

THE PROBLEM WITH SOLAR FARMS



FACTORS THAT SHOULD BE CONSIDERED IN DETERMINING APPLICATIONS



WIMBISH



Little Hadham Parish Council

STOCKING PELHAM Parish Council



The countryside charity
CPRE Essex



The countryside charity
CPRE Hertfordshire

THE PROBLEM WITH SOLAR FARMS

This booklet has been prepared with the support of the following organisations:

Albury Parish Council
Berden Parish Council
CPRE Essex
CPRE Hertfordshire
Farnham Parish Council
Furneux Pelham Parish Council
Hands Off Thaxted
Langley Parish Council
Little Hadham Parish Council
Manuden Parish Council
Protect the Pelhams
Stocking Pelham Parish Council
Stop Battles Solar Farm
Takeley Parish Council
Thaxted Parish Council
Wimbish Parish Council

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Further detail can be obtained from his youtube lecture:

https://www.youtube.com/watch?v=Wvn_3pJLSEI.

“ The National Planning Policy Framework expects local authorities to protect and enhance valued landscapes and sites of biodiversity and recognise the character and beauty of the countryside and the benefits of the best and most versatile farmland in their policies and decisions’

‘a number of proposals for solar farms in the countryside have been rejected as causing visual harm, harm to amenity or harm to openness. ...local authorities should protect all that we value in landscapes and natural capital, as indicated above’.

‘we place great importance upon our agriculture and food production, and this is reflected in the National Planning Policy Framework.

The Framework requires local planning authorities to take into account all the benefits of the best and most versatile agricultural land. Where significant development of agricultural land is shown to be necessary, planning authorities should seek to use poorer quality land in preference to that of a higher quality. They should also consider the needs of the food production industry and any barriers to investment that planning can resolve’.

‘local planning authorities are asked to encourage re-use of brownfield land provided that it is not of high environmental value, to recognise the character and beauty of the countryside’ ”

**Rt Hon Robert Jenrick MP,
Secretary of State for Housing, Communities
and Local Government**

(in a letter dated 16 August 2021 to
Sir Oliver Heald QC MP)

SUMMARY OF KEY FACTS

- **Solar farms are hugely inefficient.**
- Clustering of development around sub-stations has disastrous consequences for the landscape and local amenity. The cumulative effect intensifies the harm caused.
- Solar panels dramatically alter views of the countryside and the key features that punctuate it.
- The character of heritage assets and our appreciation of them can be significantly harmed. Heritage statements commissioned by promoters are usually misleading.
- Best and Most Versatile (BMV) land (Grade 1, 2 & 3a) should not be used for industrial purposes.
- Sequential testing is essential for any proposal involving greenfield land.
- Solar Farms are not environmentally friendly.
- The amenity of neighbouring property can be seriously harmed by secured boundaries and intrusive CCTV.
- It is highly unlikely that the land could return to agriculture in 40 years time.
- How recyclable are the panels?
- Reinstatement bonds are worthless.
- **There are better alternatives.**

“ not at any cost...
not in any place...
not if it rides roughshod over the
views of local communities.

As we take solar to the next level,
we must be thoughtful, sensitive to
public opinion, and mindful of the
wider environmental and visual
impacts. **”**

Greg Barker,
Minister for Energy and Climate Change

(Speech to large scale solar conference
25th April 2013)

THE INEFFICIENCY OF SOLAR FARMS



- By comparison with off-shore wind, **solar farms are hugely inefficient.**
- A 140 acre solar park is said to be capable of supplying electricity to about 9,000 homes. One wind turbine in the North Sea has the capacity to power 16,000 homes.
- In terms of efficiency rating i.e. the amount of power exported to the grid, **solar's rating is between 11 and 15% whereas for off-shore wind the figure is 50%+.**
- On one day last year it has been reported that 78% of the UK's electricity came from off-shore wind.

COALESCENCE AND CUMULATIVE EFFECT

Spriggs Farm and Terrier's Farm Solar Parks



- Developers promote the cheapest solutions only and do not consider a range of feasible options.
- Low Carbon's Great Wilbraham solar development (which is connected to a sub-station 11km from the site) demonstrates that there is no technological barrier to connecting sites at a range of locations.
- Developer's preference for the lowest cost options leads to clustering around sub-stations (Thaxted and Stocking Pelham).
- Harm to the landscape is therefore intensified.
- Increased harm to the character of Public Rights of Way.
- Increased impact on local wildlife.

