

Location: **Land Opposite Wymondley Grid Station And To The South Of Sperberry Hill
St Ippolyts
Hertfordshire**

Applicant: **Mr Gary Bird**

Proposal: **Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure**

Ref. No: 24/02455/FP

Officer: **Ben Glover**

Date of expiry of statutory period: 29/01/2025

Extension of statutory period: 30/07/2025

Reason for Delay:

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

Reason for Referral to Committee:

The site area for this application exceeds 0.5ha and therefore under the Council's scheme of delegation, the Council's Planning Control Committee must determine this application.

Members should be aware that if they are minded to approve the application, the proposal would not need to be referred to the Secretary of State, as the site is not considered to be inappropriate development in the Green Belt and therefore does not meet the requirement to consult the Secretary of State.

1. **Relevant History**

1.1. 24/01666/SO - Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure – EIA not Required issued on 07/10/2024.

1.2. 22/00709/FP - Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure (as amended by revised and additional information November 2022) – Refused on 22/11/2023 for the following reasons:

1. The application site is located within an area designated as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. In the opinion of the Local Planning Authority this planning application proposes inappropriate development in the Green Belt which would harm the Green Belt by reason of inappropriateness and

cause harm to the purposes of the Green Belt as defined in paragraph 147 of the National Planning Policy Framework (NPPF). Taken together, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development in the Green Belt as required by NPPF paragraphs 148 and 151, Wymondley NP Policy GB1 and Local Plan Policy GB5.

2. The proposal would result in unacceptable harm to the character and appearance of the surrounding area in which the site is located. Whilst measures are proposed to mitigate the impact of the proposed development, and the proposal would not be permanent, there would nevertheless be long term harm to rural character and appearance of the area, including the visual amenities of users of the local public footpaths. The proposal would therefore conflict with Local Plan Policies NE2 and NE12 which seek to avoid unacceptable harm to landscape character and appearance.

- 1.3. 21/02628/SO - Screening Opinion: Proposed 25MW solar farm and 12.5MW battery storage facility – EIA not required issued on 05/11/2021.
- 1.4. 15/01532/1 - Solar farm of approximately 5 Mega Watts of electricity generating capacity, comprising the installation of solar photovoltaic panels and associated infrastructure, including electrical inverter and transformer buildings, substations, communications and storage buildings, new access, access tracks, fencing and landscaping (as amended by drawing nos. 2218.AP.001.0 Rev I, 003.1 Rev C, 006.3 Rev B, 009.1 Rev A, 010.2 Rev A, G239_1, 2 & 3 received 4/11/15) – Refused on 24/02/2016.
- 1.5. 14/01576/ISO - Proposed Solar PV development – EIA not required issued on 30/06/2014.

2. **Policies**

2.1. **National Planning Policy Framework (2024)**

Section 2: Achieving sustainable development
Section 6: Building a strong and competitive economy
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 13: Protecting Green Belt land
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

2.2. **North Hertfordshire District Council Local Plan (2011-2031)**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP5: Countryside and Green Belt
Policy SP9: Design and sustainability
Policy SP10: Healthy communities
Policy SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, biodiversity and landscape
Policy SP13: Historic environment

Policy T1: Assessment of transport matters
Policy D1: Sustainable design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy NE1: Strategic green infrastructure
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure
Policy NE11: Contaminated Land
Policy NE12: Renewable and low carbon energy development
Policy HE1: Designated heritage assets
Policy HE3: Non-designated heritage assets
Policy HE4: Archaeology

2.3. **Wymondley Neighbourhood Plan**

Policy NHE2 Biodiversity
Policy NHE3 Wildlife and Ecology
Policy NHE4 Green Infrastructure
Policy NHE7 Lighting
Policy NHE8 Landscaping Schemes
Policy NHE9 Historic Character and Heritage Assets
Policy GB1
Policy FR1 Flood Risk
Policy FR2 Flood Risk Management
Policy TM1 Roads

2.4. **Other Planning Guidance and Documents**

Planning Practice Guidance (PPG)
Council Plan 2020 – 2025; and North Herts Climate Change Strategy
North Hertfordshire Landscape Study 2011: Landscape Character Areas 214 (Langley Valley) and 215 (Wymondley and Titmore Green)

3. **Representations**

3.1. **Site Notice:**

Start Date: 18/11/2024

Expiry Date: 13/12/2024

3.2. **Press Notice:**

Start Date: 14/11/2024

Expiry Date: 07/12/2024

3.3. **Neighbouring Notifications:**

108 comments have been received following consultation with the public. 88 comments are objections, 18 comments are in support.

The key issues raised are summarised below. Comments can be found in full on the NHC website:

Objections:

- Development would be inappropriate development within the Green Belt and would harm openness.
- Development would be inappropriate on agricultural land and diminish food security.
- The development would result in the loss of grades 2 and 3a agricultural land.
- The development would cause substantial harm to the landscape, including Chilterns AONB.
- Damage resulting from the proposal would not be outweighed by the benefits of renewable energy.
- The development would not contribute to NHC's net zero target.
- The development is not an effective use of land.
- The cumulative impact resulting from other approved solar farms and housing schemes in the area on the Green Belt and landscape.
- Solar farms will not solve the energy crisis on their own.
- The local area is noted for its beauty and openness used by walkers and local communities.
- The development would be highly visible over a wide area, including from PRow.
- The area might be included within a boundary variation to the Chilterns AONB.
- Paragraph 182 of the NPPF states that development within the setting of AONBs should be sensitively located and designed to avoid or minimise impacts on designated areas.
- Other sites are available for solar farm development.
- There has been insufficient community involvement.
- The removal of solar panels compared to the previous scheme would be negligible and not materially mitigate the overall impact.
- The development would produce glare that could affect safety, especially for aircraft.
- There should be restrictions to control external lighting at night time.
- No evidence that the grazing of sheep would be of equal or better value compared to the existing arable productivity.
- The development would undermine adjacent fields production.
- Bird breeding survey has not been updated since the previous application.
- Harm to the bird population and no mitigation proposed for the loss of skylark territories.
- Significant transport impacts resulting from the development.
- The setting of Redcoats is of value to the businesses within the plot.
- The development would risk the viability of local businesses.
- Solar farms should be located on already industrialised areas or on roof tops.
- Tunnelling along footpaths and bridleways as a result of fencing and solar panels.
- Approval would set a precedent for other development in the Green Belt.
- Security fencing would be a barrier to the movement of wildlife.
- Development would cause permanent damage to soil and topography.
- Unrealistic to expect land to be restored at the end of use.
- The development would still be visible after 10 years.
- Risk of fire from the proposal.
- No architectural or aesthetic merit.

In Support:

- Revisions to the original application have been carefully considered.
- Need to start the transition to renewables sooner rather than later.
- Clean energy is required.

- Development is needed to get rid of oils and gas, and reduce carbon dioxide output.
- Environmentally a very important facility and is a productive way of using farmland, which can be used for grazing.
- Countryside has already been destroyed by sterile monoculture farmland.
- Perfect location with the substation next door.
- Has to be done to save the planet.
- Would prefer a solar farm than housing on the site.
- The site can be returned to agriculture at a later date.
- Hopefully wildlife will not be disturbed too much.
- Support it for our children and grandchildren.
- Need for more green energy provision locally.
- Would support biodiversity.
- Sunlight is free and natural.

3.4. **Consultees:**

Affinity Water – No comments received.

Chilterns Conservation Board – No objection.

CPRE Hertfordshire – Objection. Comments available on NHC website.

Environment Agency – No objection subject to conditions.

HCC Archaeology – No objection subject to conditions.

HCC Fire Service (Fire Protection) – No comments received.

HCC Growth & Infrastructure – No comments received.

HCC Highways – No objection subject to conditions.

HCC Public Rights of Way – No objection.

Herts & Middlesex Wildlife Trust – No comments received.

Herts Fire & Rescue (Fire Hydrants) – No objection.

Historic England – No objection.

Langley Parish Council – No comments received.

Lead Local Flood Authority – No objection subject to conditions.

National Grid – No comments received.

Natural England – Objection. Comments available on NHC website.

NHC Conservation Officer – Objection. Comments available in full on the NHC website.

NHC Ecology – No objection subject to conditions.

NHC Environmental Health – No objection subject to conditions.

NHC Planning Policy Officer – No objection.

NHC Strategic Planning Officer – No comments received.

Place Services Landscape – Objection. Comments available on NHC website.

Police Architectural Liaison Officer – Objection. Comments available on NHC website

St Ippolyts Parish Council – Objection. Comments available on NHC website.

Stevenage Borough Council – No objection.

