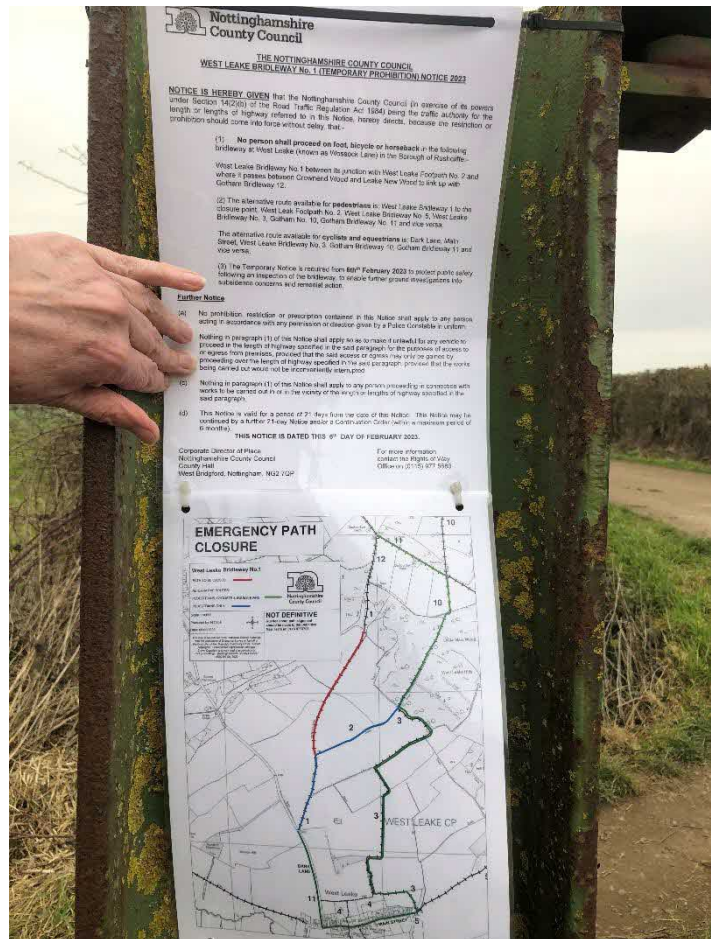
I have not been able to find statements from British Gypsum on the application portal that back up paras 228, 229, 232 and 233. Para 230 and 231 cover the



NCC response. Given their retraction of the response they gave to the LDO, and subsequent discussions about gypsum extraction on that site, their response to this application cannot be trusted either.

As far as safety is concerned para 232 talks of “historical” subsidence events. But there is recent evidence of subsidence – a footpath is currently closed for safety reasons.

With all the Public Rights of Way around the site, public safety is paramount and the risk of installation work destabilising the land must be properly evaluated. The “Note to Applicant” on the subject is not sufficient to ensure either safety or to protect against sterilisation of reserves (forty years is a long time) and this this should be a reason for refusal.



4. Fencing – Security and Visual Impact

The application as it stands has the areas of solar panels surrounded by “deer fence”. This has the look of an agricultural field stock fence, only higher to prevent deer jumping over. It is specified in the document: Typical Deer Fence - Plan Ref: 04533-RES-SEC-DR-PT-003 (Figure 13 Version 2). The officer report in para 19 states:

“It is proposed that a 2.4m high perimeter security deer fence will be installed around the edge of the application site that would allow for small mammals and other wildlife to pass through the site. ”



(Images above are from the “Typical Deer Fence” document). Note that all the landscape appraisals and photomontages that form part of the application have been for this type of fence.

The response from Notts Police Designing Out Crime Officer states:

“Solar Farms or Solar Parks have in recent years been subject of some significant thefts of the installed solar panels with replacement costs in excess of £50,000.

This combined with the continuing rise in the costs of metals typically used in the provision of sites such as this, and which is saleable by the criminal as scrap metal, has seen a consistent increase in the number of solar sites being targeted.

I would strongly advise to avoid the use of what is described as ‘Deer Fencing’, which is referred to in the DAS on this planning submission, as this does not provide any difficulty or deterrent to the criminal.”

They go on to state:

“I would recommend that the boundary fence is to a minimum of LPS 1175 level 3 and to a height of 2.4 metres or to the current UK Government standard, SEAP (Security Equipment Approval Panel) class 1-3. The use of 2.4 metre welded mesh fencing (in green) would be the most unobtrusive method of providing a secure perimeter border.”

Example image of LPS 1175 level 3 fence (on the portal submitted by a resident).



In terms of impact on views and the landscape these are clearly two very different scenarios. The officer report para 235 states that this can be dealt with by condition, but I suggest that changing the fence type is a fundamental change and the photomontages would need to be redone and there would need to be another consultation.

Ignoring the police recommendation (also identified as an option in para 235) could be unwise. If criminals are drawn to the site the safety of the public using the public rights of way and living in these remote homes is a consideration as well as protection of the assets for the company operating the site.

Until and unless this matter is resolved the application should not be approved. This is too significant an issue to be delegated to officers without further consultation.

5. Tree Protection

Many of the areas to be developed are close to woodland edges. Installation of fences panels, cabling, building and tracks could disturb roots. I can see no conditions relating to this, and no specification of width of buffer strips between trees and developed areas. Please clarify.