“...local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts.”

Planning Practice Guidance

THE PROBLEM WITH SOLAR FARMS

IMPACT ON LANDSCAPE QUALITY

- The countryside is industrialised by the development of large-scale solar farms.
- Continuous rows of glass panels completely alter landscape character.
- Boundaries are changed by security fencing and the intrusion of CCTV.
- Great weight should be given to the findings and recommendations of independent Landscape Quality Assessment.
- Solar farm development should not be approved where it is contrary to Local Plan Policies.
- The NPPF includes an overarching objective to protect and enhance our natural, built and historic environment, including making effective use of land.

“ Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the use of high-quality land. Protecting the global environment is not an excuse to trash the local environment. ”

<https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488> Eric Pickles, Secretary of State, Communities and Local Government

Turpin's Trail, Thaxted
before Terrier's Farm



View from Turpin's Trail
during Terrier's Farm construction



IMPACT ON HERITAGE SETTING

Thaxted from Bolford Street



- Historic structures act as a focal point in countryside views and make a huge contribution to environmental quality.
- Their setting is often a major part of their significance.
- Solar farm development deprives them of their context.
- Heritage Statements submitted by solar farm promoters will seek to down-play the importance of heritage setting by:
 - Misleading photography;
 - Minimising the sphere of impact and area of search for listed buildings;
 - Minimising the extent of the setting of individual buildings; and
 - Down-valuing their significance.

“ The contribution of setting to the significance of a heritage asset is often expressed by reference to views... ”

Historic England Guidance

“ great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting ”

Planning Practice Guidance

LOSS OF AGRICULTURAL LAND



Solar Farm operators regularly promote schemes on high grade land. The use of this productive farm land is **in breach of the guidance notes of their own trade Association and it flies in the face of government agricultural policy.**

- We need our best land to be productive. 60% of our food is imported – is this environmentally sustainable?
- The amount of arable land in the UK is in decline. It currently stands at 14.8 million acres, which is the lowest since World War 2.
- Land is being taken out of cultivation at a rate of almost 100,000 acres per annum. At the same time yields are declining as is land quality due to the effect of global warming. So, production potential is already diminished and we cannot afford to lose further parcels of arable land to development that has no need to be there.

The March 2021 report from the Trade and Agriculture Commission (established to advise the government on how best to advance the interests of British farmers, food producers and consumers in future trade agreements) concludes that:

“ Our farmers are custodians of our countryside and the sector manages some 72% of UK land. Farmers support biodiversity conservation, food alleviation, climate change mitigation and a host of other important public good services and delivery. Farmland acts as a carbon sink and is an important part of the UK’s national renewable energy supply. Agriculture underpins rural communities, local infrastructure and tourism.

Rural and urban economies depend on farming: bluntly, if we lose farms and farmers, we risk untold damage to local communities and to the stewardship of the land across every nation of the UK. ”

LAND QUALITY AND SEQUENTIAL TESTING

- Development should be limited to brownfield land and poorer quality unproductive land.
- BMV land should be avoided. The 'most compelling evidence' would be required if it was to be used.
- The fact that BMV land happens to be available from a farmer who wants to abandon farming is not compelling evidence.
- The fact that it is difficult to find poorer quality land within the district is not compelling evidence.
- Local authority boundaries are not to be used as a limiting factor in the search for alternative options. If there is no poor quality land within a district the only logical conclusion is that industrial scale solar plants are not the right renewable solution for that area.
- Sequential testing is required in relation to the use of agricultural land.

“ The Sequential test:

The first question to ask is whether the use of agricultural land is necessary. This exercise should demonstrate that no suitable brownfield land or non agricultural land is available within a reasonable search area...

...there is no policy guidance which advocates restricting searches to within a local authority's administrative area...

Even if the use of agricultural land were considered to be necessary, the Appellant has not demonstrated that poorer agricultural land has been chosen in preference to higher quality land...

