

Our Ref: 3732-01/NDR-02

04 March 2025

By email only: Ben.Glover@north-herts.gov.uk

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PO Box 10613
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Dear Mr Glover

PLANNING APPLICATION REF: 24/02455/FP - PROPOSED DEVELOPMENT OF A SOLAR ARRAY AND ASSOCIATED INFRASTRUCTURE AT SPERBERRY HILL ON LAND TO THE SOUTH OF WYMONDLEY SUBSTATION

RESPONSE TO CONSULTEE COMMENTS IN RELATION TO PUBLIC FOOTPATHS, LANDSCAPE, HERITAGE AND CRIME PREVENTION; PLUS FURTHER JUSTIFICATION ON THE NEED FOR THE PROPOSED DEVELOPMENT

We write on behalf of the Applicant, Brockwell Storage and Solar Limited (BSSL), in response to public right of way (PROW), heritage, crime prevention and landscape matters raised by consultees for the above application. In addition, and as discussed briefly at our meeting on 15th January, we provide some additional information in relation to the need for this development arising from the publication of the Government's Clean Power 2030 Action Plan.

By way of context, the application relates to the erection of a solar farm with associated battery storage and ancillary infrastructure on land to the south of Wymondley substation and south of Sperberry Hill, St Ippolyts, North Hertfordshire (the 'Site'). The proposal is referred to as the 'Resubmission Scheme' as it relates to a similar development, for which planning permission was refused by North Hertfordshire District Council (NHDC) on 22 November 2023 (NHDC ref: 22/00709/FP), hereafter referred to as the '2023 Scheme'.

This letter is structured as follows:

- Matter 1 – Public Right of Way Officer's Observations on the Location of Public Footpaths;
- Matter 2 – Place Services Comments on Landscape and Visual Effects
- Matter 3 – Conservation Officer's Comments on Potential Harm to Heritage Assets;
- Matter 4 – Police Architectural Liaison Officer; and
- Matter 5 – Clean Power 2030 Action Plan.

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Matter 1 – Public Right of Way Officer's Observations on the Location of Public Footpaths

The Rights of Way (Footpath Unit) response of 12th December 2024 is welcomed and the comments made in relation to priority of usage, avoidance of obstructions and surfacing are supported. However, of particular importance is the observation (a matter not picked up for the 2023 Scheme) that the marked footpaths shown on the landscape plan deviate from the actual routes of the Definitive Public Rights of Way (PRoW) as they appear on the Definitive Map. The officer helpfully advises that the simple solution would be to adjust the plans slightly to reflect the Definitive Rights of Way as they appear on the Definitive Map.¹

We have now checked this issue and can confirm that the PROW on the submitted planning drawings were based on Ordnance Survey (OS) data and generally accord with the Definitive Map, with one notable exception. 'Footpath Wymondley 014'² shown on the submitted plans does not align with the Definitive Map. Accordingly, as suggested, the Applicant has updated the relevant plans. This has also necessitated the updating of two of the submitted photomontage viewpoints (for both Years 0 and 10). The details of the replacement drawings / images are set out in Table 1.1 below. As can be seen, the Applicant has also produced four Comparison Sheets, which, for ease of reference, show the originally submitted photomontage alongside the now revised image. Consideration of the implications of this minor scheme amendment are set out beneath the Table.