Wymondley Parish Council – Objection. Comments available on NHC website.

4. Planning Considerations

4.1. Site and Surroundings

- 4.1.1. The application site primarily comprises of a series of agricultural (arable) fields to the south of Sperberry Hill and Stevenage Road, and adjacent to Little Almshoe Lane. To the northwest of the site is St Ippolyts, to the north is the Wymondley Substation, and to the east is the A1(M).
- 4.1.2. The site measures 35.5 hectares in area. The site is located within the Green Belt. The western section of the site is within the St Ippolyts Parish, and the eastern and southern sections are within the Wymondley Parish.
- 4.1.3. The site is divided by Little Almshoe Lane, with a 16.4 hectare parcel to the west of the lane, and an 18.7 hectare parcel to the east. Little Almshoe Lane would provide access to both parcels.
- 4.1.4. The northern boundaries of the site, adjacent to Sperberry Hill, are the most elevated parts of the site, with the land falling away in a southerly direction. While hedgerows and vegetation are present along the northern boundary, views south over the countryside are present. Views north from Little Almshoe Lane are also present, although there are areas of mature vegetation along the highway obscuring views of the two parcels. The most notable manmade feature within the landscape are electricity pylons.
- 4.1.5. The application site, and particularly the western parcel, is within the setting of Redcoats Farm, which contains a cluster of Grade II and Grade II* Listed Buildings. The Wyck (Grade II) is also present further to the south of the site. There are several Grade II Listed Buildings to the east of the site in both Titmore Green and Lower Titmore Green. There is a Grade I and Grade II Listed Building to the south at Almshoe Bury.
- 4.1.6. There are three Conservation Areas within 2km of the application site (Great Wymondley, Gosmore, and St Ippolyts). The St Ippolyts Conservation Area is the closest to the application site.
- 4.1.7. There is an area of archaeological interest within the western parcel of the site. To the north of Wymondley is the scheduled monument of Wymondley Priory and to the north of Langley End is the scheduled monument of Minsden Chapel.

- 4.1.8. Within the eastern parcel of the site is the Wymondley 014 footpath, which runs between Stevenage Road and Little Almshoe Lane. Wymondley 016 also runs through the eastern parcel. Several other public rights of way footpaths run through the area close to the application site.

4.2. **The Proposal**

- 4.2.1. Planning permission is sought for a photovoltaic (PV) solar array and ancillary development that would consist of:

- Photovoltaic Solar Panels and associated support frames;
- String Inverters;
- 4 No. Transformer Stations;
- 8 No. Battery Storage Containers and associated inverter/transformers;
- 1 No. DNO Substation;
- 1 No. Switchroom Building;
- 1 No. Control Room Building;
- Grid Connection Cable to National Grid's Wymondley Substation;
- c.1.3km of new/resurfaced internal access tracks (3.5m wide and constructed using Type 1 stone);
- 2 No. improved existing access points off Little Almshoe Lane, and an access point from Stevenage Road;
- Ditch culverts for track crossings;
- c.4.5km deer/stock fencing;
- c. 29 No. 3m high CCTV cameras;
- c. 5,600 m² woodland planting;
- c. 2,320m hedgerow planting (new and gapping up of existing); and
- New areas of species rich grassland.

- 4.2.2. The solar array would generate up to 25 MW of electricity during peak operation, with the battery energy storage (BESS) element providing a grid balancing functionality and having the capacity to store up to 12.5 MW of energy produced by the solar array.

- 4.2.3. The application is a resubmission of a previously refused application (reference number 22/00709/FP). The key difference between the two applications are as follows:

- A 9% reduction in panel area while maintaining the same power output.
- Removal of solar panels and infrastructure to the south of the Hertfordshire Way, with this area now replaced by species-rich grassland.
- The landscape bund by the southern boundary of Redcoats Farm has been removed and the solar panels and infrastructure moved away from this boundary and replaced with an intervening area of species rich grassland.
- Solar panels and fencing moved further west of Redcoats Farm and replaced with new woodland planting;
- Removal of an area of solar panels from the northwestern corner of the scheme, and additional woodland planting to soften views from residential properties at the edge of St Ippolyts;
- Removal of one transformer station due to the reduction in area covered by the solar panels; and
- Further new woodland planting and grassland to mitigate impacts on wider landscape and openness alongside additional increases to biodiversity net gain.

- The overall increase in woodland planting between the current proposal and the 2023 Scheme is 2,950 m2.

4.2.4. The application would include the decommissioning of the site at the end of its 40-year operational life unless planning permission is secured for continued operation. The decommissioning of the site would include the returning of the land to its current arable use. All of the above and below ground infrastructure would be removed from the site and recycled, if possible. This matter can be controlled by condition in the event of planning permission being granted.

4.3. **Amendments**

4.3.1. A revised General Arrangement plan and Landscaping Proposals plan have been submitted in response to comments from the HCC Public Rights of Way Officer which highlighted inaccuracies in relation to the siting of Footpath Wymondley 014. The amendments do not alter the number (or overall area) of solar panels proposed.

4.4. **Site Selection**

4.4.1. The site search and selection process for commercial solar schemes requires the consideration of several essential factors if it is to be viable and deliverable. This application is accompanied by a 'Site Selection Exercise' document (SSE), which sets out the justification for the development of this site.

4.4.2. In summary, the SSE sets out that for the applicant to provide the proposed 25 MW export capacity, a site of approximately 35 hectares would be required. The SSE sets out that there are no suitable brownfield or development sites within North Herts that would accommodate the proposed scale and hence the reason why large commercial scale ground-mounted solar energy schemes are located on open agricultural land.

4.4.3. The SSE is informed by policy and industry documents, including the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) and Solar Energy UK, which is a trade association representing the solar industry.

4.4.4. Some of the essential factors for the site search and selection process for commercial solar schemes include:

- Available capacity in the existing substation to import the required amount of power into the National Grid.
- Located close to the identified substation (typically <4km) to remain viable both in terms of cable deployment for the grid connection, and to ensure that minimum transmission losses occur.
- Minimal solar curtailment (solar curtailment is where National Grid deliberately reduce the output of solar renewable energy generation below what could have been produced to balance the energy supply across the Grid).
- A willing landowner.
- Offer of grid connection from National Grid.

4.4.5. In this case, the SSE has identified the application site to be amongst one of the best sites that is deliverable and that meets the criteria listed above.

4.5. **Key Issues**

4.5.1. The key issues for consideration are as follows:

- Climate Change and renewable energy.
- Impact upon heritage assets.
- Impact upon the green belt.
- Archaeological impacts.
- Landscape and visual impacts.
- Local highway network impacts.
- Best and Most Versatile (BMV) agricultural land impacts.
- Flood risk and drainage impacts.
- Noise impacts.
- Ecological and biodiversity impacts.
- Fire risk impacts.
- Other matters.
- Planning balance.

Climate Change and Renewable Energy:

- 4.5.2. The Climate Change Act 2008 (as amended) sets a legally binding target in the UK to reduce all greenhouse gas emissions to net zero by 2050. Renewable energy generation is an important part of reducing carbon emissions. A significant increase in renewable and low carbon energy generation, carbon capture and storage will be required to achieve the Government's net zero commitments by 2050.
- 4.5.3. Paragraph 2.5.6 of the Overarching National Policy Statement for Energy (NPS EN-1) states that *"the British Energy Security Strategy emphasises the importance of addressing our underlying vulnerability to international energy prices by reducing our dependence on imported oil and gas, improving energy efficiency, remaining open minded about our onshore reserves including shale gas, and accelerating deployment of renewables, nuclear, hydrogen, CCUS, and related network infrastructure, so as to ensure a domestic supply of clean, affordable, and secure power as we transition to net zero."*
- 4.5.4. Paragraph 3.3.20 of NPS EN-1 sets out that wind and solar are the lowest cost ways of generating electricity, helping reduce costs, and providing a clean and secure source of electricity supply as they are not reliant on fuel for generation.
- 4.5.5. Paragraph 2.10.14 of National Policy Statement for Renewable Energy (NPS EN-3) states that *"the planning system should support the transition to net zero by 2050... and support renewable and low carbon energy and associated infrastructure."*
- 4.5.6. Paragraph 165 of the NPPF states *"to help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers."*