Whilst the sequential test must be proportionate, no good reasons have been advanced to show why it could not involve a robust desk based assessment supported by surveys of selected sites within a realistic area of search. Simply surveying one site is wholly inadequate. ”

Comments of Planning Inspector

Elizabeth C Ord LLB(Hons) LLM MA DipTUS

Appeal Ref: APP/D3505/A/13/2204846 Valley Farm, Wherstead, Ipswich, Suffolk, IP9 2AX
2 June 2014

“ Where high-quality agricultural land is involved, this would need to be justified by the most compelling evidence. ”

Eddie Hughes MP, Ministry of Housing, Communities and Local Government

(in a letter dated 2nd June 2021 to Kemi Badenoch, MP)

WILDLIFE AND BIODIVERSITY



Deer-proof fencing
at a Thaxted
solar farm

Deer trapped within
Spriggs Farm Solar Park



- Grazing sheep and bee-keeping are token gestures and in no way compensate for the lost potential of the land.

- Transitory animals have their traditional routes blocked. Deer are often diverted onto roads.

- Bird and bat deaths are common as they mistake the glass for water

- The land is degraded with little potential for biodiversity as half of it will be in permanent shadow and rain water run-off creates set channels without proper dispersal.

- Topsoil is removed and cleaning materials can contaminate the soil.

- There is the possibility of toxic chemicals leaching out from the panels.

- Lithium-ion battery storage represents a huge fire risk.

RESIDENTIAL AMENITY



- Residential neighbours have the setting of their property altered and industrialized.
- Boundaries are delineated by security fencing and intrusive CCTV.
- Peace and quiet is destroyed by industrial grade traffic and light pollution.
- Inverters can overheat in extremely hot weather requiring the use of noisy fans to provide cooling.

“ Development and uses, whether they involve the installation of plant or machinery or not, will not be permitted where:
a) noise or vibrations generated, or
b) smell, dust, light, fumes, electro magnetic radiation, exposure to other pollutants; would cause material disturbance or nuisance to occupiers of surrounding properties. **”**

Uttlesford Local Plan

“ Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health. **”**

East Herts Local Plan

THE FUTURE

“ The Secretary of State takes the view that 30 years is a considerable period of time and the reversibility of the proposal is not a matter to which he has given any weight. He considers that a period of 30 years would not be perceived by those who frequent the area as being temporary and that the harmful effect on the landscape would prevail for far too long* ”

* comments made in the Appeal in respect of a solar farm at Imolands Farm, Lymington, Hampshire, PINS Ref 3006387 dated 30 March 2016.

- Will the land ever revert to agriculture?

Probably not.

- Will the equipment be re-cycled?

Probably not.

- What condition will the land be in in 40 years time?

Unknown.

- Bonds are mostly worthless. Do you know who is providing the bond for Terrier's Farm? Do you know how much it is for? Do you know what it covers?

Probably not to all three.

What is known however, is that the Bond doesn't even have to be entered into until the plant has been operational for 15 years when circumstances will have inevitably changed.



ALTERNATIVES

The use of roof space at the Bentley car plant at Crewe



The Government has confirmed that offshore wind will produce more than enough electricity to power every home in the country by 2030, based on current electricity usage.

Build Back Greener (Oct 2020)

- Local authorities are required to have a renewables policy. That policy should, however, reflect the circumstances of the District
- Districts with high grade land and outstanding countryside (such as Uttlesford and East Herts) are not suited to industrial scale solar plants on green field sites.
- The government has published many policy papers dealing with renewable energy. These concentrate very largely on off-shore wind rather than solar as a source of renewable energy.

- In the 10 Point Plan for a Green Industrial Revolution (Nov 2020) renewables are only considered in terms of off-shore wind

- The former Department of Energy and Climate Change estimated that there were 600,000 acres of south facing commercial roof-space in the UK. Why use precious high grade farmland?

- **Both Uttlesford and East Herts can make a major contribution to carbon reduction by introducing policies requiring new developments to have solar panels on their roofs, heat pumps or district heating systems.**

- **Neither Uttlesford nor East Herts are suitable location for Utility scale industrial schemes.**

APPENDIX

SOLAR FARM POLICY REFERENCES

A: NPPF (July 2021 revision)

N.B. The 2021 revisions to the NPPF included a strengthening of the environmental objective in the sustainability definition to include the words 'protect and enhance':

Achieving sustainable development

Para 8. c) an environmental objective – **to protect and enhance our natural, built and historic environment; including making effective use of land**, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Climate Change

Para 155. 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, **while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)**

Para 157. In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on **local requirements for decentralised energy supply** unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) approve the application if its impacts are (or can be made) acceptable

Conserving and enhancing the Natural Environment

Para 174. **Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;**

Footnote 58 **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.**

Conserving and enhancing the Historic Environment

Para 180. **When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused**

Para 195. **Local planning authorities should 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)**

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Para 199. 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.