Table 1.1 – Updated Plans to Reflect Changes to Siting of Footpath Wymondley 014

Previous Document Title and Issue Date	Amended Document Title and Issue Date
3732-01-03 Rev G - General Arrangement	3732-01-03 Rev H - General Arrangement
3732-01-12 Rev G Landscape Masterplan	3732-01-12 Rev H Landscape Masterplan
PDAS Appendix D LVIA Figure 10b Photomontage VP 3 Year 0	PDAS Appendix D LVIA Figure 10b Photomontage VP 3 Year 0 (amended)
PDAS Appendix D LVIA Figure 10c Photomontage VP 3 Year 10	PDAS Appendix D LVIA Figure 10c Photomontage VP 3 Year 10 (amended)
PDAS Appendix D LVIA Figure 15b Photomontage VP 8 Year 0	PDAS Appendix D LVIA Figure 15b Photomontage VP 8 Year 0 (amended)
PDAS Appendix D LVIA Figure 15c Photomontage VP 8 Year 10	PDAS Appendix D LVIA Figure 15c Photomontage VP 8 Year 10 (amended)
N/A	PDAS Appendix D LVIA Figure 23 Photomontage VP 3 Year 0 Comparison Sheet
N/A	PDAS Appendix D LVIA Figure 24 Photomontage VP 3 Year 10 Comparison Sheet
N/A	PDAS Appendix D LVIA Figure 25 Photomontage VP 8 Year 0 Comparison Sheet

¹ We also note the Footpath Officer comment that should the developer wish, there is the possibility of combining the proposed service road with the southern part of Footpath 14. Unfortunately, the service road needs to be within the secure boundary fence (deer fencing) and the footpath outside of the fence line. Therefore, unfortunately this is not possible.

² This PRoW transects the Site north to south in the field immediately to the south of Redcoats Farmhouse and Stevenage Road

N/A	PDAS Appendix D LVIA Figure 26 Photomontage VP 8 Year 10 Comparison Sheet
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The Definitive Map shows Footpath Wymondley 014 running a short distance to the east of its alignment as illustrated on OS mapping. Thus, the corridor between the solar panels which accommodated this footpath has now been moved east. This has necessitated moving some solar panels a short distance to the west and required a minor adjustment in the position of 1 transformer and 10 string inverters, which have been shifted circa 15 metres further east of their original location.

This change:

- Does not alter the number (or overall area) of solar panels proposed;
- Has no effect on the installed generating capacity of the scheme;
- Has no effect on the areas of various habitat that would be provided (as shown on the Landscape Masterplan); with the length of new hedgerow unchanged and the areas of species-rich grassland and low maintenance pasture being identical to the originally submitted plans.

In the context of the foregoing, the Applicant has reviewed the submitted assessment work and provides the following conclusions on the implications of the amendment.

1. **Ecology and Biodiversity Net Gain (BNG):** There would be no change in the area or type of existing habitat that would be affected and thus no changes to the findings of the Ecological Assessment in terms of effects on species or habitats. The habitats lost and provided would be identical in area and therefore the updated BNG calculation (as submitted on 4th February 2025) is wholly unaffected by the change and the calculated habitat gains remain as they were.
2. **Noise:** The Applicant's noise consultants, Noise & Vibration Consultants Ltd, reviewed the changes and have provided the following comments:

"Noise & Vibration Consultants Ltd have been asked to look at the revised plans for the Proposed Solar Array Development at land south of Sperberry Hill as set out in the plan (i.e. 3732-01-12 Rev H) to align with the definitive footpath map. This re-alignment involves the relocation of 10 string inverters and a transformer, with the transformer moving circa 15 metres to the east. We have assessed these changes within the development noise models for the Site, which is relevant to the daytime and sunrise operating periods of the Solar plant. We can confirm that the results show that the proposed changes would not alter the associated noise predictions at the nearest sensitive receptors and the conclusions relating to the predicted effects and as detailed in our noise impact assessment report (R24.0705/DRK dated 9th October 2024)."

3. **Landscape and Visual Effects:** The following conclusions have been drawn:
 - a. There would be no change in effects on landscape features or the landscape fabric, with the introduction of new woodland belts and lengths of hedgerow, and the changes to the management of existing hedgerows, continuing to have a beneficial effect in respect of the long-term landscape fabric of the area.
 - b. The scale of the change is so small in the context of the 35.5 hectare Site, there would no discernible difference in the effects upon the Wymondley and Titmore Green and the

Langley Valley Landscape Character Areas.