- 4.5.7. Paragraph 168 of the NPPF sets out that when determining applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.
- 4.5.8. The National Planning Practice Guidance (PPG) addresses renewable and low carbon energy and confirms that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the environmental impact is acceptable. It recognises that large scale solar farms *"can have a negative impact on the rural environment, particularly undulating landscapes"* but *"the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively."* The PPG identifies factors to be considered when deciding a planning application and says that large scale solar farms should be focussed on previously developed and non-agricultural land, provided that it is not of high environmental value. The PPG also sets out that where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 4.5.9. Policy NE12 of the North Hertfordshire Local Plan (NHLP) sets out that proposal for solar farms involving the best and most versatile agricultural land will be determined in accordance with national policy.
- 4.5.10. In addition, the Council passed a climate emergency motion on 21 May 2019. This declaration asserted the Council's commitment toward climate action beyond current government targets and international agreement. This is currently pursued through the Council's Climate Change Strategy 2022 to 2027. The key objectives of the Strategy are:
- Achieve Carbon Neutrality for the Council's own operations by 2030;
 - Ensure all operations and services are resilient to the impacts of climate change;
 - Achieve a Net Zero Carbon district by 2040; and
 - Become a district that is resilient to unavoidable impacts of climate change.
- 4.5.11. The applicant has provided a non-exhaustive list of material planning considerations relevant to the determination of the proposed development. They are as follows:
- NHDC Declaration of a Climate Emergency (2019);
 - NHDC Climate Change Strategy (2022);
 - HCC Declaration of a Climate Emergency (2019);
 - HCC Sustainable Hertfordshire Strategy 2022 (2022).
 - Overarching National Policy Statement for Energy (EN-1) (2024);
 - National Policy Statement for Renewable Energy (EN-3) (2024);
 - National Planning Policy Framework (2023);
 - Ed Miliband's speech to Parliament on renewable energy and food security;
 - National Planning Practice Guidance (2014);
 - Net Zero Strategy: Building Back Better (2021);
 - Sixth Carbon Budget (2021);
 - Clean Growth Strategy (Updated April 2018);

- National Grid's Future Energy Scenarios (2024);
- NHDC SPG – NHDC Landscape Study 2011;
- Southwell Appeal Decision Appeal (ref: APP/B3030/W/21/3279533); and
- Great Wymondley SOS Decision (ref: APP/X1925/V/23/3323321).

4.5.12. It is clear, from current policy, that there is unequivocal support and need for renewable energy schemes and associated infrastructure. Significant weight should be given to the benefits arising from the development proposed.

Existing Renewable Energy Developments in North Hertfordshire:

4.5.13. Solar Radiation maps of the UK show areas of the country receiving higher levels of solar radiation. North Hertfordshire is identified as falling in an area receiving high levels of solar radiation. Solar farms are therefore considered to be reliable sources of renewable energy generation within the district.

4.5.14. Currently in North Hertfordshire there are two small existing solar farms. One is located between the settlements of Reed and Barkway. The site lies beyond the Green Belt. It covers an area of 14.6 hectares and generates a maximum of 6MW. It was granted planning permission on 28 March 2013 (Application ref. 12/02365/1). Planning permission was also granted in June 2015 for the construction of a 5MW solar farm on about 13 hectares of land at Lawrence End Park to the east of Birch Spring in Kings Walden Parish. This site lies within the Green Belt. (Application ref 15/00845/1).

4.5.15. Another planning application for a solar farm generating 49.9 MW was approved in March 2024 at land northeast of Great Wymondley (21/03380/FP) by the Secretary of State having called in the application in 2023 following the referral of the application as a result of a resolution to grant at Planning Control Committee. The Planning Inspectorate conducted an inquiry into the application and concluded that the planning balance weighed against the application, in that greater weight was given to the impact on protecting heritage assets. The Secretary of State then reviewed the findings of the inquiry and concluded that greater weight should be given to the renewable energy benefits of the proposals, and less weight given to the impact on heritage assets, meaning that the planning balance weighed in favour of the application.

4.5.16. Members have also considered two other solar farm proposals recently. Details of these are set out below:

- In June 2024, Members resolved to approve an application for the construction of a 49 MW solar farm at Land West of Ashwell Road Bygrave (application ref 22/00741/FP).
- In July 2024, Members resolved to refuse an application for the construction of a 49.9 MW solar farm on Land North East of Wandon End. The application currently has an appeal in progress. A public inquiry was held between 17th and 20th June 2025, and the decision is awaited.

Impact upon Heritage Assets:

4.5.17. Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special

architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.

- 4.5.18. Paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 4.5.19. Paragraph 208 requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.
- 4.5.20. Paragraph 210 sets out that local planning authorities should take account of '*the desirability of new development making a positive contribution to local character and distinctiveness*'.
- 4.5.21. Paragraph 212 of the NPPF sets out that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'
- 4.5.22. Paragraph 213 sets out that '*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*'.
- 4.5.23. Paragraph 215 of the NPPF states '*where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal*'.
- 4.5.24. Local Plan Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting.
- 4.5.25. Local Plan Policy HE1 stipulates that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset's optimum viable use. This policy reflects paragraph 215 of the NPPF, which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. WNP Policy NHE9 seeks to protect heritage assets from harm.
- 4.5.26. The application is accompanied by a Heritage Impact Assessment (HIA) produced by the AOC Archaeology Group. The assessment provided is an update HIA that formed part of the previous 22/00709/FP application.

- 4.5.27. There are no listed buildings or other designated heritage assets within the application site. There are, however, several designated heritage assets within the 2km study area that the Heritage Assessment has reviewed. These assets are as follows:
- Scheduled Monuments: Wymondley Priory and Minsden Chapel.
 - Conservation Areas: Gosmore, Great Wymondley, and St Ippolyts.
 - Listed Buildings: Approximately 28 Grade I, II*, and II.
 - Registered Park and Garden: Part of Temple Dinsley.
 - Variety of other non-designated heritage assets.
- 4.5.28. The proposed development is noted in the HIA as including the same components as the 2023 scheme but will have a 9% reduction in the area of panels compared to the previous scheme with the omission of numerous panel rows south of Redcoats Farm.
- 4.5.29. Both the North Herts Council Senior Conservation Officer and Historic England have been consulted on the resubmitted scheme.
- 4.5.30. Historic England previously noted, within their 22/00709/FP consultation response, how the development could affect Redcoats Farm (Grade II*), Almshoe Bury (Grade I), and at more distance from the site, the parish church of St Ippolyt. The Historic England advice considered that the establishment of a solar farm would fundamentally change the character and appearance of the wider historic setting of these heritage assets and detract from the way they are experienced and appreciated. Historic England concluded within their assessment that the development would likely result in less than substantial harm to the significance of the heritage assets. Historic England within their 22/00709/FP response that it might be possible to mitigate the visual effects of the solar farm to some extent by way of appropriate planting and augmentation of existing hedgerows to aid in screening from view.
- 4.5.31. The Historic England Response to this application has accepted that the additional landscape proposed along with a buffer area, created through the removal of panel rows south of Redcoats Farm, would reduce the harm previously identified within their 22/00709/FP response. However, the response notes that some harm would still arise from the development.
- 4.5.32. Historic England, within their response, have accepted the HIA conclusion that the harm to heritage assets would be less than substantial. The consultee response states *“such impacts would be less than substantial harm which the Assessment considered would be at the lower end of the scale. We would broadly accept these conclusions, although given the proximity of Redcoats Farm the harm might be slightly higher, though still ‘less than substantial’”*.
- 4.5.33. Historic England conclude their comments by confirming that there would be less than substantial harm to several designated heritage assets, which should be weighed against the public benefits of the proposal, and do not wish to raise an objection on heritage grounds to the proposed development.
- 4.5.34. The North Herts Council’s Senior Conservation Officer has also provided a consultee response to the proposed development and updated HIA.

- 4.5.35. Within the Conservation Officers previous response, harm was found that would amount to a moderate/high level of harm on the less than substantial harm continuum.
- 4.5.36. The Conservation Officer comments on the current application and states *"it is considered that there is greater intervisibility between the site and the surrounding heritage assets than the report suggests"*, referring to the Heritage Assessment, *"but it is agreed that for most heritage assets identified within 2km of the application site, the impact of the Resubmission Scheme will have a neutral or no effect on the setting of most assets."*
- 4.5.37. The Conservation Officer goes on to state *"I am unconvinced that the buffer zone to the south of the grade II* Listed Building Redcoats Farmhouse Hotel, its two grade II Listed Buildings barns and granary would be sufficient to overcome my previous concerns"*. The Conservation Officer comments that despite the setting back of solar panels from the Redcoats complex, the proposed development would still significantly affect the significance of these heritage assets.
- 4.5.38. The Conservation Officer goes on to agree that the impact would be less than substantial, but contrary to the Heritage Impact Assessments conclusion that the harm would be towards the lower end of the scale, the Officer's view is that the harm would be low to moderate dependent upon distance and intervisibility together with the value of the heritage asset.
- 4.5.39. The Case Officer for the previous application (22/00709/FP) found that the proposed development would result in a moderate to high level of harm on the less than substantial harm continuum to the setting of the heritage assets.
- 4.5.40. Considering the revised scheme, which addresses some of the concerns previously raised through the removal of rows of solar panels and improved landscaping proposals, the level of harm is reduced. The harm to the setting of nearby heritage assets is now considered to be a low to moderate level of harm on the less than substantial harm continuum.
- 4.5.41. As set out in paragraph 212 of the NPPF, great weight should be given to an assets conservation irrespective of the harm identified. Paragraph 215, as set out in the report above, sets out that where a development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
- 4.5.42. The harm identified above is towards the lower end of less than substantial. The benefits of the scheme would include, but are not limited to, the generation of renewable clean and secure energy that contribute towards both local and national efforts to address climate change. The generation of renewable energy is a significant public benefit that would outweigh the less than substantial harm to the designated heritage asset.