Para 200. 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

B: Planning Practice Guidance (Renewable and low carbon energy)

How can local planning authorities develop a positive strategy to promote the delivery of renewable and low carbon energy?

The NPPF explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, **it is important that the planning concerns of local communities are properly heard in matters that directly affect them.**

How can local planning authorities identify suitable areas for renewable and low carbon energy?

...local planning authorities will need to ensure they take into account the requirements of the technology and, critically, **the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to.**

...landscape character areas could form the basis for considering which technologies at which scale may be appropriate in different types of location. Landscape Character Assessment is a process used to explain the type and characteristics of landscape in an area.

- **cumulative impacts require particular attention**, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- **great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;**
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by **focussing large scale solar farms on previously developed and non agricultural land**, provided that it is not of high environmental value;
- **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;**
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;

C: BRE Planning guidance for the development of large scale ground mounted solar PV systems

Commercial scale ground mounted solar PV Ground Mounted Solar PV projects, over 50kWp, should ideally utilise previously developed land, brownfield land, contaminated land, industrial land or agricultural land preferably of classification 3b, 4, and 5 (avoiding the use of 'Best and Most Versatile' cropland where possible). Land selected should aim to avoid affecting the visual aspect of landscapes, maintain the natural beauty and should be predominantly flat, well screened by hedges, tree lines, etc and not cause undue impact to nearby domestic properties or roads.

D: Ministerial Statements

Greg Barker, Minister for Energy and Climate Change (speech to large scale solar conference 25th April 2013):

'But not at any cost... not in any place... not if it rides roughshod over the views of local communities.'

As we take solar to the next level, we must be thoughtful, sensitive to public opinion, and mindful of the wider environmental and visual impacts.'

Planning Minister, Nick Boles House of Commons oral statement of 29 January 2014:

'The policies in the national planning policy framework are clear that there is no excuse for putting solar farms in the wrong places. The framework is clear that applications for renewable energy development, such as solar farms, should be approved only if the impact, including the impact on the landscape – the visual and the cumulative impact – is or can be made acceptable. That is a very high test.'

'where significant development is necessary on agricultural land, the national planning policy framework is equally clear that local planning authorities should seek to use areas of poorer quality in preference to that of a higher quality. Where land is designated at a relatively high grade it should not be preferred for the siting of such developments.'

Eric Pickles, Secretary of State, Communities and Local Government (March 2015)

'Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the use of high-quality land. Protecting the global environment is not an excuse to trash the local environment.' <https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>

Eddie Hughes MP, Ministry of Housing, Communities and Local Government (in a letter dated 2nd June 2021 to Kemi Badenoch, MP):

'There are strong protections in place within national planning policy which guards against inappropriately sited solar farms... expects local authorities... to take account of the benefits of the best and most versatile farmland, to enhance the biodiversity and recognise the character and beauty of the countryside.... Where a proposal involves Greenfield land, local councils are expected to consider whether the proposed use of any agricultural land has been shown to be necessary. Where high-quality agricultural land is involved, this would need to be justified by the most compelling evidence. We have been clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities, and that the views of local communities should be listened to.... Where relevant planning considerations are raised by local residents these must be taken into account by the local council'.

E: Uttlesford Local Plan 2005

Policy S7 – The Countryside The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, **planning permission will only be given for development that needs to take place there**, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Policy GEN2 – Design Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents. a) **It is compatible with the scale, form, layout, appearance and materials of surrounding buildings**; b) **It safeguards important environmental features in its setting**, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate; c) It provides an environment, which meets the reasonable needs of all potential users; d) It helps to reduce the potential for crime; e) It helps to minimise water and energy consumption; f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan; g) It helps to reduce waste production and encourages recycling and reuse; h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures; i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

Policy GEN4 - Good neighbourliness Development and uses, whether they involve the installation of plant or machinery or not, **will not be permitted where**: a) **noise or vibrations generated**, or b) smell, dust, light, fumes, electro magnetic radiation, exposure to other pollutants; **would cause material disturbance or nuisance to occupiers of surrounding properties**

Policy GEN7 – Nature Conservation **Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation**. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.