- c. Of the visual assessment viewpoints (VP), it is considered that the amendment to the scheme would only be capable of perception at VP3 and VP8, although barely from the latter given the intervening distance between the VP and the Site.
- d. In terms of VP3, reference to the updated photomontages shows that there is a slight shift of the footpath corridor (through the solar array) to the east, visible in both the Year 0 and Year 10 scenarios. However, the composition of the view and the visual impact of the scheme on the viewpoint do not differ between the as submitted and now amended design. As such, the conclusions on the magnitude of effect and significance of impact from this viewpoint are not changed.
- e. In terms of the users of Footpath Wymondley 014, there is no change to the embedded mitigation arising from the amendment. In short, there would no material difference in the distance of the footpath from the landscape mitigation, deer fencing, or solar panels. Further, the width of the footpath corridor would not materially change. As such, the experience of users of this PROW would not alter between the originally submitted and now amended scheme.
- f. Finally, with regard to VP8, very close comparison of the originally submitted photomontages with those now produced for the amended proposal, show that the shift in the line of the landscaped corridor for Footpath Wymondley 014 is just perceptible. However, the change is so limited, self-evidently there would be no change in either the magnitude of effect or significance of impact as experienced from this VP.
- g. The overall conclusion is that the slight amendment to the corridor which accommodates Footpath Wymondley 014 would not result in any change in the landscape and visual effects of the scheme.

4. **Other Topic Areas:** The Applicant confirms that the minor design amendment also has no implications for the following assessment work:

- The Heritage Impact Assessment;
- The Flood Risk Assessment and Drainage Strategy;
- The Transport Assessment; and
- The Glint and Glare Assessment.

As such, the Applicant concludes that the very minor amendment to the proposal has no material consequences on the perceived effects of the scheme. Accordingly, it is suggested that, beyond the Rights of Way Officer, there should be no need to formally reconsult on this matter.

Matter 2 – Place Services Comments on Landscape and Visual Effects

The Applicant notes the Place Services consultation response and in particular observes the recognition that the Resubmission Scheme has improved upon the 2023 Scheme from a landscape and visual perspective. Further, whilst some concerns are acknowledged, there is no objection or recommendation for refusal.

It is noted, under the 'Review of Proposals' heading, that certain design suggestions have been made. These suggestions are completely different to those put forward by The Landscape Partnership, on

behalf of the Council, in relation to the 2023 Scheme, which were all taken in board in the current application. We comment on the new suggestions as follows:

- The landscape proposals for the west of the scheme along Sperberry Hill include proposed hedgerow planting on the south side of the road to provide screening of the solar infrastructure. It is acknowledged that the inclusion of the hedgerows will restrict southward views from a segment of Sperberry Hill, however as also noted by Place Services, the inclusion of these hedgerows would not be out of character with the local landscape. Providing a substantial set back from Sperberry Hill by removing panels is not possible given the operational requirements of the development. The use of hedgerows as mitigation in this part of the site is entirely appropriate and consistent with the local landscape pattern.
- Whilst PRoW 16 Wymondley does pass through the site, this is for a relatively short section of footpath (circa 180m). The proposed hedgerow planting already incorporated into the development is appropriate for mitigating the visual impact for users of the route.
- The siting of the SuDS basin north of PRoW 16 Wymondley has been informed by the site topography and surface water management strategy and meets the requirements of the scheme.
- The footpath along Tittendell Lane is predominantly lined by existing hedgerows along its eastern boundary that screen views into the site. Where there are gaps in this hedgerow boundary the Applicant is proposing to reinstate hedgerows to ensure consistent screening from the footpath. The existing set back from Tittendell Lane is considered to be appropriate, and removing any further panels would not be possible given the operational requirements of the development.
- The landscape proposals shown on Planning Drawing 3732-01-12 Rev H already include proposed hedgerows and gapping up of existing hedgerows along Sperberry Hill, Little Almshoe Lane and Tittendell Lane.