Archaeological Impacts:

- 4.5.43. The application site is within an Area of Archaeological Significance (AAS) and is adjacent to another.
- 4.5.44. Local Plan Policy HE4 confirms that planning permission for development proposals effecting heritage assets with archaeological interest will be granted provided that:

- a) Developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation;
 - b) It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and
 - c) Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.5.45. Paragraph 216 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.
- 4.5.46. The application is accompanied by a Heritage Impact Assessment (HIA), which has identified three known archaeological heritage assets within the site boundary, all within the western part of the site. The features identified include ring ditches, enclosures, a trackway, and a possible ploughed out round barrow. The HIA identified a high potential for prehistoric or Roman remains and a low potential for non-agricultural medieval, post-medieval and modern remains.
- 4.5.47. The HIA sets out that there are no known farms or settlements within the boundary of the site, and that the site is likely to have been located within undeveloped agricultural land throughout the medieval and post-medieval periods, and that the potential for substantial post-medieval remains to be encountered within the site are low to medium and would likely be agricultural in nature.
- 4.5.48. There have been no changes to the site since the previous application was submitted. Following confirmation from Herts CC Archaeology that trial trenching can be carried out post determination and secured by an appropriately worded condition, the proposal would be compliant with both local and national planning policies. It is also compliant with WNP Policy NHE9. Therefore, subject to the recommended condition, this matter is neutral in the planning balance.

Green Belt Assessment:

- 4.5.49. The application site is in the open countryside within the Green Belt. Since determination of the previous application, an updated National Planning Policy Framework has been introduced (December 2024).
- 4.5.50. The previous application (22/00709/FP) for a solar farm was refused for the following Green Belt reason:
- “The application site is located within an area designated as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. In the opinion of the Local Planning Authority this planning application proposes inappropriate development in the Green Belt which would harm the Green Belt by reason of inappropriateness and cause harm to the purposes of the Green Belt as defined in paragraph 147 of the National Planning Policy Framework (NPPF). Taken together, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development

in the Green Belt as required by NPPF paragraphs 148 and 151, Wymondley NP Policy GB1 and Local Plan Policy GB5.”

- 4.5.51. National Policy on Green Belt is set out in Section 13 of the National Planning Policy Framework (NPPF). Paragraph 142 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 4.5.52. Paragraph 143 of the NPPF sets out that the Green Belt serves five purposes, which are as follows:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.5.53. Paragraph 153 of the NPPF sets out that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 4.5.54. Paragraph 154 of the NPPF offers several exceptions to inappropriate development within the Green Belt. The proposed solar farm would not meet any of the exceptions offered under Paragraph 154.
- 4.5.55. Paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where all the following apply:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
 - d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.
- 4.5.56. Paragraphs 156 and 157 of the NPPF are not relevant in this case as they apply to applications for housing development.
- 4.5.57. The application has been accompanied by ‘Technical Note 01 – Updated Green Belt Assessment’, a document responding to the updated NPPF of December 2024. This technical note puts forward the argument that the proposal meets the criteria for the recently introduced ‘Grey Belt’ land classification. Should the application meet the criteria for being ‘Grey Belt’, the proposed development should not be considered inappropriate development and there would be no resulting harm arising from the proposal.

4.5.58. The NPPF Glossary defines Grey Belt land as follows:

- “Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

4.5.59. In determining whether the application site should be defined as Grey Belt, the contribution the site makes to purposes (a), (b), and (d) set out in paragraph 143 should be considered.

4.5.60. Grey Belt also excludes land where the policies relating to areas set out in footnote 7 of the NPPF would provide a strong reason for refusal. Footnote 7 refers to the policies that protect areas or assets of particular importance including habitat sites, Sites of Special Scientific Interest, Green Belt, Local Green Space, a National Landscape, a National Park, Heritage Coast, irreplaceable habitats, designated heritage assets, and areas at risk of flooding or coastal change.

4.5.61. The National Planning Policy Guidance (PPG) sets out guidance on how authorities should consider evidence in the absence of Grey Belt allocations within the Local Plan. This includes:

1. Whether the site strongly contributes to the Green Belt purposes a, b, or d (as above).
2. Whether the application of policies to areas and assets of particular importance identified in footnote 7 of the NPPF (other than Green Belt) provide a strong reason to restrict development.
3. Whether development of the site would fundamentally undermine the purposes of the remaining Green Belt across the Local Plan area (North Hertfordshire in this case), as set out in national policy and this guidance.

4.5.62. It should be noted that the North Hertfordshire District Council Green Belt Review (2016) identifies the application site falling within parcels 9b and 10a. The Green Belt Review is intended to assess the ‘performance’ of strategic land parcels, sub parcels, and sites being considered for development in the Local Plan.

4.5.63. The Green Belt Review has assessed sub-parcel 9b as having a ‘significant’ contribution to purpose (a) of paragraph 143, a ‘moderate’ contribution to purpose (b) of paragraph 143, and a ‘limited’ contribution to purpose (d) of paragraph 143.

4.5.64. Sub-parcel 10a is assessed as having a ‘moderate’ contribution to purpose (a), a ‘limited’ contribution to purpose (b), and a ‘limited’ contribution to purpose (d) of paragraph 143.

4.5.65. Whilst the Green Belt Review is noted, the PPG, as set out in paragraph 4.5.55 of this report, requires that an assessment should be made as to whether the “site” strongly contributes to the Green Belt purposes rather than the wider area as found within the North Herts Green Belt Review.

Contribution of the site to the Green Belt purposes (a), (b), and (d):

- 4.5.66. Purpose (a) of paragraph 143 intends to check the unrestricted sprawl of large built-up areas. The PPG states that villages should not be considered large built-up area.
- 4.5.67. The application site is approximately 1.1km to the west of Stevenage and 1.1km to the south of Hitchin, the two closest large built-up areas. Wymondley, Gosmore, and St Ippolyts are in closer proximity to the site, but are not considered to be built-up areas as set out within the PPG. Given that the site itself is not adjacent or near to a large built-up area but does occupy a space between two large built-up areas, the site has a 'moderate' contribution to purpose (a) of paragraph 143.
- 4.5.68. Purpose (b) of paragraph 143 is intended to prevent neighbouring towns merging into one another. The PPG states that *'this purpose relates to the merging of towns, not villages.'*
- 4.5.69. The application site sits between the towns of Hitchin and Stevenage. Based on the PPG, the site is not considered to form a substantial part of a gap between the towns of Hitchin and Stevenage and would not result in a loss of visual separation between the two towns. The gap between Hitchin and Stevenage is approximately 3.3km with Stevenage set to the south east of Hitchin. The site does form a small part of the gap between towns but makes a small contribution to visual separation between the two towns given the topography of the area. The site has a 'moderate' contribution to purpose (b) of paragraph 143.
- 4.5.70. Purpose (d) of paragraph 143 intends to preserve the setting and special character of historic towns. The site is not considered to form part of the setting of a historic town given its location, and has no visual, physical, or experiential connection to any historic aspects of a historic town. The site therefore has a 'limited' or no contribution to purpose (d) of paragraph 143 of the NPPF.
- 4.5.71. Given the above, the proposed development is not considered to strongly contribute to purposes (a), (b), or (d) of paragraph 143 of the NPPF.

Footnote 7 Considerations:

- 4.5.72. As set out in the PPG and NPPF, Green Belt excludes land where the application of the policies relating to the areas or assets in footnote 7 of the NPPF would provide a strong reason for refusing or restricting development.
- 4.5.73. Footnote 7 references designated heritage assets. As identified within the report above, harm has been identified to the setting of designated heritage assets within the locality of the application site. The harm was identified as less than substantial and towards to the lower end of the less than substantial continuum. As set out in paragraph 215 of the NPPF, this harm should be weighed against the public benefits of the proposal. The benefits of the scheme have been found to outweigh the harm to the heritage assets and therefore the harm to the designated heritage assets are not considered to provide a strong reason to restrict the development.