Policy E4 - Farm Diversification: Alternative use of Farmland Alternative uses for agricultural land will be permitted if all the following criteria are met: a) The development includes proposals for landscape and nature conservation enhancement; b) The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding; c) **The continued viability and function of the agricultural holding would not be harmed**; d) **The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity)**.

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Policy ENV2 - Development affecting Listed Buildings **Development affecting a listed building should be in keeping with its scale, character and surroundings.** Demolition of a listed building, or development proposals that adversely affect the setting, and alterations **that impair the special characteristics of a listed building will not be permitted.** In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting

Policy ENV5 - Protection of Agricultural Land **Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits.** Where development of agricultural land is required, developers should seek to use areas **of poorer quality** except where other sustainability considerations suggest otherwise.

Policy ENV9 – Historic Landscapes **Development proposals likely to harm significant local historic landscapes,** historic parks and gardens and protected lanes as defined on the proposals map **will not be permitted unless the need for the development outweighs the historic significance of the site.**

Policy ENV15 - Renewable Energy **Small scale renewable energy development schemes to meet local needs will be permitted if they do not adversely affect the character of sensitive landscapes, nature conservation interests or residential and recreational amenity.**

F: East Herts Local Plan 2018

Policy GBR2 Rural Area Beyond the Green Belt - In order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area...(These types of development **do not include renewable energy**).

Policy VILL2 Group 2 Villages - Within Group 2 Villages... small-scale employment, leisure, recreation and community facilities will be permitted subject to (V) below and all other relevant policies in this Plan. (V). All development should:

- (a) Relate well to the village in terms of location, layout and connectivity;
- (b) Be of a scale appropriate to the size of the village having regard to the potential cumulative impact of development in the locality;
- (c) Be well designed and in keeping with the character of the village;
- (d) Not represent the loss of a significant open space or gap important to the form and/or setting of the village;
- (e) Not represent an extension of ribbon development or an addition to an isolated group of buildings;
- (f) **Not unacceptably block important views or vistas and/or detract from the openness of the countryside;**
- (g) **Not be significantly detrimental to the amenity of neighbouring occupiers.**

Policy DES2 Landscape Character - Development proposals must demonstrate how they **conserve, enhance or strengthen the character and distinctive features of the district's landscape**. For major applications, or applications where there is a potential adverse impact on landscape character, a Landscape and Visual Impact Assessment and/or Landscape Sensitivity and Capacity Assessment should be provided to ensure that impacts, mitigation and enhancement opportunities are appropriately addressed.

Policy ED2 Rural Economy - Where the proposal results in the loss of an agricultural or employment use in a rural area or a change of use to a non-employment generating use, evidence will be required to demonstrate that:

- (a) **the current agricultural or employment use is no longer needed or viable;**
- (b) that improvements to the site/premises would not make alternative employment generating uses viable;
- (c) the retention of the employment generating use is unable to be facilitated by the partial conversion to a non-employment generating use;
- (d) the building is of permanent and substantial construction.

IV. Proposals for the diversification of farms will be supported in principle where:

- (a) they secure the viability of the agricultural practice of the farm;
- (b) they **contribute to the maintenance of biodiversity or landscape interests;**
- (c) they support the engagement of communities with land management, food production and rural crafts and the development of local produce markets;
- (d) the diversification remains a subsidiary of the overall agricultural activity of the holding;
- (e) any resultant retail or commercial use does not have an adverse impact on the viability of existing nearby rural or village shops or community facilities.

Policy TRA2 Safe and Suitable Highway Access Arrangements and Mitigation - Development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should:

- (a) Be acceptable in highway safety terms;
- (b) Not result in any severe residual cumulative impact; and
- (c) **Not have a significant detrimental effect on the character of the local environment.**

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Policy CFLR3 Public Rights of Way - Development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should:

- (a) Be acceptable in highway safety terms;
- (b) Not result in any severe residual cumulative impact; and
- (c) **Not have a significant detrimental effect on the character of the local environment.**

Policy NE1 International, National and Locally Designated Nature Conservation Sites - Development proposals, land use or activity (either individually or in combination with other developments) which are likely to have a detrimental impact which adversely affects the integrity of a designated site, will not be permitted unless it can be demonstrated that there are material considerations which clearly outweigh the need to safeguard the nature conservation value of the site, and any broader impacts on the international, national, or local network of nature conservation assets.'