Matter 3 – Conservation Officer's Comments on Potential Harm to Heritage Assets

The Applicant respectfully disagrees with the consultation response from the Officer, as did the NHDC's Planning Case Officer for the 2023 Scheme. The Applicant's main observations are as follows:

- i. Whilst the Applicant fully acknowledges that great weight should be given to the conservation of designated heritage assets, the Conservation Officer appears to have little or no regard to the scale or importance of the task of combatting climate change and delivering a net zero UK by 2050. As set out under the Matter 5 heading below, the Government's Clean Power 2030 Action Plan necessitates UKPN's Soth East region delivering 11,800MW of new installed solar energy capacity. This is simply not going to be delivered without some element of harm to designated heritage assets. In this case, a large solar array, for which an overriding need has been demonstrated at a district level (refer to PDAS Appendix A Local Need Assessment), can be delivered with less than substantial harm to a very limited number of heritage assets. By the Applicant's assessment, the level of less than substantial harm is at the lower end of the scale and by the Officer's assessment varying between the low to moderate end of the scale (see paragraphs 5.5, 5.9 and 5.10 of 14th February 2025 consultation response). The Applicant struggles to see the rationale for an objection in this context.

- ii. Notwithstanding point i above, it is relevant to note that in relation to the 2023 Scheme, the same Conservation Officer found the earlier proposal would cause a: “... *moderate / high level of harm on the less than substantial harm continuum*”. Having regard to point i above, this is a clear increment of greater harm than the Officer now considers would be the case with the Resubmission Scheme.
- iii. In the determination of the 2023 Scheme, the Officer Report (to committee) concluded at paragraph 4.7.7, that the benefits of the scheme would outweigh the harm to the designated heritage assets. It also found no basis to make effects on heritage a reason for refusal. It is now explicitly acknowledged by the Conservation Officer that the Resubmission Scheme would cause a clear increment less harm on the less than substantial harm scale. However, the benefits of the proposal remain precisely the same as for the 2023 Scheme. On this basis, it would be irrational for the Council to deviate from the Officer Report position for the 2023 Scheme.
- iv. In conclusion, based on the foregoing, the benefits of the Resubmission Scheme must outweigh the limited harm to the designated heritage assets and there is no basis for refusal of the scheme on heritage grounds.

Matter 4 – Police Architectural Liaison Officer Comments

The Applicant responds to the Police Architectural Liaison Officer comments as follows:

- i. It is confirmed that the CCTV system, which will operate on motion sensors, will include infrared night time cameras and be permanently monitored at a central hub. The CCTV system will also be supported by alarms and will comply with the Information Commissioner’s Office guidance.
- ii. Appropriate security locks and devices will be installed on all equipment cabinets and building door sets will meet PAS 24:2022 as a minimum-security standard. All external doors will have a minimum of two locking points with locks that meet the British Standard.
- iii. The PV panels, copper cables, transformers, switch gears will be individually marked to make it difficult for thieves to sell on.
- iv. The comment on the standard of security fencing is noted. However, the Applicant recognises the need to balance the standard of security fencing against its visual appearance, in the context of an open countryside setting. In short, high specification metal security fencing would materially increase the visual impact of the proposal, from a number of viewpoints, to a level likely to be considered unacceptable. This is a widespread issue for solar schemes across the UK and the solar industry has almost universally adopted an approach of securing sites with 2m high deer fencing, as proposed on this scheme. This is judged to provide the optimum balance between security and maintaining an acceptable visual appearance in a rural setting.
- v. The Applicant confirms that the security measures proposed on this scheme meet the requirements of their insurers.

Matter 5 – Clean Power 2030 Action Plan

Subsequent to the resubmission of the application, on 13th December 2024, the Government published

their first major energy paper, the Clean Power 2030 Action Plan³. This sets out the Government's strategy for a new era of clean energy, which secures an affordable energy supply, delivers new energy industries, and reduces greenhouse gas emissions.