Impact on the remaining Green Belt in the plan area:

- 4.5.74. The PPG sets out that in reaching a judgement on whether the development of Green Belt land would fundamentally undermine the purposes of the remaining Green Belt across the plan area as a whole, authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all

the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

- 4.5.75. Given the site area and its location relative to built up areas, the development of the land upon which the solar farm is proposed is not considered to fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. The release of the site for use as a temporary solar farm would not affect the ability of all the remaining Green Belt in the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

Demonstrable unmet need for the type of development proposed:

- 4.5.76. Part (b) of paragraph 155 sets out that development should not be regarded as inappropriate if there is a demonstrable unmet need for the type of development proposed. As set out in the 'Climate Change and Renewable Energy' section of this report, there is unequivocal need and support for renewable energy development, including solar. The proposed development would contribute towards addressing the underlying vulnerability to international energy prices, as set out in NPS EN-1. Furthermore, solar is a low cost way of generating electricity and an essential element in the transition to net zero as set out in NPS EN-3. There is a demonstrable unmet need for solar energy generation and the development would meet the test set out in paragraph 155 (b).
- 4.5.77. Paragraph 155 (c) of the NPPF sets out that development in the Green Belt should not be regarded as inappropriate if the development would be in a sustainable location, with particular reference to paragraph 110 and 115 of the NPPF.
- 4.5.78. The proposed development would generate minimal levels of traffic during the operation of the solar farm. The development would have a minimal impact upon local transport networks. Furthermore, the site would be located in close proximity to the Wymondley Substation, to which the development would connect. The site is in a sustainable location for the purposes of part (c) of paragraph 155 of the NPPF.
- 4.5.79. Part (d) of paragraph 155 refers to the 'Golden Rules'. The Golden Rules relate to housing development and are therefore not applicable in this case.

Conclusion of Grey Belt consideration:

- 4.5.80. In conclusion of the above, the proposal would utilise Grey Belt land and would accord with the provisions set out in paragraph 155 of the NPPF. The proposed development would not be inappropriate development in the Green Belt.

Landscape and Visual Impacts:

- 4.5.81. The proposed development comprises a large scale solar farm. Given its nature and scale, there will inevitably be some adverse landscape impacts. Within this context, national and local plan policies adopt an approach whereby development should be approved where the harm would be outweighed by the benefits of the scheme.
- 4.5.82. Paragraph 187 indicates that the intrinsic character and beauty of the countryside should be recognised. Nevertheless, the NPPF does not seek to protect the countryside for its own sake from development; it concentrates upon seeking to protect valued landscapes. For the avoidance of doubt, the site is not nationally designated protected land such as Areas of Outstanding Natural Beauty (AONB).

- 4.5.83. The Case Officer for the previous 22/00709/FP application set out in their report that the landscape *"is not notably above the ordinary and local area. Therefore, officers do not consider the application site to be a 'valued landscape' in the context of the NPPF."* Given that the site is not covered by any international, national, or local landscape designations, the site is not a 'valued landscape' for the purposes of the NPPF.
- 4.5.84. Policy NE2 of the Local Plan sets out that Planning Permission will be granted for development proposals that respect the sensitivities of the relevant landscape character area, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area, are designed and located to ensure the health and future retention of important landscape features, and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.5.85. Policy NHE1 of the Wymondley Neighbourhood Plan sets out that planning applications should be accompanied by an assessment of the impact of the proposal on landscape character.
- 4.5.86. The site is identified as being located within National Character Area (NCA) 110: Chilterns. NCA 110 is summarised as comprising a patchwork of mixed agricultural with woodland, set within hedged boundaries.
- 4.5.87. The Council published the North Herts Landscape Study as part of the authorities Local Development Framework in 2011, which is based upon the Hertfordshire Landscape Character Assessment (LCA) and subsequent sensitivity and capacity work. The application site is within two LCAs, the majority of the Site is within LCA 215 Wymondley and Titmore Green and the remaining part to the south-east within LCA 214 Langley Valley.
- 4.5.88. The characteristics of LCA 215 include a rolling chalk landscape, irregular sized fields in arable with parcels of grazing adjacent to settlements, historic pattern of small winding lanes and historic place names, and mature tree cover.
- 4.5.89. The characteristics of LCA 214 include rolling chalk landform, dominant large scale arable farming, smaller areas of grazing on steeper chalk slopes to the south of Hitchin, and woodland plantations on most pronounced chalk landscape, and relatively little woodland cover elsewhere.
- 4.5.90. The Case Officer for the previously refused application concluded in their assessment that the development would result in some inevitable adverse landscape and visual impacts, mostly of a significant nature. The Officer identified conflict with Local Plan policies NE2 and NE12, which seek to avoid unacceptable harm to landscape character and appearance. The Officer considered that the visual and landscape harm would amount to significant weight in the planning balance with moderate benefits arising in the later stages of operation from planting and biodiversity improvements.
- 4.5.91. The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA), which identifies the landscape and visual affects of the proposal. The LVIA sets out the key design changes from the previous 22/00709/FP scheme that intend to reduce visual impact at two key receptors around the site (Redcoats Farm, and the Hertfordshire Way Long Distance Recreational Trail). The design

changes are in response to the recommendations made in the Landscape Partnership response to the local authority as part of the previous application. The key changes include:

- Reduction in footprint of solar array and increased planting.
- Increased buffer between solar array and curtilage of Redcoats Farm.
- Increased planting to the western boundary of Redcoats Farm.
- Design changes to ensure the Hertfordshire Way benefits from an open side to the footpath.

- 4.5.92. The LVIA acknowledges that the development would have a degrading influence at a localised level, but with a limited widespread impact across the two LCAs due the site being on a transitional point between the two LCAs, which is considered less susceptible to change, and that the landscaping is already influenced by peri-urban land uses and energy infrastructure.
- 4.5.93. The overall effect on LCA 215 is judged within the LVIA to be 'moderate adverse' in the short term but reducing to 'moderate minor adverse' in the medium and long term.
- 4.5.94. The overall effect on LCA 214 is judged within the LVIA to be 'minor adverse' in the short and long term, principally due to the sites position that would leave expansive views across the valley unchanged.
- 4.5.95. The Council has consulted Place Services to assess the submitted LVIA. Within their response, they have set out that the development would cause adverse harm to the landscape character during the operation of the development and would be considered 'significant' moderate adverse. Place Services do however acknowledge that the resubmitted scheme would be an improvement over the scheme proposed previously.
- 4.5.96. The proposed solar farm would appear out of place within the landscape give the nature of the development with linear rows of solar panels. Grazing would take place within the site, retaining some of the agricultural character of the site. Whilst it is noted that arable farming would cease, grazing is a characteristic of LCA 214 and a change from arable farming to grazing would not require planning permission. Furthermore, the development would be operated for a temporary period of 40 years. Whilst it is acknowledged that 40 years is a significant period of time, the land will be returned to its current use while also retaining the proposed additional planting and the benefits that arise with it. Regardless, the introduction of solar panels on the site would harm the landscape character of both LCA 214 and LCA 215 throughout the operation of the site.
- 4.5.97. The proposal includes a landscaping scheme that would introduce new planting throughout the site and the reinforcement of existing vegetation around the site. The landscaping would go some way to mitigating the impact of the development, particularly in the medium to long term operation of the site. While it is acknowledged that new planting would be introduced in areas in which there currently is none, overall, the additional planting would not appear out of context of character with both the site and wider landscape character areas. Therefore, the planting and enhancement of existing vegetation is considered to be a net benefit over the lifetime of the development and post-operation of the site.
- 4.5.98. The development would have a moderate adverse effect on the landscape character and would conflict with Local Plan Policy NE2.