Policy NE2 Sites or Features of Nature Conservation Interest (Non-Designated) -All proposals should achieve a net gain in biodiversity where it is feasible and proportionate to do so, as measured by using and taking into account a locally approved Biodiversity Metric, and **avoid harm to, or the loss of features that contribute to the local and wider ecological network.** Proposals will be expected to apply the mitigation hierarchy of avoidance, mitigation and compensation, as set out in the NPPF, and integrate ecologically beneficial planting and landscaping into the overall design.

Policy NE3 Species and Habitats -

- I. Development should always seek to enhance biodiversity and to create opportunities for wildlife. **Proposals must demonstrate how the development improves the biodiversity value of the site and surrounding environment.** Evidence will be required in the form of up-to-date ecological surveys undertaken by a competent ecologist prior to the submission of an application. The Biodiversity value of a site pre and post development will be determined by applying a locally approved Biodiversity Metric where appropriate. Submitted information must be consistent with BS 42020 2013. Where insufficient data is provided, permission will be refused.
- II. Proposals should detail how physical features will be maintained in the long term.
- III. **Development which would result in the loss or significant damage to trees, hedgerows or ancient woodland sites will not be permitted.** The Council will seek their reinforcement by additional planting of native species where appropriate. Protective buffers of complementary habitat will be expected to adjoin these features, sufficient to protect against root damage and improvement of their long term condition. A minimum buffer zone of 10m (or greater if required) is considered appropriate.
- IV. Proposals will be expected to protect and enhance locally important biodiversity sites and other notable ecological features of conservation value.
- V. Proposals should avoid impacting on Species and Habitats of Principal Importance as published under section 41 of the Natural Environment and Rural Communities Act 2006 (or as subsequently amended). Where adverse impacts are unavoidable, appropriate mitigation and compensation measures must be employed, commensurate to the importance, the legal protection or other status of the species or habitat. The District Council will impose conditions / planning obligations which seek to: (a) Facilitate the survival of existing populations as well as encouraging the establishment of new populations; (b) Reduce disturbance to a minimum; (c) Provide adequate alternative habitats to sustain at least the current levels of populations.
- VI. Development **adjoining rivers or streams will be required to preserve or enhance the water environment** in accordance with Policy WAT3 (Water Quality and the Water Environment).

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VII. Integrated bird and bat boxes will be expected in all development bordering public green space and beneficial habitat.

Policy HA1 Designated Heritage Assets -

- I. Development proposals should **preserve and where appropriate enhance the historic environment of East Herts.**
- II. Development proposals that would lead **to substantial harm to the significance of a designated heritage asset will not be permitted** unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefits of the proposal.
- III. Where there is evidence of neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset will not be taken into account in any decision.
- IV. **The Council will, as part of a positive strategy, pursue opportunities for the conservation and enjoyment of the historic environment recognising its role and contribution in achieving sustainable development**

Policy CC3 Renewable and Low Carbon Energy –

I. The Council will permit new development of sources of renewable energy generation, including community led projects, subject to **assessment of the impacts** upon:

- (a) **environmental and historic assets;**
- (b) **visual amenity and landscape character;**
- (c) local transport networks;
- (d) **the amenity of neighbouring residents and sensitive uses;**
- (e) air quality and human health; and
- (f) the safe operation of aerodromes.

II. In considering the impact of renewable technologies, the Council will attach particular importance to maintaining the special countryside character of the rural area, including the **preservation of long-distance views from public rights of way.**

Policy EQ2 Noise Pollution – I. Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health.

Sustainability SPD, 2021 – Historic Environment –

(2.6) East Herts historic environment is one contextual issue that must be taken into account to preserve the district's character and distinctiveness. Climate Change can have a range of direct impacts on the historic environment, for example, accelerated weathering to building fabric, erosion of archaeological sites through severe weather and flooding, and **harm to historic landscapes or changes in vegetation patterns.**

(2.7) East Herts has numerous listed building and conservation areas, historic parks and gardens, archaeological sites (scheduled and unscheduled) and scheduled monuments. In accordance with national legislation and policy and the District Plan (2018), proposals should seek to avoid harm to historic assets and **preserve and enhance the character and appearance the historic environment.** Where a historic asset or its setting may be affected, careful consideration of the heritage context throughout the design process is key and the selection of high quality, appropriate design measures is fundamental. Where applicable, advice should be sought from the Council's conservation team and other expert bodies such as Historic England, Hertfordshire County Council and Hertfordshire Gardens Trust.