The Action Plan sets out the Government's expectations for the 2030 capacities for key energy related technologies at a national and regional level. This includes ambitious targets to significantly increase the UK's total solar and battery storage capacity by 2030. Several actions to accelerate the delivery of clean power by 2030 are detailed within the Action Plan. These include:

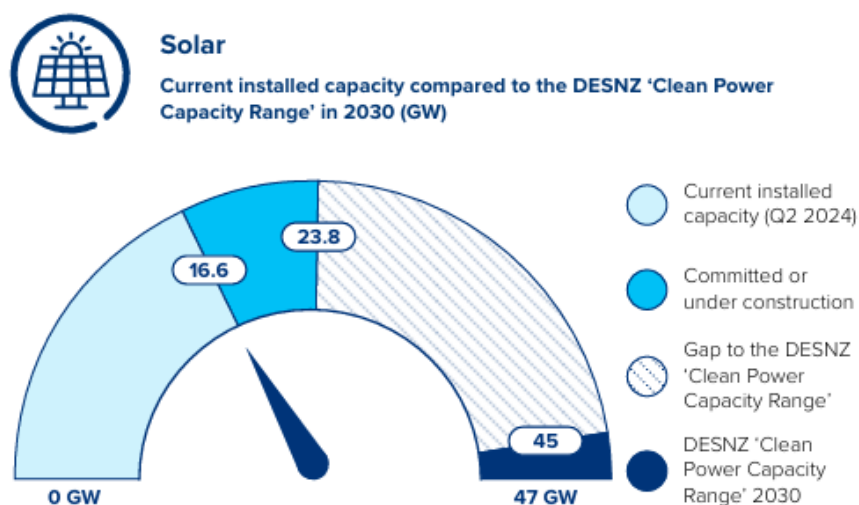
- Reforms to the planning system, to speed up decision making;
- Improvements to the electricity network to reduce connection delays and ensure that the network is sufficient to meet demand;
- Support for the delivery of more renewable and nuclear energy quicker;
- Reforms to the energy market to stimulate and facilitate the delivery of clean energy;
- The promotion of both short- and long-duration energy storage and flexibility, which removes the reliance on unabated gas generation; and
- The creation of strong domestic supply chains and a skilled workforce to support the delivery of clean energy.

The solar graphic found on page 73 of the Action Plan (Image 4.2) confirms the Government expects the UK's installed solar capacity to be 45 – 47GW by 2030. It also details the progress made towards this target to date, highlighting that the UK's solar capacity stood at 16.6GW in Q2 2024 and that there is 7.2GW of consented capacity. This means that at least 21.2GW of additional solar capacity, must be consented and implemented by 2030 to meet the target. In this context, the UK only added 1.2GW of new solar capacity in 2024.⁴ Hence, there needs to be considerable acceleration in provision for the 2030 target to be met.

³ The Main Report and all of the Annexes can be viewed at: <https://www.gov.uk/government/publications/clean-power-2030-action-plan>

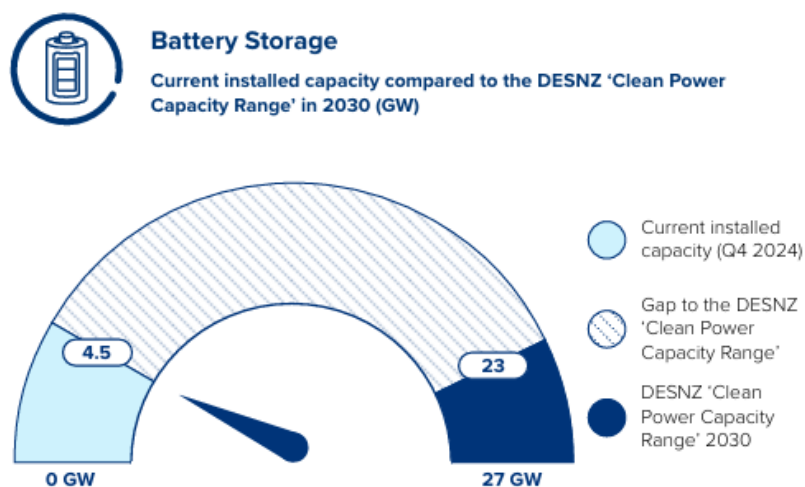
⁴ https://www.pv-magazine.com/2025/01/30/uk-adds-1-2-gw-of-solar-in-2024/?utm_source=chatgpt.com