- 4.5.99. The LVIA sets out that there would be major through to moderate adverse visual impacts from intermittent locations around the site. The LVIA considers that these impacts would reduce over the medium and long term operation of the site. The LVIA identifies Mill Hill as suffering the greatest impacts from the development.
- 4.5.100. The comments from Place Services assess the impact upon visual amenity by assessing the viewpoints identified within the LVIA. There are several points of disagreement around the level of change to the identified viewpoints between the LVIA findings and the Place Services comments. Place Services generally identify a higher level of change to the viewpoints when compared to the LVIA assessment.
- 4.5.101. Sperberry Hill and Stevenage Road, given their proximity to the site, would see the greatest effects to visibility from the development. Views from Little Almshoe to the south of the site would also be affected by the development. Although these country lanes are predominantly used by vehicles rather than pedestrians due to a lack of footpaths.
- 4.5.102. The area around the site also contains several Public Rights of Way (PRoW), including two footpaths that run through the site (Wymondley 014 and Wymondley 016). Whilst the development would not result in the loss of these routes, the proposal would affect the enjoyment of the routes. For the routes that run through the site, hedgerows would be introduced to screen the development. These routes currently do not feature hedgerows within the sections that run through the site. Although it is acknowledged that hedgerows would be consistent with the character of the area and therefore the planting would not be out of character. There would be no harm arising from the introduction of the hedgerows along the PRoW. The magnitude of change to these routes would therefore be large in the short term decreasing to small in the medium to long term.
- 4.5.103. The development would result in significant visual impacts to several locations around the site due to the undulating landscape that affords countryside views from nearby. Whilst mitigation is proposed, some views to the site are unable to be mitigated effectively. The development would have a moderate adverse visual impact and would conflict with Local Plan policy NE2.
- 4.5.104. The Chilterns Area of Outstanding Natural Beauty is situated approximately 3.8km to the west of the application site. In May 2025, the Chilterns National Landscape Boundary Review was cancelled by Natural England, and therefore the impact of the development upon areas that were under review are no longer relevant in the determination of this application.
- 4.5.105. The Natural England consultee response comments on the Chilterns Boundary Review and identify that the site was within the Area of Seach and that the site would be highly visible from areas under consideration for designation as an AONB. However, as above, the Chilterns Boundary Review has been cancelled and the impact the development would have upon areas under review would no longer be a consideration in this case.
- 4.5.106. Natural England note the amendments to the scheme compared to the previously refused application but advise that the changes would not be sufficiently effective in mitigating landscape and visual impacts for the development to be policy compliant.

4.5.107. In conclusion of the above, it is acknowledged that the development would have an adverse impact upon the landscape character and a visual impact from a variety of viewpoints. There are however improvements to the scheme when compared to the previous proposal. The developments harm would largely arise during the short term operation of the development, dissipating to an extent in the medium to long term operation of the site. Furthermore, the site has no designation that affords greater protection to the landscape. The benefits of the landscaping proposed, particularly in the medium to long term, and post operation, are also acknowledged, to which moderate weight is applied. Moderate weight is given to the harm identified and the conflict with local plan policies.

Impact on Best and Most Versatile Agricultural Land:

4.5.108. Policy NE12 of the Local Plan sets out that proposals for solar farms involving the best and most versatile agricultural land (BMV) will be determined in accordance with national policy.

4.5.109. BMV is defined in the NPPF as land in grades 1 (excellent quality), 2 (very good quality), and 3a (good quality) of the Agricultural Land Classification.

4.5.110. Paragraph 187 (b) of the NPPF sets out that planning decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 65, which relates to paragraph 188 of the NPPF states *“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.”*

4.5.111. The application is supported by an Agricultural Land Classification Survey, which concluded that approximately 18 hectares (52.95%) of the site is grade 2 and 16 hectares (47.05%) is Grade 3a BMV. As such, the site is BMV for the purposes of the NPPF. It should be noted that a high proportion of the district is BMV.

4.5.112. NPS EN-1 indicates that applicants should seek to minimise impacts on BMV and preferably use land in areas of poorer quality and that development should be justified when sited on BMW. NPS EN-3 sets out that ground mounted solar arrays are not prohibited on agricultural land classified 1, 2, and 3a.

4.5.113. The proposed development would change the use of the application site for a temporary period of 40 years. The site would include the grazing of sheep alongside the solar array. It should be noted that there would be nothing in planning terms to prevent the landowner using the site for the grazing of sheep. Given this, the fact that the proposal would limit the ability to carry out any arable farming does not mean that it results in the loss of agricultural land when it can continue to be used albeit for other agricultural uses.

4.5.114. Soil is a finite resource, and which plays an essential role within sustainable ecosystems, performing a variety of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. A soil management plan condition can be included as part of any approval. The impact of the development upon soil quality would therefore be controlled and secured.

4.5.115. As noted above, much of the district is BMW. The site is within a 4km radius of the grid connection point at Wymondley substation. If other land exists that would be

more suitable for the development proposed, it would not form a reason for refusal of the application.

- 4.5.116. In conclusion of the above, the proposed development would not result in an unacceptable impact upon BMV. The site would continue to be used for agricultural purposes alongside the solar array. The development is for a temporary period of 40 years after which the land could be restored to arable farming. The proposed development would comply with Policy NE12 of the Local Plan and provisions set out in the NPPF.

Ecological and Biodiversity Impacts:

- 4.5.117. Paragraph 187 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 4.5.118. Local Plan policies SP12 (Green infrastructure, biodiversity, and landscape), Policy NE4 (Biodiversity and geological sites), and NE6 (Designated biodiversity and geological sites) seek to protect, enhance, and manage the natural environment. Policy NHE2 (Biodiversity) in the Wymondley NP seeks net gains and is also therefore relevant.
- 4.5.119. The Biodiversity Net Gain (BNG) calculations provided alongside the application demonstrate that there would be a substantial net gain of habitat units (95.87%), hedgerow units (86.44%), and watercourse units (17.65%). This is due to the low value of existing habitats on site being replaced with higher value grassland.
- 4.5.120. The proposal would create new hedgerows and protect and enhance existing hedgerows within the site. The development would also protect existing trees, plant new trees, and provide species-rich grassland. All of which would result in substantial BNG.
- 4.5.121. Following consultation with the Councils Ecologist, the response confirms that there would be no ecological objection to the scheme (subject to conditions), and the development would be beneficial to wildlife, mitigating predicted impacts and delivering a net gain for biodiversity.
- 4.5.122. It is considered that there would be a significant gain in the overall biodiversity of the site given the retention and enhancing of landscaping within the application site, and the introduction of new planting. The proposal is considered to be in compliance with both local and national planning policies and significant weight is given to the BNG associated with the proposal.

Impact on Highways:

- 4.5.123. Paragraph 116 of the NPPF sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
- 4.5.124. Policy T1 of the Local Plan sets out that planning permission will be granted for new development provided that they would not lead to highway safety issues or unacceptable impacts on the highway network.

- 4.5.125. During the construction phase, the site would be accessed via the proposed access points off Stevenage Road and Little Almshoe Lane.
- 4.5.126. The development would generate a low level of traffic throughout the operation of the site.
- 4.5.127. The Highways Authority have been consulted on the application and conclude they have no objection to the proposed development and its impact upon highways safety and network subject to the inclusion of appropriate conditions and informatives.
- 4.5.128. The proposed development would accord with both local and national planning policies. This matter is given neutral weight in the planning balance.

Fire Risk:

- 4.5.129. The proposed development would comprise of both solar photovoltaic (PV) and Battery Energy Storage (BESS).
- 4.5.130. The British Research Establishment National Solar Centre (BRE NSC) was commissioned by the Department for Business, Energy and Industrial Strategy to lead a three-year study on fires involving solar photovoltaic (PV) systems. The BRE NSC consider that there is no reason to believe that the fire risks associated with PV systems are any greater than those associated with other electrical equipment.
- 4.5.131. The applicant has set out within their PDAS that there are several ways in which BESS is managed. This includes hardware and software fail safes and fire suppression systems.
- 4.5.132. It is considered appropriate in this case to include a Fire Risk Management Plan condition that would require consultation with Hertfordshire Fire & Rescue prior to the first operation of the proposed development.
- 4.5.133. No objection is raised to the proposed development the risk of fire occurring and the fire risk consideration carried neutral weight in the planning balance.

Flood Risk and Drainage:

- 4.5.134. Local Plan policies SP11 and NE7 seek to ensure that development does not result in unacceptable flood risk. Policy NE8 encourages the use of Sustainable Drainage Systems. Policies FR1 and FR2 in the Wymondley Neighbourhood Plan seek to address flood risk and management thereof.
- 4.5.135. The applicant has provided a Flood Risk Assessment (FRA) alongside the application. The applicant has also provided a Drainage Strategy Addendum (DSA).
- 4.5.136. The application site is in Flood Zone 1, which represents the land with the lowest probability of flooding.
- 4.5.137. The submitted documents set out that managed grassland would result in reduced surface run-off compared to the existing arable fields, particularly during winter months when there are less crops.
- 4.5.138. The development would introduce formally drained areas in the form of new access roads and a compound containing the BESS units. Discharge of surface water from

these areas would be made to an unnamed watercourse which crosses through the site at a limited discharge rate of one litre per second.

- 4.5.139. The access roads would be made from a porous compacted stone surface with filter rains installed adjacent to the access roads.
- 4.5.140. The ground-mounted solar arrays will be laid on ram mounted posts ensuring the ground beneath each panel remains permeable. The rows of panels would be spaced with a 'rainwater gap' between each row of panels. Rainfall runoff from the solar array would infiltrate to the land beneath and between the panels.
- 4.5.141. To minimise overland flow and associated erosion risk, erosion control features such as filter drains regularly spaced between rows of panels would be installed.
- 4.5.142. Having consulted the Lead Local Flood Authority (LLFA), the consultee has confirmed that the submitted details are in accordance with the NPPF and local planning policy NE8 and NE9. The LLFA have raised no objection to the proposed development subject to the inclusion of conditions.
- 4.5.143. The development is considered to accord with Local Plan policies SP11, NE7 NE8 and Neighbourhood Plan Policies FR1 and FR2. The inclusion of two attenuation basins should provide some benefit and this matter is considered to carry limited benefit in the planning balance.

Noise Impact:

- 4.5.144. Policy D3 of the Local Plan seek to protect the living conditions of existing residential properties and sets out that planning permission will be granted for development that would not lead to unacceptable harm to living conditions.
- 4.5.145. The applicant has provided an updated Noise Assessment that sets out that the resubmission scheme would not result in any increase in noise effects compared to the previous submission.
- 4.5.146. The Case Officer for the previous application raised no objection to the proposal from a noise perspective subject to conditions and limitations on the days and hours of operations.
- 4.5.147. The construction phase can be managed through a Construction Environmental Management Plan (CEMP) condition.
- 4.5.148. The noise impact from the operation of the site is predicted to be low. Following consultation with Environmental Health Officers, no objection is raised to the impact of the proposed development. The proposal would comply with LP Policies D3 and NE12. The noise impacts of the proposed development are neutral in the planning balance.

Other Matters:

Alternative Renewable Energy Generation

- 4.5.149. As set out in the report above, solar farms are considered in several policy documents to be necessary in achieving the demand to significantly increase generation from renewable energy sources. Solar farms form part of the renewable energy mix in

meeting the targets set out by the Government and in meeting the Council's net zero ambitions. These targets set cannot be achieved solely by the use of brownfield land or rooftop solar installations.

Alternative Sites

- 4.5.150. The applicant has set out justification for the development of solar on this site. The fact that other land or sites may exist is not a justifiable reason for refusal of the development proposed in this location.

Impact on Neighbouring Amenity

- 4.5.151. St Ippolyts village lies immediately north of the application site. The nearest dwellings to the application site are located along Sperberry Hill, Tittendell Lane and Little Almshoe Lane. The distance between these various properties and the closest panels and associated infrastructure, together with the existing and proposed intervening landscaping, means that there would be limited visibility from residential curtilages. Whilst the development will alter the outlook from some properties, none would experience views which would make them unattractive places to live.
- 4.5.152. In relation to the pole mounted CCTV cameras, it is confirmed that these will generally have one pan-tilt-zoom camera focussed along the boundary of the Site. At certain locations two cameras would be deployed so that they can be targeted on specific locations. All cameras would operate using infra-red technology and as such no additional lighting would be required. It is unlikely that the CCTV cameras will result in any loss of privacy to dwellings. Nonetheless, in the event that planning permission were to be granted a condition to restrict camera views would safeguard nearby residential occupier's amenity.
- 4.5.153. Lighting from the site would be limited to the substation building, switchroom building, control centre, and transformer station. Low level lighting would be positioned above access doors and would only be activated by PIR sensors for security / emergency purposes or when switched on by an engineer. No areas of the scheme would be continuously lit during operation. There would be no harm to neighbouring amenity arising from lighting within the site.
- 4.5.154. Any noise or disruption during the construction period would be temporary and within normal working hours controlled by Environmental Health. The Construction Traffic Management Plan condition would control the hours of operation including deliveries.

Crime and Disorder

- 4.5.155. The site will contain several CCTV cameras that would be motion operated and permanently monitored from a central hub. The CCTV system would also be supported by alarms and will comply with the Information Commissioner's Officer guidance. This addressed the concern raised by Herts Police relating to how the CCTV would be monitored.
- 4.5.156. The proposal includes several other security measures to deter crime and disorder. There is no objection to the proposal given the security measures proposed.

Glint and Glare

- 4.5.157. The Glint and Glare assessment, provided alongside the application, concludes that due to existing screening and proposed screening in the landscape, there would be no significant glint and glare impacts that require mitigation or further consideration. There would be no unacceptable impact from glint or glare.

Economic Benefits

- 4.5.158. There is a strong case for the economic benefits of the proposed development. The NPPF sets out that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity.
- 4.5.159. The development would provide employment opportunities during both the construction and operational phases of the development. The PDAS also points out that the proposal would allow for the diversification of a rural business without permanently removing land out of arable production.
- 4.5.160. The proposal would deliver electricity to thousands of homes. The local economy will benefit as a result of the increased business rates and the employment opportunities which will arise from both the construction and operation of the site. Local businesses will benefit during the construction phase. Providing a stable income for a local farmer helping to mitigate costs and impacts. Significant weight is attached to the planning balance from the economic benefits of the proposal.

Very Special Circumstances (Green Belt)

- 4.5.161. Should members not agree with the assessment identifying the land as Grey Belt, the applicant, as part of their original submission, has set out very special circumstances (VSC) within their Planning, Design and Access Statement for consideration.
- 4.5.162. Paragraph 153 of the NPPF sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 4.5.163. The applicant has identified the following considerations weighing in favour of the development:
- Its contribution towards meeting the national need for renewable energy in order to deliver the net zero commitment enshrined into law through the Climate Change Act. This is afforded substantial weight.
 - Based on the findings of the LNA and SSE, there is an overwhelming need to deploy new renewable energy within North Herts district if it has any prospect of getting close to NHDC's commitment to be a net zero district by 2040. Further, and of even greater importance, it has been demonstrated that there are, in the short to medium term, no new alternative grid connections for renewables projects within the district, beyond that which would serve the Resubmission Scheme. In addition, the BESS component of the scheme, would support the solar panels by storing excess power when demand from the grid is low, can additionally provide a standalone grid balancing function through managed storage and export of power from the panels to the grid during low and high demand respectively. Accordingly, having regard to all of the foregoing, the local benefits provided by the Resubmission Scheme are judged to be afforded very substantial weight.

- Whilst not a direct benefit of the scheme, the SSE report has demonstrated that there are no alternative sites that could accommodate the proposal, or further new solar schemes, which are located outside of the Green Belt. In short, a Green Belt location is deemed essential. This consideration should be given significant weight in the overall Green Belt balancing exercise.
- There is a huge biodiversity net gain directly associated with the Resubmission Scheme. This equates to: 95.87% in habitat units, 86.44% in hedgerow units and 17.65% in watercourse units. This far exceeds the mandatory 10%, and represents a very significant uplift in the biodiversity of this part of the district. As such, it is judged to be afforded substantial weight.
- There would be employment opportunities during the construction and operation phase of the development alongside diversification of rural businesses without permanently removing land out of arable production at a time when UK farmers are facing challenges to their livelihoods. These economic benefits have been afforded significant weight, consistent with the officer position in the Officer Report for the 2023 Scheme.
- The Resubmission Scheme would be decommissioned after 40 years with the Site returned to arable farmland. At this point, the new planting will have matured and will enhance wider landscape. This landscape and visual impact benefit following the decommissioning of the scheme has been afforded moderate weight, again consistent with the officer position in the committee report for the 2023 Scheme.
- The Resubmission Scheme will lead to a reduction in surface water run off compared with existing use of the land for arable uses, which is given limited weight.

Planning Balance:

- 4.5.164. The proposed development would utilise Grey Belt land given the proposals accordance with the provisions set out in paragraph 155 of the NPPF. Therefore, the solar farm is not inappropriate development within the Green Belt. No harm would arise from the proposed development with regards to Green Belt.
- 4.5.165. Great weight is given to the impact of the development identified upon designated heritage assets. Less than substantial harm was identified, with the harm being towards the lower end of the less than substantial continuum. However, the contribution of the solar scheme to the generation of clean and secure energy is a substantial public benefit, which has been identified within the report as outweighing the less than substantial harm to the designated heritage assets.
- 4.5.166. The proposed development would result in moderate adverse harm to landscape character including visual harm. The development would therefore be contrary to Local Plan policy NE2. Moderate weight is given to both landscape and visual impacts resulting from the development.
- 4.5.167. No harm has been identified to the impact of the development upon BMV land within the site and the proposed development would comply with policy NE12 of the Local Plan.