Image 1.1: Clean Power 2030 Action Plan solar target



Similarly, the graphic on page 95 (Image 4.3) shows the progress made towards the delivery of battery storage capacity. It confirms a target of 23 – 27GW and that 4.5GW had been delivered as of Q2 2024. As such, 18.5GW of additional battery storage capacity needs to be delivered by 2030.

Image 1.2: Clean Power 2030 Action Plan battery storage target



The Clean Power 2030 Action Plan: Connections Reform Annex (see footnote 1 above) sets out the locational capacity requirements for each of the regional transmission and distribution networks across the UK.

Table 5 of the Annex (see image below) shows that North Hertfordshire (part of Area D8) is in the UKPN (UK Power Networks) network region.

Table 5: Mapping of distribution network region code to distribution region name

Distribution network region code	Transmission network region name
D1	SSEN - SHEPD
D2	SP Distribution
D3	ENWL
D4	NPg
D5	SP Manweb
D6	NGED
D7	SSEN - SEPD
D8	UKPN



Table 4 of the Annex then sets out, for each of the network regions, the future distribution connected solar energy and battery storage requirements.

Table 4: Regional capacity breakdowns for distribution connected technologies required for 2030²⁵ and 2035²⁶

Distribution network region	Solar (MW) 2030	Solar (MW) 2035	Onshore wind (MW) ²⁷ 2030	Onshore wind (MW) 2035	Batteries (MW) 2030	Batteries (MW) 2035
Scottish and Southern Electricity Networks (SSEN) – Scottish Hydro Electric Power Distribution (SHEPD)	1,100	1,700	3,500	-	900	900
SP Distribution (SPD)	1,100	1,800	2,700	-	800	900
Northern Powergrid (NPg)	4,400	6,500	1,900	-	1,900	2,100
Electricity North West (ENWL)	1,500	2,300	700	-	900	1,000
SP Manweb	1,500	2,200	1,000	-	400	500
National Grid Electricity Distribution (NGED)	13,900	19,900	2,400	-	3,000	3,600
UK Power Networks (UKPN)	8,100	11,800	900	-	2,100	2,400
SSEN – Southern Electric Power Distribution (SEPD)	4,600	6,200	100	-	1,200	1,400
GB total	36,200	52,400	13,200	-	11,200	12,800

Note: MW capacity figures have been rounded to the nearest 100 MW.

Extracting the UKPN network region requirements (see below) shows the importance of this region for both solar and battery and the scale of the challenge.

Table 4 (extract): UK Power Networks (UKPN) capacity requirements (Clean Power 2030 Action Plan: Connections Reform Annex)

Distribution network region	Solar 2030 (MW)	Solar 2035 (MW)	Batteries 2030 (MW)	Batteries 2035 (MW)
UK Power Networks (UKPN)	8,100	11,800	2,100	2,400

Of the 8 network regions, the UKPN region has been identified for the provision of the second greatest quantity of both new solar generation capacity and battery storage capacity. In terms of the 2030 target, it is identified as needing to supply over 22% of the entire UK's distribution connected solar power.

In summary, the Government's new energy Action Plan:

- Identifies that the UK must deploy significantly more new solar power generation and battery storage capacity;
- Shows that the UKPN network region, within which the Sperberry Hill site is located, has been identified as the second most important region for both new solar energy generation and new battery storage capacity.

We trust that the foregoing is self-explanatory and will aid positive determination of the planning application. However, please do not hesitate to contact the undersigned should you have any queries.

Yours sincerely



Nick Roberts

Technical Director on behalf of Axis