- 4.5.168. The report sets out the need for renewable energy development both locally and nationally, with solar farms forming an important part of the renewable energy generation mix towards achieving net zero and providing energy security. The proposed development would make a significant contribution to achieving the goals identified. Substantial weight is given to the contribution the proposal makes to renewable energy generation, addressing climate change and to improving energy resilience and security.
- 4.5.169. The development would deliver significant biodiversity enhancements to the site, to which significant weight is given.
- 4.5.170. Significant weight is given to the economic benefits of the scheme as identified within the report above.
- 4.5.171. There would be limited benefits arising to flood risk and drainage, with the scheme reducing the risk of flooding. The development would comply with Local Plan Policy NE8 and limited weight in favour of the development is given.
- 4.5.172. The proposed development is identified as having a neutral impact to the highways network and safety, fire risk, noise impact, and archaeology.
- 4.5.173. The proposed development would conflict with a number of policies contained within the Local Plan. However, the benefits of the proposed development are considered to be of sufficient weight to clearly outweigh the harms identified within the report above. The proposed development has overcome the previous reasons for refusal and the development is recommended for approval.

Overall Conclusion:

- 4.5.174. The purpose of the planning system is to contribute to the achievement of sustainable development. Proposals of this nature and scale will inevitably result in tension between policies meaning that it is difficult to reconcile all expectations and requirements. Upon consideration of the social, economic, and environmental objectives of the planning system, the harm caused by the proposed development to designated heritage assets and landscape is clearly outweighed by other considerations including the contribution to renewable energy, the significant biodiversity net gains, and benefits to the economy. There would also be some benefits to the landscape post decommissioning, and limited benefits to flood risk and drainage. Taken as a whole, the proposal is considered to be in accordance with national planning policy and the local development plan, meaning that planning permission should be granted.

5. Climate Change Mitigation Measures

- 5.1. Climate change has been addressed throughout this report and is a matter at the heart of this application in terms of the significant contribution the proposed development would make to renewable energy generation and the goal of achieving net zero carbon within the District by 2040 and within the UK by 2050.

6. **Legal Implications**

- 6.1. In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or where restrictive conditions are attached, the applicant has a right of appeal against the decision.

7. **Recommendation**

- 7.1. That planning permission is resolved to be **GRANTED** subject to the following conditions:

Biodiversity Gain Condition:

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Planning Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

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 grid. Written notification of the first operation shall be given to the local planning authority within 30 days of the site becoming operational.

Reason: The proposal seeks permission for a temporary period only.

4. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the 2024 Ecological Assessment and a pre-construction badger survey and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of the construction process on the biodiversity and ecology of the site, in line with Policy NE2 and NE4 of the Local Plan.

5. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan, as necessary.
4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National

Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and has obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

7. The development hereby permitted may not commence until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

8. Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

9. A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing and in accordance with the programme of work as set out in the Archaeological Brief (P01/22/0709/3). The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme and methodology of site investigation and recording as required by the evaluation.
3. The programme for post investigation assessment.
4. Provision to be made for analysis of the site investigation and recording.
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
6. Provision to be made for archive deposition of the analysis and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A).

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate."

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2024.

10. The construction of the development shall only be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

11. The development shall only be carried out in accordance with the approved 'Glint and Glare Report/Plan.

Reason: To ensure the development does not produce any glint and glare impact on the drivers viewing and ability to drive safely on the nearby highway, in the interests of highway safety and amenity in accordance with Policy 5, 7 and 8 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

12. Before commencement of the development, a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the recommendations, if any, shall only be carried out in accordance with the report.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

13. Evidence of detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s. Following this infiltration testing the drainage strategy for Plan A (to infiltrate) will be updated and submitted to the and approved in writing by the Local Planning Authority. If infiltration is not favourable, then Plan B (connection and discharge of runoff to a watercourse) will be implemented as per the Drainage Strategy (dated 22 October 2024, REF 14855).

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173,175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

14. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (December 2021) and Drainage Strategy (dated 22 October 2024, REF 14855), plus any updates as required by Condition 1 [LPA to link to condition above] unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council.

15. Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

16. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

17. Full details of a construction and environmental management programme (CEMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any pre-construction, demolition or enabling works). The construction shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following elements:

- a) hours of construction operations including times of deliveries and removal of waste;
- b) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- c) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- d) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- e) screening and hoarding details, to protect neighbouring residents;
- f) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228-1.2009 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
- g) wheel washing facilities for construction vehicles leaving the site;
- h) storage and removal of building waste for disposal or recycling;

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity.

18. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To enhance biodiversity including any species and their habitats and in accordance with the NPPF and Policies NE4, NE12 and SP12 in the Local Plan.

19. No construction shall take place until an arboricultural method statement with tree and hedge protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect trees and hedges to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation, during construction, and landscaping operations.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2 and NE12 in the Local Plan

20. Prior to any above ground works, an Emergency Response Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Hertfordshire Fire and Rescue Service. The Emergency Response Plan shall set out measures to facilitate safety during the construction, operation and decommissioning phases of the development, including protocols to manage a fire during the operation and decommissioning of the site.

Reason: To minimise fire risks and ensure the proposed development has adequate access to water supplies for in the event of an emergency in accordance with Policies D3 and NE12 in the Local Plan.

21. Notwithstanding the details submitted, prior to the installation of the solar panels, a landscaping scheme shall be submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include but is not limited to detailed planting proposals to include planting locations and dimensions, species, densities, sizes, mixes and protection and for new planting areas, and hard surfacing materials. The landscaping of the site shall take place in accordance with the approved details

and implementation programme. Any planting which within a period of five years of planting dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2, NE12, D1 and SP12 in the Local Plan.

22. Prior to the first use of the development, details of the cleaning procedure for the panels shall be submitted to, and approved in writing by, the local planning authority. The details shall include but not be limited to the frequency of cleaning, volumes of water required, details of any detergents to be used and any required mitigation. The cleaning of the panels shall thereafter take place in accordance with the approved details.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF and policy NE12 in the Local Plan.

23. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

24. No development shall take place until a Soil Management Plan has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved details. The soil management plan shall include:

- a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;
- b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages;
- c) Details of how construction activities will be managed across the site to minimise impact on soils; and
- d) Details of appropriate equipment and methods for stockpiling, respreading and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF, Defra Guidance and policy NE12 in the Local Plan.

25. Within the first planting season following the completion of construction works, the agreed landscaping and biodiversity proposals to be approved shall be implemented in full.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with policies NE4, NE12 and SP12 in the Local Plan.

26. In the event that the development hereby permitted ceases to export electricity for a continuous period of 12 months at any time following the first operations (other than for operational reasons outside the operator's control), or within a period of 40 years following the first operation, a Scheme for the decommissioning of the solar farm and its ancillary equipment, and how the land is to be restored, shall be submitted to the local planning authority for its written approval. The scheme shall include, but not be limited to the following:

- A programme for the completion of the decommissioning and restoration works,
- Make provision for the removal of the solar panels and associated above ground works approved under this permission.
- 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.

The solar farm, and its ancillary equipment shall be dismantled and removed from the site and the land restored to its extant use (agricultural) in accordance with the approved scheme and timescales set out therein.

Reason: The proposal seeks permission for a temporary period only and to ensure the site is appropriately decommissioned and the land is restored following its cessation as a solar farm. In the interests of highway safety and residential amenity and the aims and objectives of Policies T1 and D3 of the Local Plan.

27. Prior to the installation of any CCTV cameras, details of measures to restrict the camera movements around the boundary of the application site to prevent viewing towards residential properties located in Tea Green, The Heath and Darley Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CCTV cameras shall be installed and retained in perpetuity in accordance with the approved details.

Reason: to protect the privacy of adjacent residential properties in accordance with Policy D3 of the Local Plan.

28. Prior to the First Export Date, a Grazing Management Plan (GMP) shall be submitted to the local planning authority for approval in writing. The GMP shall confirm which parts of the site cannot be used for the grazing of livestock. The GMP shall also define which parts of the site will be used for the grazing of livestock, during which months of the year, and what livestock are to be grazed there, and it shall set out details of how the grazing is to be managed. Within three years of the First Export Date, the grazing of livestock shall be implemented on the site in accordance with the GMP. Any changes to the GMP during the lifetime of the permission shall be first submitted to the Local Planning Authority for approval in writing prior to implementation on site and shall thereafter be carried out in accordance with the approved revised GMP.

Reason: To ensure that the agricultural use of Best and Most Versatile Agricultural land continues during operation to accord with policy NE12 of the Local Plan.c

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives:

1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
4. Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially

overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/roads-of-way/roads-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

6. Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
7. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal.