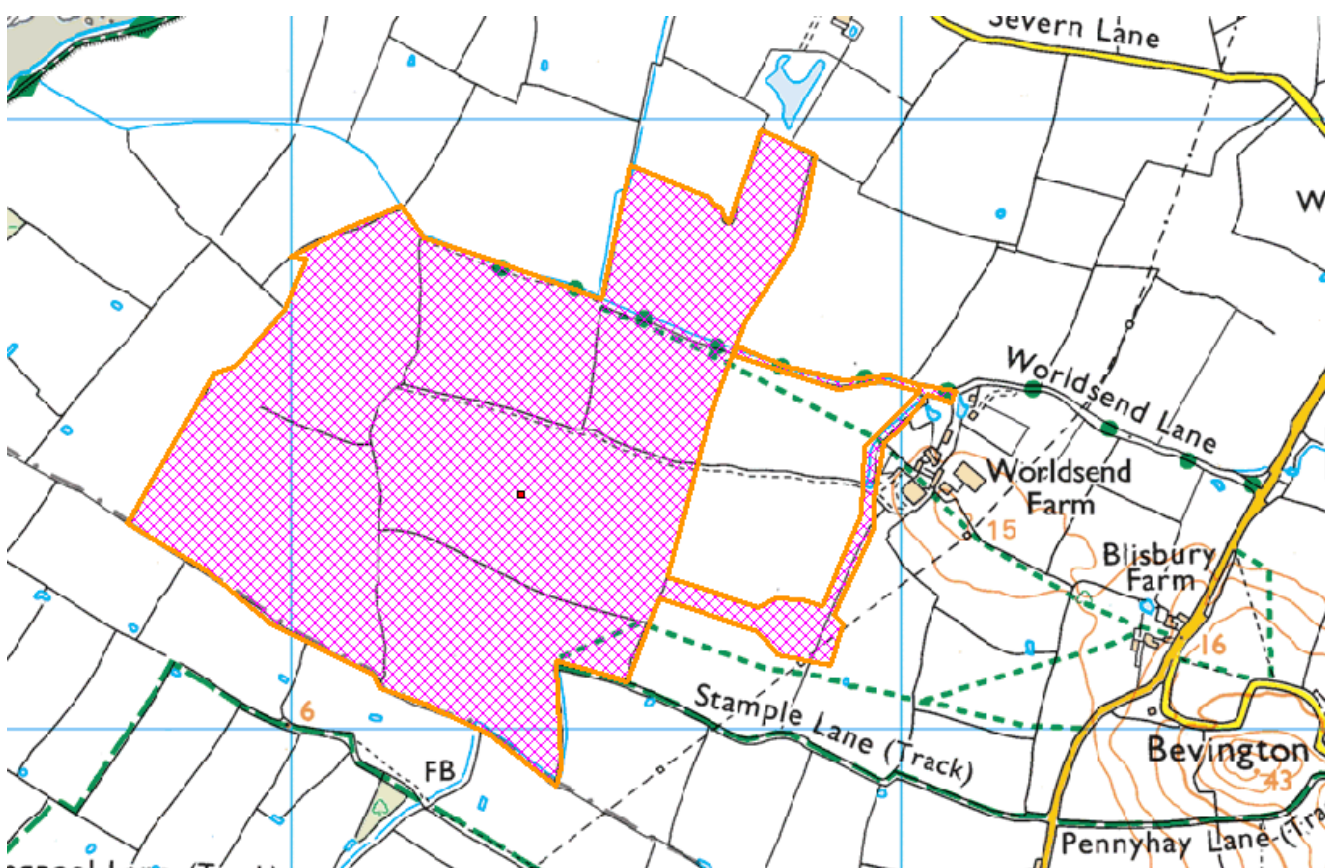




Development Control Committee Schedule 25/07/2023

Item No:	02
Application No.	S.21/1210/FUL
Site Address	Land Parcel West Of Worlds End Farm, Worldsend Lane, Clapton, Berkeley
Town/Parish	Ham And Stone Parish Council
Grid Reference	364377,197385
Application Type	Full Planning Application
Proposal	Erection of a 49.99 MW Solar PV Array, comprising ground mounted solar PV panels, vehicular access from Worlds End Lane with internal access tracks, landscaping and associated infrastructure including security fencing, CCTV cameras, and grid connection infrastructure including transformers and substation compound buildings.
Recommendation	Permission
Call in Request	Head of Development Management





Development Control Committee Schedule 25/07/2023

Applicant's Details	BSR Energy C/o RSK ADAS, 4205 Park Approach, Leeds, LS15 8GB,
Agent's Details	Mr Dale Greetham RSK ADAS, 4205 Park Approach, Leeds, LS15 8GB,
Case Officer	Helen Cooper
Application Validated	11.05.2021
	CONSULTEES
Comments Received	Lower Severn Internal Drainage Board Environmental Health (E) Environmental Health (E) Historic England SW Historic England SW Biodiversity Team Conservation North Team Historic England SW Natural England (E) Archaeology Dept (E) Ham And Stone Parish Council Development Coordination (E) Flood Resilience Land Drainage Archaeology Dept (E) Biodiversity Team Conservation North Team Natural England (E)
Constraints	Berkeley Safeguard Area Berkeley Safeguard Area Flood Zone 2 Flood Zone 3 Glos Centre Env Records - Species South Glos Council Ham and Stone Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
	OFFICER'S REPORT

MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Residential Amenity
- o Noise
- o Highways
- o Landscape impact
- o Contaminated land
- o Ecology
- o Flood risk
- o Archaeology and Heritage Assets
- o Obligations

DESCRIPTION OF SITE



Development Control Committee Schedule 25/07/2023

The application site comprises a parcel of land which is set within the open countryside and measures approximately 64.62 hectares in area. The land is currently agricultural and used as arable/pastoral fields in connection with World's End Farm. The site lies approximately 3.15 km south west of Berkeley and the site is located within the Berkeley Vale. It is not set within an Area of Outstanding Natural Beauty and it lies within the Severn Vale Grazing Marshland landscape character area. The surrounding area is predominantly rural in character containing a number of individual dwellings and small settlements.

The site lies under 1km away, from the River Severn estuary. The Severn Estuary RAMSAR, Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Special Protection Areas (SPAs) are highly sensitive designated areas within the Severn area and contain important habitats for a number of species. The site lies within the Severn Estuary SAC/SPA linear buffer. These designations are of National and International importance.

The site is set within Flood Zone 3 which is a designated area most of risk of flooding. A number of ponds are set near to the site and drainage ditches are present on the land as well as a primary flow path watercourse.

A cycle route runs to the east of the site along Clapton Road. Ham and Stone Footpath 54 runs alongside the Severn Estuary to the north west of the site. Ham and Stone Footpath 13 runs within the site, although this also ends within the site. Footpath 15 and bridleway 16 are also set in the southern section of the site.

Whitcliff Park a historic park and garden is set approximately 1 km to the south east of Worlds End Farm house. Whilst the application site itself is relatively low lying, this historic park holds an elevated position within the surrounding area. A number of listed buildings are also in proximity to the site with Blisbury Farm, a grade II listed building, the closest which lies approximately 370 metres away from the Worldsend farmhouse and associated buildings.

PROPOSAL

This application seeks planning permission for a 49.99 MW Solar PV Array at World's End Farm on an area of agricultural land measuring approximately 64.62 hectares in size. It is proposed for the site to operate for a period of 40-45 years.

The solar panels would be tilted and set in south facing rows within the existing field pattern. They would measure 3.4 metres at their highest point. The panels would be pile driven to a depth of 2.5 metres. Transformer stations would be positioned throughout the site and these would be raised by 1.6 metres as part of the flood mitigation measures. As such the structures would be 3.7 metres high. The site would be accessed from Worldsend Lane. Access tracks would run through the site to be used by vehicles in connection with the construction and operation of the site.

The Distribution Network Operators compound would be set in the southern area of the site in proximity to an electricity pylon which provide the point of connection to the grid. Due to the sites position in flood zone 3 aspects of the compound, such as the control room and electrical equipment have been raised. The highest structures within the compound, which are the electrical equipment would measure 8.3 metres in height. The control room and switch room would measure 4 metres in height. An underground cable from the substation would lead to a nearby pylon and provide the point of connection to the grid.



Development Control Committee Schedule 25/07/2023

It is proposed to retain hedgerows and trees within the site. Planting is proposed along the eastern and western boundary and around the DNO compound. Security cameras would measure 6 metres in height.

RELEVANT PLANNING HISTORY

An Environmental Screening Opinion reference 2020/0505/EIAS for the Provision of a 49.9MW solar farm was issued on the 20th October 2020. This advised that whilst the proposal was considered to be 'Schedule 2' development under the Environmental Impact Regulations having regard to the requirements of Schedule 3, the proposal was not EIA development. As such an Environmental Statement was not required to accompany this planning application.

A planning application for a solar farm adjoining the site in South Gloucestershire, application reference P22/05462/F' Installation of a 49.9 MW ground mounted solar farm' a Land at Court Hill Farm, Upper Hill, South Gloucestershire, is currently pending determination with the adjacent Local Planning Authority. This is relevant to the EIA screening opinion issued. Paragraph 1b of schedule 3 of the regulations refers to the characteristics of the development and provides that any cumulative effect with existing or approved development must be considered. Legal advice has been sought during the application process in respect of this matter. As the adjacent site does not benefit from planning permission it is not considered appropriate to screen the site again at this time in respect of schedule 3.

REVISED DETAILS

Revised Planning Layout drawing number 1650-0201-00 issue 11 submitted 10th February 2023. Amendments have been made to the planning layout in order to retain the PRow in its existing location within the red line boundary. It also includes a slight realignment of the access track to avoid three root protection areas of trees which was highlighted by the Arboricultural Impact Assessment (AIA) report, undertaken in response to the Ancient and Veteran Tree Survey comments provided as part of the LVIA review comments.

Revised Site Location Plan Drawing number 1650-0200-05. This has been revised to include an additional access track into the site

Revised Mounting System Drawing number 1650-0201-28 received on the 10.02.23 has been received to show the correct height of 3.4 metres.

Illustrative Sections Drawing number 1050692-BSR9001-WOR-L-8001 received 10th February 2023

Illustrative Sections Drawing number: 1050692-BSR9001-WOR-L-8001 received 10th February 2023

The following additional supporting documents/drawings have also been received or updated:

Archaeological supporting letter from weed specialist and agronomist dated 10th June 2022 regarding Black-grass

Revised Transport Statement received 10th February 2023

Revised glint and glare report received 10th February 2023

District License Report - GCNs received 10th February 2023



Development Control Committee Schedule 25/07/2023

Fire risk assessment (Example only) received 10th February 2023
Revised Landscape and Visual Assessment received 10th February 2023
Revised Agricultural Land Classification Document received 10th February 2023
Arboricultural Report received 10th February 2023
BNG Map and calculations received 4th and 10th May 2023
Skylark Mitigation and Management Plan received 9th May 2023
Noise Impact Assessment received 13th March 2023
Impact Map received 10th February 2023
Illustrative Sections received 10th February 2023
Heritage Response to Historic England comments dated 6th February 2023

MATERIALS

PV solar panels - dark grey/blue in colour and have anti reflective coating to minimise glare.
Fencing - post and wire, mammal gaps would be spaced throughout the fencing.
WPD control room and switch room building details and colour to be agreed.

REPRESENTATIONS

REPRESENTATIONS

Statutory Consultees:

Ham and Stone Parish Council: (6.6.21) Ham & Stone PC have discussed in detail this application. The decision is to recommend
REFUSAL of this application on the following grounds:-

Size: The scale of this application is massive a 62.79 ha, plus on the bordering land another application to S Glos Council for Longlands Solar Farm of 92 ha, almost 155 ha in total.

Access: Weight restrictions through Berkeley, means the construction traffic would need to access via the A38, past Stone and Woodford Primary School, through narrow single track lanes. Pedington Elm bridge is not suitable for heavy traffic, and has a weight limit. Access is a major concern, and considered far too dangerous.

Visual Impact: Issues raised over visual impact, this will be detrimental and spoil the views from the Deer Park and Lydney, whilst causing significant harm to the rural character of the area.

Environmental: Close proximity to designated sites of SPA, SAC, SSSI and the River Severn, a RAMAR site. The scale of this development poses a threat to scarce plants, terrestrial and marine animals and their habitats. The glare/glint of panels could disrupt flight path of large bird population migrating to Slimbridge.

WWT and Natural England should comment directly on this proposal.

: **GCC Archaeologist:** (7.6.2021) Thank you for consulting the archaeology department on this application.

The county Historic Environment Record shows that the proposed development is within an area of archaeological interest. The site includes an undated rabbit warren, a couple of levelled



Development Control Committee Schedule 25/07/2023

earthworks, an early medieval find spot and medieval-post-medieval ridge a furrow remains. Immediately to the north and west of the site are the recorded remains of a substantial Roman settlement and kiln site.

The Desk Based Assessment submitted with the application summarises a high potential for the proposed development to impact buried remains from the Romano-British period and late medieval to post-medieval periods, and a low potential for remains from the prehistoric and early medieval periods. Aerial photography had been assessed indicating the presence of field systems and enclosures not shown on historic mapping. Evidence to the north recorded significant survival of prehistoric submerged forest and peat deposits of a wetland environment during the late Bronze Age to Iron Age periods and therefore there is a high potential for waterlogged remains with potential for the survival of palaeo-environmental evidence, particularly prior to the process of land reclamation from the Roman period.

As recommended in the Desk Based Assessment, considering the potential for significant buried archaeological remains to be impacted by groundworks associated with the proposed development, I recommend that archaeological evaluation in the form of geophysical survey following by trial trench evaluation is undertaken. In line with the National Planning Policy Framework, in order to describe the significance of any heritage asset impacted by a proposal and to avoid or minimise any conflict between conservation of a heritage asset and any aspect of the proposal, this information should be made available prior to determination of the application (see policies 189 and 190).

On the impact of the proposal on designated heritage assets, such as Berkeley Castle, a grade I Listed Building (list no. 1340692) and II* registered Park and Garden (list no. 1000755), and the Roman villa 550m south-west of Woolaston station (list no. 1004860), I refer you to the advice of Historic England.

I will be happy to advise further following receipt of this additional archaeological information. Please do not hesitate to get in touch if you wish to discuss.

Lead Local Flood Authority (LLFA): (4.6.21) I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management and has made the following observations and recommendation.

Flood Risk

The Flood Risk Assessment (Date: April 2021, Document: 881946-R1(05)-FRA) outlines the risk of flood to the site, which is entirely in flood zone 3 and at risk of flooding from the River Severn tide.

The FRA identifies that the lowest ground levels on the site are 6.00mAOD, the current flood level is 7.00mAOD and the flood level with climate change taken into account is 7.47mAOD. The solar panels will be set at 1.6m high so even in the lowest areas of the site they will be above future flood depths. The substation structures will be in the flood zone and may need to be protected. One proposal in FRA is to have demountable flood defences around them. If this



Development Control Committee Schedule 25/07/2023

were to happen, the relatively small area being protected compared to the floodplain means the impact on the overall flood level is likely to be negligible.

If they haven't been consulted already, considering the site is in a flood zone, the LLFA recommends the Environment Agency are consulted on this application.

Surface Water Management

The proposal will see an increase in impermeable area of 0.54ha, made up of the Transformer Station, DNO Substation and Private Switch. The surface water generated from these will be directed to a series of gravel filled trenches to either allow it to infiltrate or direct it to the nearest drainage ditch on site. Considering the sparse positioning of buildings and the relatively small size of the impermeable area, this strategy is acceptable.

The solar panels themselves will be designed to allow rainwater to drop through and off the panels onto the ground below. They will be fixed into the ground with two legs so there will be no decrease in permeable ground beneath them. The FRA also notes the importance of maintaining the vegetation grown beneath and around the solar panels to help promote infiltration. If this is carried out throughout the lifetime of the development there will not be an increase in surface water runoff as a result of the development.

LLFA Recommendation

The FRA shows that the development will not increase flood risk and will manage surface water runoff where necessary. The LLFA has no objection to the proposals.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Environment Agency: No comments received following consultation dated the 17.09.21.

Biodiversity: (17.8.21) Comments relate to the following document:

Ecological Impact Assessment, by ADAS, dated November 2020

Breeding Bird Surveys, by ADAS, dated June 2020

Wintering Bird Surveys, by ADAS, dated March 2020

Recommendations:

Further information is required to adequately assess Biodiversity Implications for the following reasons:

* Insufficient survey effort has been provided to enable the LPA to undertake an Appropriate Assessment with regards to Wintering SPA qualifying species in accordance with the Conservation of Habitats and Species Regulations 2017.



Development Control Committee Schedule 25/07/2023

* Loss of Habitat for a significant population of Skylarks, in accordance with Local Plan Policy ES6 and Section 41 of the NERC Act 2006.

* No evidence provided to confirm Biodiversity Net Gains, the Defra metric should be used to evidence claims of BNG, in accordance with the revised NPPF. Grassland surveys were undertaken outside the optimum survey season, these surveys should be undertaken during the optimum survey season to enable accurate results and characterisation.

* Great Crested Newt District licence documentation is required to be submitted with the application to enable the LPA to assess the application in accordance with the Conservation of Habitats and Species Regulations 2017 and to enable the LPA to issue a licence on determination of the application.

Comments:

The submitted ecological assessment made the following conclusions:

Habitats on site were found to be poor quality coastal floodplain grazing marsh (priority habitat as listed under Section 41 of the NERC Act 1994), arable land left as winter stubbles, hedgerows and ponds.

The grassland surveys were undertaken outside the optimum survey season and as such some plants may have been missed during characterisation of the habitat type, in particular the coastal floodplain grazing marsh. We would like to see additional surveys undertaken at the appropriate time of year in order to fully understand the baseline ecological value of the site. It is considered that 13 ha of this habitat type will be lost.

The report claims that net gains in biodiversity will be achieved post development, however, this has not been calculated using the Defra metric. SDC would like to see evidence of net gains with the use of the metric prior to determination of the application in accordance with the revised NPPF.

Habitats Regulations Assessment (HRA):

Four on site winter wildfowl bird surveys were undertaken during the winter of 2019/2020 to inform the submitted Appendix 4 information to inform a Habitats Regulations Assessment. The results of those surveys concluded that the proposed development would result in 'No likely significant effects' upon any international sites.

However, a desk study was not undertaken in order to understand if SPA species have been present within or close to the site in previous years, a desk study considering both the NE High Tide Survey reports and BTO data should be undertaken and assessed in order to make the final conclusions. NE felt on a previous solar park application that 6 visits were not adequate to understand SPA species usage of the site. Only 4 visits have been undertaken at this site and were undertaken relatively close together. Therefore, there are concerns over the survey effort and as such SDC consider that there is currently insufficient information provided to adequately assess the usage of the site by qualifying species and thus an assessment of likely effects the development may have on those qualifying species.

During past similar applications NE have considered that developments likely to affect sites that are notified for their wild bird interest should be subjected to at least two years' worth of survey effort. In light of this it is concluded by NE that currently Stroud District Council (SDC) have been provided with insufficient information and thus are unable to make an informed



Development Control Committee Schedule 25/07/2023

Screening Opinion as to whether or not this development will result in likely significant effects on the Walmore Common SSSI, and Severn Estuary SPA/SAC/Ramsar.

Further winter surveys are required as are further data searches in order to adequately assess likely significant effects on qualifying species. Natural England high tide roosts surveys within the Gloucestershire section of the Severn Estuary which can be found at the following link: <http://publications.naturalengland.org.uk/publication/5655612985180160>, this may be useful data to consider when forming conclusions.

Farmland bird species

The site was found to be being used by Linnet and Skylark, Linnet are a hedgerow species and as such it is likely that the proposed enhanced hedgerows and field margins will help to enhance the overall value of the site for this particular species. Skylark, however, require slightly different habitat types such as more open cropland to nest in with short vegetation, ideally spring crops that allow good visibility to enable the species can visualise incoming predators. The proposed solar farm would not allow for this type of nesting within the site and thus degrade the habitat for this red data list species. Winter stubbles are also important feeding areas for Skylarks which will be lost as part of the proposed development.

Skylarks are most commonly found within arable farmland, making use of nesting cover and bare ground for feeding that crops themselves provide throughout the year. In winter they mostly use crop stubble and fallow fields, in which they forage for weed seed and spilled grain. Skylarks are thought to avoid high structures in the landscape which in turn restricts the suitability of farmland with high density hedgerows (BTO).

It is therefore concluded that the proposed solar park will likely result in the permanent displacement of Skylark habitat within the site. However as noted within the ecological appraisal which I would agree with, for other farmland bird species such as Linnet and Yellow Hammer, the retention and enhancement of hedgerows and further habitat creation to the field margins will likely enhance the habitat for those species.

There is also no literature available to suggest that Skylarks will nest under Solar Panels (this is an area of research that is urgently required according to NE), such species require open landscapes in which to nest where they have uninterrupted views of approaching predators.

Great Crested Newts

The ponds on and adjacent to the site were surveyed and DNA samples were taken in order to confirm presence/absence of Great crested newts (GCN). The eDNA samples tested positive for the species and as such the report has recommended that the applicant will be using the District GCN Licence. However, there is no information submitted to suggest that the applicant has engaged with NatureSpace and as such the LPA has insufficient information to adequately assess the application with regards to protected species and the Conservation of Habitats and Species Regulations 2017.

NatureSpace: (12.09.22) The applicant for the above planning application has now been sent their NatureSpace Report which they should shortly submit to yourself. Should you be minded to approve planning for the above planning application there are mandatory conditions and informatives within the Report (on pages 6/7) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence.



Development Control Committee Schedule 25/07/2023

If the district licence conditions are not used in verbatim, it could potentially lead to the LPA being unable to send out authorisation paperwork to the applicant on time and a decision notice needing to be reissued. If the authorisation has been issued to the applicant, then it could also mean that an administrative breach of the licence conditions has occurred.

For reference the District Licence conditions and informatives for this application are:

Conditions

No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR112) and with the proposals detailed on plan "World's End Farm: Impact Map for great crested newt district licensing (Version 1)", dated 2nd September 2022.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112.

No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR112 and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development)

Reason: In order to adequately mitigate impacts on great crested newts.

Informatives:

It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against



Development Control Committee Schedule 25/07/2023

GCN are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 12 (requiring authorised developers to comply with the District Licence) and condition 17 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority)

Should you approve, authorisation of the site to act under the council's district licence cannot be issued until after the applicant has discharged their second NatureSpace condition through the submission of a NatureSpace Certificate.

Highways (20.7.21) Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 recommends that this application is refused.

The justification for this decision is provided below.

Gloucestershire County Council recognises that solar PV development can contribute towards meeting national and local objectives for reducing carbon emissions and therefore is able to support solar PV developments in principle. However, the application does not provide details to demonstrate how the means of access to the site for the purposes of construction and decommissioning would be acceptable.

The application comments that the development would comprise 95,000 modules (panels). The size of the heavy goods vehicles expected to be used has not been specified, but the Transport Assessment (TA) states that to minimise the number of vehicle movements, the modules would be brought to the site in large volumes. This clearly suggests that the use of very large vehicles would be intended.

It can be deduced that, with construction extending for around 6 months and a peak construction period of about 16 weeks, the construction activity could result in anything between around 2500 to 4000 heavy goods vehicle movements. These would be delivery vehicles but in addition, construction vehicles, skip waste vehicles and cranes, as well as lighter commercial and employee vehicles, would be required to enter and leave the site.

While the application comments that the proposed development is 'light weight' and could be constructed without needing significant numbers of vehicle movements in heavy vehicles, this is clearly not the case.



Development Control Committee Schedule 25/07/2023

A pre-application enquiry was made in May 2020 and the highway authority provided advice in its consultation response to the Local Planning Authority.

The response noted that careful consideration of construction traffic routing and the size of vehicles to be used would be necessary. HGV swept path analyses would be needed and traffic management proposals along the proposed access route(s) would have to be developed. As well as safe access being required, other matters, such as the impact on public footpaths, were highlighted in the response.

The site is in a remote location and would rely on a network of minor single track country lanes for access. The M5 Motorway is identified as being the primary route for construction traffic but this is 5km distance from the application site. From the M5 it is proposed that the traffic route would use B4509 link to A38 and then northwards to Stone. Thereafter the route would be along minor roads which progressively reduce in width and standard. At Stone the route passes the local primary school, protected by a 20 mph speed limit, before it continues along the derestricted road towards Rockhampton.

This eastern part of this road is of a reasonable standard but some bends in the alignment offer very limited forward visibility and the carriageway width is not sufficient to allow two large heavy goods vehicle to pass safely or even an HGV and a car to pass satisfactorily. The width of the road reduces as it extends westwards. There are no formal passing spaces provided, and where there are occasional field access points that can be utilised by cars, these do not provide large enough areas to accommodate HGVs.

The junction with the Clapton Road is formed as a priority give way junction. The ability of this junction to cater for the movements of large HGVs has not been demonstrated and it is unlikely that such vehicles could be tracked through the junction without encroaching over the grassed verges.

Beyond that junction, the road is very narrow, around 3 metres in width, and has tight, unsighted bends that limit forward visibility. There are no opportunities for vehicles to pass and the road is wholly unsuitable for use by very large commercial HGVs. The junction of World's End Lane with the Clapton Road is formed as a minor T-junction and is unlikely to be able to accommodate large HGVs without encroachment beyond the carriageway edges. Similarly, World's End Lane is wholly unsuitable for use by a large number of commercial HGVs.

The site is located at the end of World's End Lane and is intended to be served from an existing farm access. No new or altered access arrangements have been proposed.

The local lanes as described above are used by other user groups such as pedestrians, horse riders and, notably, cyclists. The TA has given no regard to these vulnerable user groups or how they could be protected from risk.

The application comments that measures would be supported by a Traffic Management Plan (TMP) and suggests that this could be secured by a planning condition. However, no measures have been proposed or indicated and while the TA says a draft TMP has been included as Appendix 1, a Site Plan is found as Appendix 1 and a TMP has not been located.



Development Control Committee Schedule 25/07/2023

The application comments that public footpaths would be affected and some would be proposed to be diverted. However, the Construction Environmental Management Plan states that the public rights of way would be kept open where possible. No details of any proposals for stopping up, re-routing or temporary closures of footpaths have been provided. No proposals have been included for how the rights of way and their users would be protected during the construction period.

No changes should be made to any of the public rights of way direction, width, surface, signing or structures and no vehicles should be taken along or across any of the public rights of way without the prior written approval of the Gloucestershire County Council or the necessary legal process.

It is confirmed that turning space would be available within the site to allow vehicles to turn around but the internal layout has not been demonstrated. The application is submitted in Full and should include layout plans to confirm the details of the size, location and duration of use of the construction compound. Offices, welfare, storage areas, vehicle parking and turning areas and wheel washing should be identified. The locations of topsoil and subsoil that would need to be stripped from the compound area and stored during the construction period should be detailed.

It is acknowledged that during the operational stage of the development only limited access would be required by smaller vehicles and much of the maintenance could be achieved remotely. However, during the construction stage (and the decommissioning stage, which has not been considered) the traffic impact would be very significant. The impact of construction traffic was the matter of highest concern expressed during the community involvement process.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would be an unacceptable impact on highway safety and convenience and therefore recommends that this application is refused.

Historic England: (dated 22.06.2021) Thank you for your letter of 8 June 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The proposed location of this development is in proximity to a number of sensitive, designated heritage assets. These include:

The Scheduled Monument known as Moated Site in Whitcliff Deer Park, 375m south east of Comeley Farm.

The Berkeley Conservation Area, which encompasses a large number Listed Buildings of all grades;

Berkeley Castle, Grade II* Registered Park and Garden (ref: 1000755), to include Whitcliff Deer Park and Park House (Grade II).

Church of St Michael, Hill Grade II* Listed Building (ref: 1136564)

Berkeley Castle Grade II* Registered Park and Garden (RPG) comprises a medieval castle (Grade I) with terraced gardens of C17 to C20 date, adjoining Home Park, and Whitcliff Deer



Development Control Committee Schedule 25/07/2023

Park 1km to south-west. Whitcliff Deer Park, occupies a low rocky ridge, running south-west to north-east and continues to support deer herds. Open parkland slopes away off the ridge to the east and west, interspersed with mature and veteran parkland trees, and later C20 plantings. Small blocks of mixed woodland also occupy parts of the ridge. The park was likely to have been enclosed in C13 during the reign of Henry III and enlarged in C18 when a high boundary wall was constructed. This survives in part along the existing perimeter.

From the ridge along the crest of the park there are long views north-west over the River Severn, south-east to the Cotswold Edge, and north-east back to the Castle. Long distance views are also afforded to the east and west, between the woodland blocks.

Park House (listed grade II), is a crenelated tower house located on the ridge. It was built c.1800, around the same time as the kennels and stables of the Berkeley Hunt, located midway between the castle and the deer park. It is likely to have been used as a banqueting house. Visible from Berkeley Castle, it is a significant design feature within the deer park and would have provided an elevated vantage point from which to view the hunts.

A scheduled, moated site is located 400m south west of Park House and possibly marks the site of an earlier hunting lodge. The moated site is at a lower level in the Park at the head of a small valley. As such it would not have had far-reaching views out to the Severn. If it had been a hunting lodge, it could only have watched the hunt in a limited area of the Park within the small valley it lies at the head of. Its location and the fishponds suggest it was a 'manor' in its own right, perhaps pre-dating the creation of the Park. Once the Park was created and the site ended up within the Park, it may then have been used as a base for the hunt. Alternatively, it may have become the home of the person managing the fishponds, providing fish to the Castle.

Church of St Michael, Hill, associated with Hill Court, approximately 1.7km from the application site. Its principal aspect is its southern elevation with its C14 tower and spire set against a backdrop of mature trees that form the formal Gardens to Hill Court. The immediate setting of the Church is primarily one of the formal gardens and parkland associated with Hill Court and the wider rural landscape levelling to the west and the Severn Estuary beyond.

Berkeley Conservation Area is experienced from the elevated areas of Whitcliff Deer Park and its western slopes. Its position within an almost flat green agricultural landscape to the west provides its setting and contributes to its significance as a tightly-knitted town centred to the north of the castle.

These heritage assets are designated as either Grade I or II*, and as such is in the top 8% of listed buildings. Therefore, greater weight should be given to their conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

Impact

Due to current Covid restrictions we have not been able to undertake a site visit to verify the findings of the Heritage Assessment and Design and Access Statement.



Development Control Committee Schedule 25/07/2023

Whilst we appreciate that an assessment of the impact of the scheme on heritage assets has been undertaken, we consider that further evidence is required to substantiate its findings. This includes the following:

Park House - The assessment identifies that there no impact on third point views of the listed building (para 7.17 of the Heritage Assessment). However, it doesn't assess the impact of views from the building. Part of the design intention of Park House was to provide elevated views across the deer park. We consider it would be beneficial for the assessment to include a viewpoint from this location to determine if any harm is being caused to its setting.

Viewpoint 11 from Whitcliff Deer Park. This indicates the approximate extent of the application site, however it is difficult to ascertain what areas of solar panelling will and won't be visible, and the impact of the mitigation measures. To help clarify this we consider it would be beneficial to include a photomontage of the scheme from this viewpoint year 1, and year 10 when the proposed landscaping has matured. As a minimum this should be a wireframe of the site.

Views from the scheduled moated site towards the site should be assessed to confirm any impacts upon setting. It is not clear whether any of the views included in the Heritage Statement specifically includes those from the scheduled site. This required to substantiate the findings in the report that there are no harmful impacts on views.

Church of St Michael- The Heritage Statement concludes that due to the distance from the site, intervening vegetation and natural topography that there would be no setting impacts. While we have unable to undertake a site visit, the photographic evidence in Plates 11 and 12 indicate that there would be no direct impacts on the immediate setting of the church and little impact on its wider setting, which is defined by a rural landscape relatively unscathed by modern development. We are satisfied that any impacts as a result of changes to the rural landscape would not be harmful in this case.

Berkeley Conservation Area - Plate 5 in the Heritage Statement shows the visual relationship between the RPG and the Conservation Area which includes the Grade I castle and numerous other heritage assets. It would be useful for the application site to be identified and include a photomontage of the proposed development within this view, or the wider panorama to the west from this point which may well take in the application site.

Regarding other, Grade II heritage assets located much closer to the site, we advise that you seek views from your Conservation Officer.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.



Development Control Committee Schedule 25/07/2023

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

GCC Archaeologist: (10.01.22) Thank you for notifying the archaeology department that a "Written Scheme of Investigation for Archaeological trial trench evaluation", by RSK ADAS Limited, dated December 2021 has been submitted. I advise that in my view the Written Scheme of Investigation proposes an appropriate programme of archaeological work.

Once the results of the archaeological evaluation have been made available I will be happy to advise further on this application.

Conservation Officer: (14.06.22) Thank you for consulting the Conservation Officers on this matter.

We would like to offer the following comments:

Section 72(1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Section 66(1) of the Act requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, and in particular, listed buildings.

The applicants have identified all the potentially affected heritage assets and have come to conclusions as to the level of impact. I would largely agree with their assessments.

The isolated grade II farmhouses of Blisbury Farm, Comelely Farm, Bevington Farm, Dayhouse Farm together with Park House, are the nearest designated assets and these assets will retain the overwhelmingly rural nature of their surroundings. The proposal will not cause any harm to the character of the setting of these assets.

There are some particularly sensitive designated heritage assets to which I have given particular attention. These are:



Development Control Committee Schedule 25/07/2023

The Scheduled Monument known as the Moated Site in Whitcliff Deer Park. A site visit has been undertaken and consideration given to the impact the proposal may have on the Monument and the Deer Park. It is considered that the application site is located sufficiently away from these features to ensure that there are no harmful impacts on views into or out of the site. There will be a retention of the rural nature of the surroundings which characterise the setting of these assets.

Berkeley Conservation area and a large number of listed assets including Berkeley Castle, the grade II* park and garden and the grade II* Church of St Michael. These assets are approximately 3.5km from the site. The majority of land falling from the town is overwhelmingly unpopulated agricultural land; this agricultural land forms the landscape and is a significant contributor to the character and appearance of the conservation area and the designated assets.

It is considered that in medium and long-range views, the proposals would not result in the introduction of atypical, unnatural colours and forms into the verdant, pastoral surroundings of the group of highly graded listed buildings and of the conservation area.

In conclusion, I consider that there are no significant concerns over the impact on the nearby designated heritage assets. Paragraph 196 of the Framework states that any less than substantial harm should be weighed against the public benefits of the proposal.

The proposal has been considered in line with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, policies set out in the NPPF and the Stroud District Local Plan 2015, and guidance from Making Changes to Heritage Assets'- Historic England Advice Note 2.

Natural England: (2nd July 2021) Thank you for your consultation on the above dated 07 June 2021 which was received by Natural England on the same day. We are grateful for the extra time to reply.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - HABITATS REGULATIONS ASSESSMENT STAGE 2 - 'APPROPRIATE ASSESSMENT' REQUIRED

As submitted, the application could, in combination with other new residential development in the authority area, have potential significant effects on the Severn Estuary Special Protection Area (SPA). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

A Habitats Regulations Assessment (HRA) should be prepared taking account of the following reference information:

- o Identification Of Wintering Waterfowl High Tide Roosts On The Severn Estuary SSSI/SPA Phase 4 (Gloucestershire, With Part Of South Gloucestershire) (RP02966)



Development Control Committee Schedule 25/07/2023

Note - Maps 9 and 11 depict the area around the application site. Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Additional Information required - Internationally and nationally designated sites

The application site lies within 1km of a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Severn Estuary Special protection Area (SPA which is a European site. The site is also notified at an international level as the Severn Estuary Ramsar Site and at a national level as the Severn Estuary Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have². The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Further information required

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. We draw the Council's attention to recent case law³ dealing with the treatment of mitigation measures during the HRA process.

Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. We recommend you take account of the following information to help undertake an Appropriate Assessment:

In addition to the submitted ecological assessments (wintering bird survey March 2020 - ADAS) please see above (page 1) for a weblink to the most recent high tide roost report information for the locality. Please note that as part of ongoing research into the use of land outside the SPA boundary by SPA wild bird species further unpublished data has now been gathered as part of Phase 6 of the evidence gathering work for the estuary. We attach at Annex B an excerpt from the final draft of the unpublished report to help you carry out the appropriate assessment. Please re-consult us when the Appropriate Assessment is available.

Severn Estuary SSSI



Development Control Committee Schedule 25/07/2023

Our comments above in relation to the international designations for the estuary apply similarly to this SSSI.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Solar Parks - Further information

For additional information relating to Solar Parks please refer to the Technical Information Note at the link below, which provides a summary of advice about their siting, their potential impacts and mitigation requirements for the safeguarding of the natural environment.

Solar parks: maximising environmental benefits (TIN101)

Priority habitats

The entire application site is classified as 'floodplain and coastal grazing marsh' and is afforded 'priority habitat' status under the Natural Environment and Rural Communities Act 2006. Please see our advice in Annex A (overleaf) under 'Local sites and priority habitats and species'.

If you have any queries relating to the advice in this letter please contact me on xx. Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

Environmental Health: (17.10.22) I would please request a little more information in respect of potential noise impact on dwellings from the use of the development, namely:-

- a) the noise output of transformer units and any potential impact; and
- b) the noise output from the DNO compound and its potential impact.

Furthermore, I would please ask for a little more detail in respect of control of noise from "piling" during the construction process.

Public: 8 members of the public have commented upon the planning application and their comments are summarised below:

Landscape/Heritage Impact

- Concerns have been raised about the economic and visual impact on locality. In conjunction with the solar farm adjacent to it in South Gloucestershire there is concern that it will be far too large and negatively impact historical, precious and important arable land for this community.
-The development will be clearly visible from the surrounding hills on both sides of the river. Although 20 viewpoints are indicated on the map only 4 are pictures



Development Control Committee Schedule 25/07/2023

- The appraisal evaluates the impact on the landscape character and surrounding area as 'major adverse' for the lifetime of the development.
- Concern has been raised in respect of the cumulative impact of the site in relation to the adjacent proposed solar farm in South Glos. The LVA does not offer a full cumulative impact assessment. The site has a 'moderate-high sensitivity to very large-scale solar development' according to the Stroud District Renewable Energy Resources Assessment (2019)
- The two solar farms will turn the landscape into an industrial zone and will seriously impact on the ambience of the area.
- The delicate balance of a very ancient pasture/site is possibly to be destroyed.
- Concern raised about the impact upon the Severn Way

Highways:

- Concern has been raised about access to the site and the route large vehicles would take along narrow roads where there are limited passing places and the potential disruption and danger this may have
- Worldsend Lane is a single carriageway road with limited passing places
- Three residential properties rely on Worldsend Lane as the sole means of access.
- Proposed route potential for danger to other road users, pedestrians, runners, equestrians, domestic pets and wildlife
- Potential damage to road surface, request before and after surveys of the road surface
- A better option for a site access route exists along Stample Lane which is an undeveloped track. This would avoid residential properties
- The new SGS Technology College and Sabina Police Training College at Berkeley have increased local traffic flows between the A38, Ham, Hill and Clapton Road
- Weight restrictions in Berkeley High St mean more HGV traffic on the proposed route from the A38 to Ham
- Clapton Road is now part of the Sustrans national cycling route 41, risk of HGVs in relation to cyclists
- Seasonal operations/agricultural contractors are not captured by the quoted survey and farming traffic can be considerable at times
- Transport Statement is outdated (2009)
- Woodlands Farm houses a number of industrial units one of which services heavy plant
- Concern has been raised that the similar sized solar park at Upper Hill (Longlands Solar Farm in South Glos) is also being proposed. If they have the same construction period this would overload the minor roads. Alternative roads to the south would be totally unsuitable for construction traffic.
- Severn Lane used by the rescue service SARA for training. The rescue services quick access to roads saves lives

Flood Risk

- Concern has been raised over the increased risk of flooding
- Worldsend Rhyne which runs east-west and to the north of Worldsend Lane, is a conduit for surface water drainage. This has flooded previously and concerned that the size and scale of the proposed solar arrays will increase risk of flooding.
- Due to ever improving technology if approved the permitted generating capacity of the site may be achieved using fewer panels, request that consideration is given to abandoning planned development over the two fields on the extreme north-easterly corner of the site, this may reduce run-off water close to Worldsend Rhyne and reduce glint and glare



Development Control Committee Schedule 25/07/2023

-These old farms have ridge and furrow for drainage and ancient land drains, some made from oak pickled by the salt and hard as iron. This could be destroyed by piles and deep drilling

Amenity and noise

- Concern over glint and glare
- Concern over the direct view of the site
- Concerned that no noise levels have been mentioned in respect of construction. Driven piles will cause considerable noise.

Biodiversity

- The wildlife ground nesting birds, as well as the migratory species will decline
- Documented evidence of the presence of migrating Great Crested Newts in Worldsend Lane
- Flight path for wildfowl up and down the riverline to the WWT site at Slimbridge
- Impact upon deer. This has not been considered in the Ecological Impact Assessment, why has it not been assessed?

Loss of Agricultural Land

- The grade of the land is not 4 as suggested Our land is grade 3 and is used to grow arable crops and grass
- Natural England Maps show the site as being grade 3 land not the grade 4 that it has been downgraded to within the report.

Other matters:

Solar panels generate toxic waste and contain lead, cadmium, and carcinogenic chemicals which can wash into the water courses.

Not all residents consulted.

Consultee comments following the submission of additional information

Highways: (17.3.22) The following comments were received following review of the updated Transport Statement:

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection subject to conditions and financial obligations.

The justification for this decision is provided below.

This consultation response is a second response on the application following the Applicant's submission of revised information, which has included a revised Transport Statement (TS) dated September 2021.

The first response was dated 20 July 2021 and recommended a refusal of planning permission because of a number of aspects of the proposals that were considered to be unsatisfactory in highway terms.

The application did not provide details to demonstrate how the means of access to the site for the purposes of construction and decommissioning would be acceptable.



Development Control Committee Schedule 25/07/2023

It is noted that the development was previously described as comprising 95,000 modules (solar panels). The revised TS now makes reference to 98,000 modules. The increase of 3000 panels is not likely to have any significant impact in terms of highway and transportation matters, but no comment has been made within the TS to explain the increase or the effects on the development, such as the extended area included or the programme for construction. The TS continues to propose that the construction period would have a duration of 6 months.

The site is very remote from the A38 which is the nearest access to the principal highway network. While the TS states that the frequency of vehicles arriving and leaving the site will be modulated so as to be equivalent to the rate of installation of the panels, it is still difficult to consider that there would not be occasions when HGV's and other vehicles would oppose one another on the narrow lanes required to be used for access.

The construction is expected to take place over 132 working days. The delivery of 98,000 panels would therefore require a supply to the site of approximately 742 panels each day. The TS suggests that a single delivery could comprise 400 panels and on this basis 164 two-way HGV movements per month, or 8 movements per day would result. Should smaller vehicles have to be used, carrying half the number of panes, this would increase the vehicle movements to 16 per day. It is understood that vehicles delivering panels could be rigid HGV's with a length of 12 metres.

In addition, construction vehicles would be required to deliver aggregates for the building of the internal access roads. The TS notes that using 15m³ capacity lorries this would require 541 two-way vehicle movements per month for a period of two months. This equates to 25 vehicle movements per day. This simple assessment compares with the TS which at paragraph 3.4 proposes that there would be 26 HGV movements per day. Paragraph 4.2.1 notes that there would be 28 vehicle movements per day. Such vehicles would probably be 6-wheeled, around 8 metres in length and 2.5 metres in width.

These vehicle numbers above do not include other movements associated with the construction of buildings, or of staff and visitors' vehicles, or for deliveries of fuel or panel frames.

It is accepted that some of these activities may be carried out in sequence, rather than together. Nonetheless, the use of the lanes by these numbers of large, heavy commercial vehicles would inevitably result in damage, particularly to carriageway edges and verges that would be over-run where adequate width was not available for two opposing vehicles to pass one another.

The TS provides a breakdown of movements to show that, overall, there would be 26 two-way vehicle movements per day during the busiest period. Given that construction vehicles are expected to operate between 7am and 6pm but to avoid school arrival and departure periods, these movements would occur across a period of about nine hours, equating to about 3 vehicle movements per hour.

Although this does not represent an intense movement of vehicles, it is almost inevitable that vehicles travelling in opposing directions will at times meet and have to pass.



Development Control Committee Schedule 25/07/2023

The Traffic Management Plan attached as Appendix 4 to the TS describes the intended routing of vehicles travelling between the site and A38. While the TS comments that in respect of environmental effects, only 'pedestrian amenity' and 'fear and intimidation' are considered to be affected by the HGV component, the highway authority considers that with such large vehicles using unsuitable lanes with narrow carriageways and poor alignments, 'road safety' is also a real concern. The lanes should be expected to be used by people on foot and bicycle as well as by equestrians.

Appendix 3 of the TS includes drawing no 662706-10-02. This drawing indicates where passing provision for vehicles along the local roads are considered to be and the draft Traffic Management Plan (TMP) at Appendix 4 of the TS comments that swept path analysis has shown that a 12m rigid vehicle can navigate the route with multiple and frequent opportunities for oncoming cars to pass in the opposite direction.

The drawing suggests locations where passing places could be identified but details of swept path analysis have not been provided. A number of the passing locations would require temporary works. In many locations, there is very limited forward visibility towards the suggested passing places, meaning that if two vehicles were to meet within the limited road length, one vehicle would have to reverse back to the passing place.

While the provision of passing places would be required, it is not considered that they would achieve satisfactory traffic management in themselves. The draft TMP identifies a number of other control measures that would be implemented as required and the highway authority considers that these would be required.

Discussions and agreement with the highway authority would be required before the start and during the construction phase of the development to agree and maintain a final TMP and to ensure that at all times the appropriate measures were in place.

The draft TMP confirms that pre-construction and post-construction condition surveys of the minor roads used on the approach to the application site will be carried out under formal agreement with the County Council. This will include a provision for any ongoing maintenance and repair to the highway required as a result of the increased usage during construction.

The draft TMP is considered to contain robust procedures and would be required to be developed into a final agreed TMP which would be fully complied with at all times.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Prior to the commencement of the development hereby permitted, including any enabling works, a final Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority and thereafter the agreed Plan shall be fully complied with at all times during the construction and decommissioning stages of the development.



Development Control Committee Schedule 25/07/2023

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the construction phase of the development and subsequently during the decommissioning of the site.

No materials, plant, temporary structures or excavations of any kind shall be deposited / undertaken on or adjacent to any Public Right of Way that may obstruct or dissuade the public from using the Public Right of Way whilst development takes place.

No changes to any Public Right of Way direction, width, surface, signing or structures shall be made without the prior written approval of the Gloucestershire County Council or the necessary legal process.

No construction / demolition vehicle access shall be taken along or across any Public Right of Way without prior permission and appropriate safety/mitigation measures approved by the Gloucestershire County Council. Any damage to the surface of the Public Right of Way caused by such use will be the responsibility of the developer or their contractors to put right / make good to a standard required by the Gloucestershire County Council.

Reason: In the interests of the safety and amenity of users of the Rights of Way.

Informatives

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Natural England: (31.03.22) Thank you for your consultation on the above dated 26 October 2021 which was received by Natural England on the same day. We are sorry for the delay replying. This advice letter updates Natural England's position following our advice letter of 2.7.21, our email to you dated 14.3.22 and your reply dated 30.3.22.



Development Control Committee Schedule 25/07/2023

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's Advice

No objection

Based on the ecological information submitted, Natural England notes the Council's Habitats Regulations Assessment (HRA) 'screening' report and considers that the proposed development will not have significant adverse impacts on designated sites or their classified species. We therefore have no objection to the proposal.

European sites - Severn Estuary Special Protection Area including land with potential functional linkages

Mobile species - Special Areas of Conservation (SACs) are designated for rare and vulnerable habitats and species, whilst Special Protection Areas (SPAs) are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats may be used by SPA/SAC populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA/SAC species populations, and proposals affecting them may therefore have the potential to affect the European site.

Our previous advice letter dated 2.7.21 therefore advised that potential impacts from the proposal should be assessed in relation to the SPA wild birds while they are located outside the site boundary as well as within it. Based on the ecological information submitted, Natural England considers that the proposed development will not have likely significant effects on the Severn Estuary Special Protection Area and has no objection to the proposed development. This takes account of the distance between the application site and the recorded high tide roosts and the presence of intervening landscape features such as trees and hedgerows. Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

Upper Severn Estuary Site of Special Scientific Interest

Consistent with our advice on the SPA (above), based on the plans and ecological information submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

Historic England: (5.11.21) Thank you for your letter of 20 October 2021 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.



Development Control Committee Schedule 25/07/2023

Historic England Advice

At the time of the EIA application (ref 2016/0588/EIAS) we advised that we were especially concerned about the impact on views from Berkeley Castle Park and Garden. While the scoping report only looked at Designations within 1km of the site, we recommended that a 5km radius was looked at. Therefore as part of our assessment of the planning application, we have identified a series of viewpoints and visual relationships to be assessed for potential impact. While we appreciate that there may be access difficulties with some of the sites, these are key elements of setting of highly-graded heritage assets that need further assessment.

The applicant's letter notes that the council did not request these particular views to be interrogated as part of a previous pre-application submission. However, Historic England was not engaged with the pre-application process; if we had been, we would have identified the same scope of assessment that we are now advocating. Therefore, our previous advice remains valid.

Planning Legislation & Policy Context

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 194 of the NPPF, the significance of the asset's setting requires consideration. Para 199 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 200 goes on to say that clear and convincing justification is needed if there is loss or harm.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199 and 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Following the receipt of additional information the following comments have been received from consultees:



Development Control Committee Schedule 25/07/2023

Historic England: (20 02 23) Thank you for your letter of 13 February 2023 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Impact of the Proposed Development

In our previous advice of 26th June and 5th November 2021, we identified some additional viewpoints that should be assessed in terms of the impact of the proposed development within the settings of key highly graded heritage assets. These included viewpoints from Park House within the Berkeley Registered Park and Garden, the viewpoint from Whitcliff Deer Park, views from the Scheduled Moated Site in Whitcliff Deer Park, and views from Berkeley Castle.

These viewpoints with wireframes of the extent of the application site have now been provided and demonstrate that there would be either no or very limited visibility of the proposed solar array. We are therefore satisfied that any impacts would not be harmful to the significance of individual heritage assets.

Planning Legislation & Policy Context

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". When considering the current proposals, in line with Para 194 of the NPPF, the significance of the asset's setting requires consideration. Para 199 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 200 goes on to say that clear and convincing justification is needed if there is loss or harm.

Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's revised National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015 & 2017)).

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 199 and 200. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.



Development Control Committee Schedule 25/07/2023

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Biodiversity Team: (7.3.23) Please see revised consultation comments from the Biodiversity Team:

S.21/1210/FUL - Land Parcel West of Worlds End Farm, Worldsend Lane, Clapton, Berkley

Comments relate to the following documents:

Natural England Advice Letter dated 31st March 2022

ADAS ecology response dated 21st October 2021

NatureSpace Great Crested Newt District Licence Scheme - District Licence Report (September 2022)

Designated sites

Based on the ecological information submitted, Natural England agree that the Council's Habitats Regulations Assessment (HRA) screening report and concludes that the proposed development will not have significant adverse impacts on designated sites or their classified species. Therefore, there is no objection to the proposal.

Protected Species

Great Crested Newts - NatureSpace have confirmed that the proposal can be dealt with under the district level scheme. There is a requirement for three planning conditions relating to the Great Crested Newt District Licence Scheme, to be attached to the planning consent, if granted.

Farmland Birds - Skylark

Currently, no bespoke mitigation has been proposed for the loss of the Skylark nesting territories and their continued use of the site for breeding purposes appears to be left to chance. The ADAS ecology response states that skylarks 'may continue to nest around the panels or on the edge of the site', and this is based on the findings of the following two studies. Of the studies cited to support this statement, (Stotton, 2018) is interim unpublished data, and cannot be accepted as evidence. The other study (Montag, Parker and Clarkson (2016)) found that there was "no overall difference in the number of skylark territories when comparing solar plots to control plots, although one site showed a statistically significantly higher number within the control plot.

Nesting skylarks were confirmed within several of the control plots but at only one solar plot. The nest within the solar plot was located within the security fencing surrounding the array, but outside of the actual footprint of the array. The study shows that although skylarks may not nest beneath solar arrays, they do nest within solar farms, and they do incorporate solar farms into their territorial boundaries for foraging".

This suggests that Skylarks prefer the control plots for nesting but will use solar farms for foraging and will only use solar farms for nesting if there is suitable habitat and space (open aspect) for them to do so.



Development Control Committee Schedule 25/07/2023

There is a high density of Skylark (18 territories across the site), with the highest concentration in LP4, LP5 and LP7. This ground nesting bird due to its rapid decline (more than 50% in the last 25 years) is a species of high conservation concern (Red Status) and a Section 41 (NERC Act) Species of Principle Importance (Priority Species). Therefore, to ensure that skylarks continue to nest on site, adequate mitigation needs to be put in place through the provision of skylark nesting plots, which would help to address the adverse effect on breeding skylark and ensure their continued use of the site is not left to chance. The LPA now needs to see an outline skylark mitigation strategy, which meets the current RSPB's/Government advice for provision of skylark nesting plots.

Biodiversity Net Gain

An outline biodiversity Net Gain Plan has been provided; this shows that a BNG of 68.5% can be achieved on site. The applicant needs to submit the metric spreadsheet and this needs to be supported with the following information:

* A post-development landscape/biodiversity BNG plan which shows the value of the onsite habitat.

If the above information cannot be supplied, refusal will be recommended for the following reason:

* There is insufficient information to be able to adequately assess the impacts on biodiversity in accordance with policy ES6.

Environmental Health: (31.03.23) Having studied the Noise Report, the conclusions are broadly satisfactory.

However, I would recommend that we condition a further report of this type for approval prior to any use of the development to demonstrate final suitability in noise terms, accounting for the exact specifications of the equipment actually installed.

Arboricultural Officer: I am satisfied that the proposed tree protection measures are adequate to ensure retained trees and hedges on site will be adequately protected should the development be granted consent. This can be secured by a suitably worded condition. I am also satisfied that the proposed new tree and buffer planting will help screen the site and result in an increase in tree cover in the vicinity. Again, this can be secured through a suitably worded condition.

Please let me know if you would like me to suggest the wording of the conditions, otherwise I have no objections regarding this application.

Biodiversity Team: Please see revised consultation comments from the Biodiversity Team: S.21/1210/FUL - Land Parcel West of Worlds End Farm, Worldsend Lane, Clapton, Berkley
Comments relate to the following documents:
Biodiversity Net Gain Plan by ADAS (May, 2023)
Skylark Mitigation and Management Plan by ADAS (May, 2023)

Farmland Birds - Skylark

An area of land (9ha), adjacent to the east of the site will be managed for skylarks as compensation for the loss of breeding habitat on site (18 territories)



Development Control Committee Schedule 25/07/2023

Biodiversity Net Gain

A BNG site plan has been provided.

Conclusion and recommendations:

There is no ecological objection. The application is acceptable subject to the following conditions:

* No development shall take place until a Skylark Compensation and Management Plan, has been submitted to and approved in writing by the Local Planning Authority. This should be supported by agreements to guarantee third party delivery of ongoing habitat management requirements.

The Skylark Compensation and Management Plan shall include:

- i. Identification of the compensation site
- ii. Details of how the compensation site will be managed
- iii. The provision of evidence of arrangements to secure the delivery of compensation measures, including a timetable of delivery; and a management and monitoring plan (for a period of not less than 5 yrs. from the commencement of the scheme). Ecological monitoring reports should be submitted to the LPA in year 2 and year 5 yr.
- iv. Identification of persons responsible for implementing the works
- v. The inclusion of a feedback mechanism to SDC, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

* No development, site clearance, soil stripping, removal of materials shall take place until a resurvey (3 months prior to commencement of works) for badgers has been undertaken and the results have been submitted to and agreed in writing by the Local Planning Authority.

Reason: Badgers are protected under the Protection of Badgers Act 1992.

* No works shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not limited to the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of "biodiversity protection zones"
- c) Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals.
- d) Measures taken to safeguard habitats (e.g. pollution prevention, storage of materials, equipment and waste)
- e) Avoidance mitigation strategy to safeguard great crested newts, breeding birds, bats, badgers and reptiles and other mammals such as hedgehogs.
- f) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)



Development Control Committee Schedule 25/07/2023

- g) The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- h) The timing during construction when ecological or environmental specialists need to be present on site to oversee works
- i) Responsible persons and lines of communication
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- k) Use of protective fences, exclusion barriers and warning signs
- l) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reasons: To adequately demonstrate biodiversity is safeguarded as required by The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006.

* Prior to the commencement of works, a Biodiversity Net Gain/Landscape Management Plan (BNGLMP) shall be submitted to, and be approved in writing by, the local planning authority addressing how the site will be ecologically enhanced and maintained.

The BNGLMP will be based on the Biodiversity Net Gain metric calculation and supporting plans by ADAS (May,2023) and shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management
- c) Appropriate management options for achieving aims and objectives
- d) Prescription for management actions
- e) Details of biodiversity enhancements, including location of badger gates and mammal gaps.
- f) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 30-year period)
- g) Details of body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The BNGLMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to fulfil the requirements of paragraph 175 of the NPPF by ensuring that measurable biodiversity net gains are secured

GCN District Level Licencing conditions

1 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (W ML-OR112) and with the proposals detailed on plan "World's End Farm: Impact Map for great crested newt district licensing (Version 1)", dated 2nd September 2022.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence W ML-OR112.

2 No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence W ML-OR112), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with,



Development Control Committee Schedule 25/07/2023

has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence.

The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

3 No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence W ML-OR112 and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/ destructive/ night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

Reason: In order to adequately mitigate impacts on great crested newts.

Informatives:

It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence W ML-OR112) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 12 (requiring authorised developers to comply with the District Licence) and condition 17 (which requires all authorised developers to comply with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/ or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>



Development Control Committee Schedule 25/07/2023

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1).

Section 72(1).

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic sites
- CP7 - Lifetime communities.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.
- CP15 - A quality living and working countryside.
- EI12 - Promoting transport choice and accessibility.
- ES1 - Sustainable construction and design.
- ES2 - Renewable or low carbon energy generation.
- ES3 - Maintaining quality of life within our environmental limits.
- ES4 - Water resources, quality and flood risk.
- ES5 - Air quality.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES8 - Trees, hedgerows and woodlands.
- ES10 - Valuing our historic environment and assets.
- ES11 - Maintaining, restoring and regenerating the District's Canals.
- ES12 - Better design of places.

The proposal should also be considered against the guidance laid out in SPG Stroud District Landscape Assessment (2000), Heritage Strategy SPA (2018), SPD Planning Obligations (2017).

The Submission Draft Stroud District Council Local Plan and evidence base documents were submitted for examination to the Planning Inspectorate on the 25th October 2021 and it is currently going through the examination process. There are a number of Policies within this document that are of relevance to the proposal and these are listed below:

- DGP1 - Delivering Carbon Neutral by 2030
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic sites



Development Control Committee Schedule 25/07/2023

CP6 - Infrastructure and Developer Contributions
CP14 - High Quality Sustainable Development
CP15 - A quality living and working countryside
SO4 - Transport and Travel
SO5 - Climate Change and environmental limits
SO6 - Our District's distinctive qualities
EI12 - Promoting transport choice and accessibility
EI13 - Protecting and extending our walking and cycling routes
ES1 - Sustainable construction and design
ES2 - Renewable or low carbon energy generation
ES3 - Maintaining quality of life within our environmental limits
ES4 - Water Resources, quality and flood risk
ES5 - Air Quality
ES6 - Providing for biodiversity and geodiversity
ES7 - Landscape character
ES8 - Trees, hedgerows and woodlands
ES10 - Valuing our historic environment and assets
ES11 - Maintaining, restoring and regenerating the District's Canals.
ES12 - Better design of places.

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

PRINCIPLE OF DEVELOPMENT

In 2019 the Climate Change Act 2008 was amended to require all greenhouse gas emissions to be reduced to net zero by 2050. This is further supported by the Energy White Paper: Powering our Net Zero Future (2020) and the National Policy Statements (NPS) EN-1 and EN-3 (2011) and the Draft NPS for Renewable Energy Infrastructure (EN-3) (2021).

Renewable energy generation is considered to play a key role in reaching the net zero target and this national drive is material whilst considering the merits of the proposal.

The National Planning Policy Framework (NPPF) further encompasses this principle and section 14 'Meeting the challenge of climate change, flooding and coastal change' is of particular relevance. Paragraph 152 advises that the planning system should 'support renewable and low carbon energy and associated infrastructure'. Paragraph 158 of the NPPF advises that 'when determining applications for renewable and low carbon development, local planning authorities should:'

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.



Development Control Committee Schedule 25/07/2023

In line with national legislation and guidance Stroud District Council has an ambitious target of becoming carbon neutral by 2030 and this is outlined by Stroud District Council 'The 2030 Strategy, Limiting, Adapting, recovering and Responding in a Changing Climate' (2021). The carbon neutral objective is further emphasised within the Emerging Local Plan by the new core policy, DCP1 'Delivering Carbon Neutral by 2030'.

The 2030 Strategy advises that 'nationally, approximately 29% of electricity is generated from renewable sources. Within Stroud District approximately 12% energy is generated from renewable sources'. One of Stroud's Energy 2030 Stretch Goals outlined by this document is to treble this figure and it is recognised that the proposal would help achieve this target.

To help put this into context the applicant has advised that the site can power 12,501 homes annually. The Stroud District Settlement Role and Function Study Update 2018 advises that in 2018 there were 53,078 dwellings within Stroud District's area and 961 dwellings in the nearby settlement of Berkeley. The proposed solar farm at Worlds End Farm could potentially provide approximately 23 % of Stroud District's energy supply from a renewable source and significant weight must be attributed to this. The applicant has also advised that the proposal will lead to a CO2 emissions saving of 11,702 tonnes a year.

Against this background of support, the National Planning Practice Guidance (2015) advises that this 'does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.' This is further reflected by local policy ES2 entitled 'Renewable or low carbon generation' of the Adopted and Emerging Local Plan as outlined below:

Policy ES2 of the Adopted Local Plan advises that the Council will support proposals that maximise the generation of energy from renewable or low carbon sources, provided that the installation would not have significant adverse impact (either alone or cumulatively) and includes an impact statement that demonstrates the following factors:

1. The impact of the scheme, together with any cumulative impact (including associated transmission lines, buildings and access roads), on landscape character, visual amenity, water quality and flood risk, historic features and biodiversity
2. Evidence that the scheme has been designed and sited to minimise any adverse impact on the surrounding area for its effective operation
3. Any adverse impact on users and residents of the local area, including shadow flicker, air quality and noise
4. The direct benefits to the area and local community
5. Avoid the use of best and most versatile agricultural land, unless justified by clear and compelling evidence

Policy ES2 of the Emerging Local Plan advises that Decentralised renewable and low carbon energy schemes will be supported and encouraged, and will be approved where their impact is, or can be made, acceptable.

In determining applications for renewable and low carbon energy, and associated infrastructure, the following issues will be considered:



Development Control Committee Schedule 25/07/2023

- a) The contribution of the proposals, in the light of the Council's pledge to be carbon neutral by 2030, to cutting greenhouse gas emissions and decarbonising our energy system.
- b) The impact of the scheme, together with any cumulative issues, on landscape character, visual amenity, water quality and flood risk, heritage significance, recreation, biodiversity and, where appropriate, agricultural land use, aviation and telecommunications.
- c) The impact on users and residents of the local area, including where relevant, shadow flicker, air quality, vibration and noise
- d) The direct benefits to the area and local community.

Policy ES2 of the Draft Local Plan also advises that 'Ground-mounted solar energy developments are more likely to be supported in areas identified as suitable in principle as set out on the policies map. Outside these areas, applicants will need to provide a clear justification for the suitability of the chosen development site for solar development at the relevant scale. Ground-mounted solar developments are more likely to be supported if they fall within Landscape Character Areas of lower sensitivity to the relevant development scale.' It should be recognised that the site at Worldsend Farm falls within an area identified as suitable for solar developments within Appendix B of the Draft Local Plan.

Taking the above legislation, national and local policies into account, in principle the installation of a solar farm is acceptable subject to no significant effect and where any impact is identified, appropriate mitigation measures are provided. The key issues are addressed in turn below:

LANDSCAPE AND VISUAL IMPACT

The potential visual impact upon the landscape is a key consideration when assessing large scale solar installations. Introducing man-made solar photovoltaic equipment across a number of fields will have an impact upon the character of the countryside. In addition, views must be considered from the designated areas which include the Cotswold AONB (approximately 7.2km to the east of the site) and the Wye Valley AONB (approximately 8.6km to the west of the site - other side of River Severn).

The NPPF paragraph 174 seeks to ensure planning policies and decisions contribute to and enhance the local environment.

The NPPG for renewable energy (2015) advises that 'the deployment of large-scale solar farms can have a negative impact upon the rural environment, particularly in undulating landscapes'. However, the NPPG also advises that 'the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.'

The draft NPS EN-3 advises that 'existing hedges and established vegetation, including mature trees, should be retained wherever possible'. It also advises that applicant's should seek to mitigate impact through, for example screening with hedges.

Policy ES2 of the adopted Local Plan, supports renewable energy proposals, provided that the installation would not have a significant adverse impact (either alone or cumulatively) upon landscape character as outlined by criteria 1).

Policy ES7 'Landscape Character' and ES8 'Trees, hedgerows and woodlands' of both the Adopted and Emerging Local Plan are relevant. Policy ES7 of the adopted Local Plan seeks



Development Control Committee Schedule 25/07/2023

to protect landscape character and diversity and advises that development will only be permitted if the following criteria are met:

1. The location, material, scale and use are sympathetic and complement the landscape character; and
2. Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future.

Policy ES7 of the adopted Local Plan goes on to say that 'opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened. The Stroud District Landscape Assessment will be used when determining applications for development within rural areas'.

Policy ES8 'Trees, hedgerows and Woodlands' of the adopted Local Plan advises that 'development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of protected trees, hedgerows, community orchards, veteran trees or woodland (including those that are not protected but are considered to be worthy of protection) will not be permitted. Where the loss of trees is considered acceptable, adequate replacement provision will be required that utilise species that are in sympathy with the character of the existing tree species in the locality and the site.'

The Draft Local Plan, Appendix B outlines suitable areas for renewable energy (solar and wind). As highlighted above in the section entitled 'Principle' it should be noted that the site falls within an area identified as suitable land for solar development on this map.

The Stroud District Renewable Energy Resources Assessment (2019) is relevant and forms part of the evidence base for the draft Local Plan. This document has informed the Submission Policies Map E: 'Landscape sensitivity to solar and wind renewable energy development'. This document identifies the site at Worlds End Farm as a very large solar installation of between 50-100 ha and the site lies within a landscape area with a Moderate to High Sensitivity to very large solar installations.

The Stroud District Landscape Assessment SPG (2000) page 71 identifies the site as being set within the Severn Vale lowland landscapes and specifically the Severn Vale Grazing Marshes. This document advises in brief, that the area is predominantly open flat landscape with extensive views across a large scale rectilinear field pattern. There is a strong influence of water in drainage ditches, generally characterised by isolated farmhouses. One of the key priorities for action outlined by the SPD is to restrict new development in the area, and the siting of visually intrusive elements such as masts and increased number of pylons. In addition, new woodland planting should include lines of willow and alder.

LPA Officers consider that the level of impact upon the area is exacerbated by the sites position within the flood plain as the solar arrays and associated electrical equipment have been raised 1.6 metres in height in order to mitigate for potential flooding. This results in arrays standing at 3.4 metres in height and the 36 transformer stations set throughout the site would be on mounds measuring 1.6 metres in height, leading to a total height of 3.7 metres. The DNO compound and associated electrical equipment within this would be up to 8.4 metres in height.



Development Control Committee Schedule 25/07/2023

Landscape and Visual Assessment (LVA)

To address the predicted effect of the proposal upon the landscape a LVA accompanies the planning application.

The LVA outlines the methodology, details of the proposed development, relevant planning policies, the landscape character baseline and the appraisal, which describes the effects of the proposed development on the landscape and visual receptors.

An indicative landscape strategy accompanies the LVA and this seeks to retain existing trees and hedgerows within the site and along the boundaries, retain the ditches within the site, create a linear tree and shrub planting area along the eastern boundary, create a tree and shrub planting areas around the DNO compound as well as individual tree planting along the western boundary.

The LVA uses a Zone of Theoretical Visibility (ZTV) which has been created from the potential maximum height of the solar panels. The ZTV takes into account the vegetation and built features and gives a representation of where the proposed development may be seen. Figure 7 within the LVA shows the ZTV and areas where the proposal is most visible from up to 10 km away. The LVA goes on to consider the impact upon visual receptors which includes local residents, users of the road network, PRow users close to the site and on higher ground to the east and west. The impact upon these is assessed at completion and at year 15 when the landscape proposals have had the opportunity to become established.

To assist the Local Planning Authority in reviewing the submitted LVA and associated documents an independent landscape specialist was consulted from Hankinson Duckett Associates (HDA). Subsequently the LVA has been updated and some additional work has been carried out, including a section on cumulative impact, due to the site's proximity to a very large proposed solar farm in South Gloucestershire.

The specialist landscape consultant advised that from the list of designations provided, Whitcliff Park, which is part of Berkeley Castle registered park and garden, which is on elevated ground of the Triassic Ridge and the internationally designated Severn Estuary have the greatest relevance.

The LVA advises that 'the site sits on an area of low ground along the valley floor' and the specialist landscape consultant has commented that the advantages of a flat landscape are that even low hedges have the ability to block views. However, any elevation of viewpoints, such as from the Triassic Ridge means that views across the site are possible. The consultant has also advised that the landscape has experienced very little change historically and the site is in a remote location.

The LVA advises that the change in character of the site and its immediate context (within 500 metres) will be major adverse due to the change from a pasture field to a solar farm. The level of effect assessed is large at completion and year 15. The specialist landscape consultant has advised that the effect of the proposed development is thus significant and material in determining the planning application. The consultant has stated it is acknowledged 'that there would be significant detrimental landscape and visual effects arising from the proposed



Development Control Committee Schedule 25/07/2023

development.' It must therefore be recognised that there is a degree of conflict with Policy ES7 of the Local Plan.

The LVA advises that views of the site are generally restricted to within 2km and areas of high ground to the east and west. The impact upon viewpoints and visual receptors varies with the highest level of impact identified as major adverse. This is mainly at locations in proximity to the site, for instance Worldsend Lane and PROW within the site. However, at year 15 there is a reduced impact to these following the establishment of mitigation planting.

The consultant agrees that the proposed development is unlikely to have an effect on the landscape character of the larger geographical areas, such as the Berkeley Pill Riverine Farmland and the Severn Vale Grazing Marshes, although the impact will be higher than that of slight adverse as identified by the LVA. Of note, the effects upon the Triassic Ridge where Whitcliff Park is situated is assessed as having a negligible adverse magnitude of change which reduces to slight at completion and year 15.

Whilst it is acknowledged that there will be a significant adverse or large impact to the site and immediate area (500 metres) this is considered to be localised. Due to the remote location and the flat topography of the site and the surrounding higher landforms any wider impact is considered to be limited and the proposed landscape strategy will help mitigate the impact of the development. At year 15 any impact upon viewpoints and visual receptors will in the main be reduced.

It should be noted that during the application process buffer planting has been increased and an area of panels has also been omitted in the southern area next to the PROW within the site. This is considered to further help mitigate the impact of development. Whilst it is recognised that there is a large, localised impact within 500 metres of the site this must be weighed against the public benefits of renewable energy generation. This is considered in more detail within the recommendation and planning balance section of the report.

AONB

With regards to landscape designations, due to the high sensitivity of the Cotswold AONB (7.2km to the east) a negligible adverse magnitude of change is identified with a slight level of effect at completion and year 15 by the LVA.

Due to the large separation distance to the Wye Valley AONB (8.6km to the west) the LVA advised that there is very limited visibility between the AONB and the site. As such any impact was not considered further. The LVA has been reviewed and the consultant largely agreed with the report. As such it is not considered that the proposal would result in an unacceptable impact to the Cotswold or Wye Valley AONB and in this regard accords with Policy ES7 and ES2 of the Local Plan 2015.

Residential properties

The LVA identifies a number of nearby properties as well as the impact upon settlements and assesses the visual impact upon receptors from these.

The properties considered were:



Development Control Committee Schedule 25/07/2023

- Worldsend Farm -level of effect moderate at completion and year 15
- Worldsend Cottage -level of effect slight at completion and year 15
- Severn House Farm - level of effect slight at completion and year 15
- Blisbury Farm- level of effect moderate at completion and year 15
- Properties around Clapton Farm, Willis Elm Farm, Severn House and New Elm - at completion moderate effect, although in 15 years reduced to slight
- Properties around Pottinger's Farm and Windrush- At completion effect is moderate and at year 15 this reduces to slight
- Properties around Manor Cottages - At completion effect is moderate and at year 15 this reduces to slight
- Dayhouse Farm and Tranton Cottage - level of effect slight at completion and year 15

On balance the level of impact identified is not considered to be so significant as to warrant refusal and mitigation measures in the form of landscaping will help reduce the impact in a number of cases.

i/ Vegetation, Trees and Hedgerows

It is recognised that access points and roads around the site will result in the removal of some existing hedgerow and vegetation. However, this is mitigated for by the proposed buffer and tree planting as shown on the proposed landscape drawing.

The LPAs Tree Officer has reviewed the Arboricultural Report and has advised that the measures are adequate to ensure retained trees and hedges on site will be protected. In addition, the Officer is satisfied that the proposed new tree and buffer planting will help screen the site and result in an increase in tree cover in the vicinity. Conditions have been recommended at the end of this report in respect of tree protection measures and mitigation planting. Subject to these the proposal is considered to accord with Policy ES8 of the adopted Local Plan.

It should also be highlighted that the solar arrays and associated equipment would sit within the existing field pattern and additional planting would reinforce these boundaries and hedgerows. Policy ES7 2) of the adopted Local Plan seeks natural features that contribute to landscape character to be retained and managed appropriately. A Landscape and Ecology Management Plan (LEMP) is sought via planning condition and this addresses this criterion in accordance with Policy ES7 2) of the adopted Local Plan.

i/ Cumulative Impact

Policy ES2 of the emerging and adopted Local Plan seeks to ensure that the proposed installation would not have a significant adverse impact either alone or cumulatively. It is acknowledged that the cumulative impact of solar installations within the Severn Vale is an important consideration.

Following the Landscape consultant's response, the LVA has been updated to include a section on cumulative impact.



Development Control Committee Schedule 25/07/2023

The document identifies a number of similar proposals within the wider area. However, the document indicates that of particular relevance is the adjoining site, which is set within the adjacent authority, South Gloucestershire. At the time of writing the planning application is currently being dealt with by the adjacent authority for the installation of a 49.9 MW ground mounted solar farm at Land at Hill Court Farm, Upper Hill reference P22/05462/F on approximately 72.5 hectares of land. In addition, a solar farm (42.30 hectares) proposed at Woodlands Farm, planning application reference: S.22/1955/FUL, which is currently pending determination is also important when considering cumulative impacts.

The amended LVA advises that these two sites would be the only renewable energy proposals which would generate any cumulative landscape and visual effects. LPA Officer's agree with this due to the separation distance to other solar installations. The revised LVA considers the effects as a worst-case scenario with all three sites being constructed.

The assessment looks at combined views and where the sites would be seen in succession and the impact upon the visual receptor. The document advises that cumulative visual effects are on the whole limited to combined and sequential views from the visual receptors directly around the site and from the rising ground of the Triassic Ridge to the east. The document advises that these sites would not increase the level of visual effect beyond that already assessed for Worlds End Farm.

LPA Officer's consider that limited weight can be applied to the adjacent solar farm in South Gloucestershire and any cumulative impact within the overall planning balance, as this planning application has not as yet been determined. This is also true of the site proposed at Woodlands Farm reference S.22/1955/FUL, although it is noted that there is a greater separation distance between these sites. The retention of the existing field pattern and the enhancement of existing hedgerows and additional planting will also help reduce the potential cumulative impact.

AGRICULTURAL CLASSIFICATION

The NPPF paragraph 174 seeks to ensure that policies and decisions recognise the 'economic and other benefits of the best and most versatile agricultural land'. The best and most versatile land is defined as grade 1, 2 and subdivision 3a. The PPG 'Renewable and low carbon energy' (2015) also encourages the use of poorer quality land.

Local Policy ES2 5) of the Adopted Local Plan seeks to avoid the use of the best and most versatile agricultural land for renewable energy generation. However, whilst the Emerging Plan currently carries limited weight it should be recognised that revised Policy ES2 is not as stringent with regards to the avoidance of using higher grade agricultural land, however, it does expect any impact upon agricultural land to be considered by criterion b).

It is recognised that the development of this site will lead to the loss of agricultural land which measures approximately 64 hectares in area for a period of up to 45 years.

Natural England's Land Classification Map for the South West Region indicates that the site lies within an area of land which is either good to moderate grade 3. However, it is recognised that these maps are not suitable for site specific classification and tests are required to determine the land quality.



Development Control Committee Schedule 25/07/2023

An Agricultural Land Classification document has been submitted to support the application. The fields are currently used for arable crops and for the grazing of cattle. The Agricultural Land Classification document advises that a survey has been undertaken for 57 hectares of land and advises that the soils are agricultural grade 4 land. The main limitation relates to the soil wetness and the soil is slowly permeable and stoneless with silty clay top soils.

Grade 4 agricultural land is defined as poor quality agricultural land which has severe limitation which significantly restrict the range of crops or level of yields.

The supporting document advises that 7.62 hectares of the site has not been surveyed. During the application process the red line has been altered slightly to include an additional strip of land for mitigation planting along the eastern boundary and around the substation as well as an additional access track. This forms the area of land which has not been surveyed. The supporting document has been updated to refer to the 7.62 hectares and advises that it is likely that this area would be of the same grading. As the area not surveyed has been included following discussion with LPA Officers to help mitigate the impact of development and as the supporting document considers that it is likely that the land would be of the same grading, on balance, its loss is considered acceptable and its inclusion will help mitigate the impact of the development.

The loss of 57 hectares of grade 4 agricultural land and 7.62 hectares of land which has not been surveyed must be weighed against the public benefits of the proposal. In this instance, there are significant benefits to renewable energy generation and meeting carbon neutral targets as well as energy security which aligns with the economic and carbon neutral objective of the development plan. In addition, the development has a lifespan of 45 years. Whilst this is a significant amount of time, in the future the land will be returned to its former agricultural use. As such, on balance, the temporary loss of grade 4 agricultural land and the loss of a smaller area of land that's not been surveyed is considered acceptable in respect of the NPPF and Policy ES2 of the adopted and draft Local Plan.

RESIDENTIAL AMENITY

Policy ES2, ES3 and CP14 of the Adopted and Emerging Local Plan are relevant and seek to ensure development proposals do not have an adverse impact upon residential amenity. The panels and associated equipment are considered to be set a sufficient distance away from residential properties so as not to be overbearing or cause loss of light.

A glint and glare report supports the application. Glint and glare relates to both flashes of bright light and a continuous source of bright light from reflective surfaces. The supporting document focusses upon the potential impact upon dwellings and road users. It should be noted that this document has been amended during the application process to advise that the panel's height is 3.4 metres following comments made by LPA Officers. The document advises that the results of modelling are not predicted to change in respect of this height increase.

The report considered dwellings that are within or close to one kilometre of the proposed development and have a potential view of the panels. In total six dwelling receptors have been identified which meet this criterion. As the panels are south facing these dwelling receptors are set to the east, south east and south west of the site. The document identifies screening in the



Development Control Committee Schedule 25/07/2023

forms of vegetation and/or buildings. It then goes on to say that a low impact is expected to five of the six dwellings with no impact to one property. As no significant impact is expected the document advises that no further mitigation is recommended.

It is therefore recognised that solar reflections may affect a small number of dwellings, however, the impact is considered to be limited in terms of the amount of time that it would be experienced for. This is below 30 minutes per day at certain times of the year. As such, it is not considered that the proposal would lead to a level of harm which would warrant refusal in accordance with Policy ES2 3), ES3 1) and CP14 7) of the adopted Local Plan.

Consideration to the impact of reflections upon road users is considered under the highways section of this report.

NOISE

The NPPF seeks to ensure development proposals do not give rise to significant impacts from noise. Policy ES2, ES3 1) and CP14 2) of both the Adopted and Draft Local Plan further amplify this and advise that permission will not be granted where there is an unacceptable level of noise pollution. It should also be recognised that the granting of planning permission does not override noise nuisance legislation.

It is recognised that construction works will generate noise in respect of construction vehicles and from piling and residents have raised concerns in relation to this. However, any noise generated during construction will only be for a temporary period of time, of approximately 6 months, and subject to a condition restricting construction hours, on balance it is considered that this can be adequately mitigated in accordance with the NPPF paragraph 158.

During the application process LPA Officers have requested further information in respect of potential operational noise that may be generated from the site. To support the application a noise impact assessment has been submitted. This document looks at the existing noise levels at the nearest site receptors and predicts the noise levels once the site is operational. It concludes that the proposed development is in line with relevant standards and guidance and there is a positive indication that noise from the proposed development would have a low impact.

The noise impact assessment has been reviewed by Environmental Health Officers who have advised that the conclusions of the report are broadly satisfactory. They have recommended that a further report is submitted prior to the use of the development which accounts for the exact specifications of the equipment installed. Following this advice LPA Officers have recommended a condition to ensure an additional noise report is submitted.

On this basis it is considered that the proposal is unlikely to result in adverse or significant impacts in relation to noise pollution subject to the recommended conditions and as such the proposal complies with Policies ES3 1) and CP14 2) of the Local and Emerging Local Plan.

HIGHWAYS

A key consideration relates to the potential impact upon highway safety and road users in the wider area. Paragraph 110 of the NPPF advises that when considering development proposals, the following should be ensured:



Development Control Committee Schedule 25/07/2023

- a) Appropriate opportunities to promote sustainable transport modes can be -or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users;
- c) The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The NPPF paragraph 111 goes on to say that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Policy ES2 of the emerging and adopted Local Plan seeks to avoid any adverse impact on users and residents of the local area. Policy ES3 criteria 5) looks to ensure permission is not granted which would have a detrimental impact on highway safety. It is noted that a large number of public comments raise concern about the suitability of local roads and highway safety.

A Transport Statement accompanies the application and the Local Highway Authority have been consulted on this application. Following amendments the LHA have raised no objection to the proposal subject to conditions and financial obligations.

It has been highlighted that the site is relatively remote from the A38 and that narrow lanes would be used for construction traffic. Construction traffic would leave the M5, east of the site and join the A38 until Stone. Traffic would eventually go along Clapton Road, a rural single carriageway before entering Worlds End Lane, a rural single lane carriageway.

It is anticipated that there could be 26 to 28 HGV movements per day if work was to take place over a 6 month period and the LHA has advised that this could lead to damage to carriageways. The LHA has recommended a number of conditions which include a review of any temporary traffic management measures that might be required. An informative has also been recommended which advises that under Section 59 of the Highways Act 1980 the Highway Authority can recover additional costs of road maintenance due to damage by extraordinary traffic.

LHA Officers have also advised that with large vehicles using unsuitable lanes with narrow carriageways road safety is a concern. The Transport Statement suggests locations where passing places could be identified, although LHA Officers have advised that a number of these would require temporary works. Detailed discussions and agreement with the Local Highway Authority would therefore be required prior to construction works to ensure appropriate measures were put in place.

Whilst it is therefore recognised that the proposal will impact upon local roads during construction, this would only be for a temporary period of time and subject to mitigation measures such as improved passing places and other control measures to be discussed with



Development Control Committee Schedule 25/07/2023

highways, it is not considered that the proposal would have a long-term detrimental impact upon the surrounding area which would warrant refusal.

Once operational, associated vehicular movements involved in the maintenance and running of the site are unlikely to have a significant impact upon local roads. As such, on balance and subject to condition the proposal is considered to accord with Policy ES2 and ES3 5) of the adopted Local Plan.

Reflections from solar panels

Consideration must also be given to the potential impact upon highway safety once the site is operational. The Glint and Glare study which has been submitted with the application has made an assessment of potential glint and glare upon roads which are within, or close to one kilometre of the proposed development and have a potential view of roads. This report advises that reflections towards road receptors are possible and any reflection can last up to 10 minutes per day. No or a low impact is predicted and as such no mitigation is required. LPA Officers are satisfied with this report and Highways have raised no objection with regards to highway safety.

Public Rights of Way (PROW)

The site has three public rights of way which enter the parcel of land. Ham and Stone footpath 13 runs along an existing field boundary of the site, although it ends within the site. Footpath 15 is set in the southern area of the site and this joins the ham and Stone bridleway number 16 forming a loop. The proposal originally sought to divert these footpaths, however, the revised layout seeks to retain the position of the footpaths on the site.

The Local Highway Authority have recommended a planning condition in respect of PROWs which seeks to protect these routes. Subject to condition it is considered the PROWs in proximity to and within the site shall remain accessible.

Decommissioning

Policy ES2 of the adopted Local Plan advises that 'where appropriate, provision should be made for the removal of the facilities and reinstatement of the site should it cease to be operational.'

Improved technologies have increased the lifespan of solar panels and as such planning permission is sought for a period of 45 years. After this date, or if operations at the site cease to be operational for a period exceeding six months, a condition in line with Policy ES2, is recommended to ensure that the site is decommissioned and returned to its former use. Highways comments (17.03.2022) have also recommended a condition requiring a traffic management plan to be submitted and approved in writing by the Local Planning Authority. This plan would then have to be adhered to throughout construction and decommissioning stages.

It is recognised that there will be a temporary impact upon road users and residents during construction and decommissioning works. However, subject to conditions it is not considered that the proposed development would have a significant or severe impact upon the local road network, PROWs or highway safety. This aspect of the proposal is therefore considered to



Development Control Committee Schedule 25/07/2023

accord with the provisions of the development plan and specifically Policy ES3 5) and ES2 1) of the adopted Local Plan.

CONTAMINATED LAND

The site is considered to be greenfield land and no historic landfill sites are shown as being in proximity to the site.

ECOLOGY

As outlined within the site description the site is set in proximity to a number of highly sensitive designated ecological sites and at its closest point is set approximately 600 metres from the River Severn Estuary, the Severn Estuary RAMSAR, Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Special Protection Areas (SPAs). The site also lies within the Severn Estuary SAC/SPA linear buffer.

Section 15 of the NPPF 'Conserving and enhancing the natural environment' is of relevance. Paragraph 174 seeks to ensure planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 180 of the NPPF goes on to list four key principles which should be followed by local authorities when determining a planning application in relation to habitats and biodiversity.

At a local level the key policy is ES6 'Providing for biodiversity and geodiversity' of the adopted and emerging Local Plan. Policy ES2 1) and ES2 b) respectively are relevant when considering this proposal.

Initially an Ecological Impact Assessment and surveys relating to birds accompanied the planning application and the Biodiversity Team requested additional information during the course of the application.

Upon the receipt of additional information the LPA has undertaken an Appropriate Assessment with regards to Wintering SPA qualifying species in accordance with the Conservation of Habitats and Species Regulations 2017. This assessment has been reviewed by Natural England who agree with the LPA that the development will not have significant adverse impacts on designated sites or their classified species. As such there is no objection to the proposal from Natural England or the Biodiversity Team subject to the conditions which have been recommended.

The proposed development incorporates mammal gaps in fences and it is considered that the proposed planting will lead to biodiversity net gain at the site in accordance with Policy ES6 of the Local Plan. Conditions are recommended in respect of construction work and securing ecological mitigation measures at the site.

Great Crested Newts

The applicant has used the NatureSpace District Licencing scheme in respect of GCNs. This scheme enables money to go directly into habitat creation off site for GCNs. Conditions have been recommended by NatureSpace in respect of mitigating for GCNs on this site and these are available to view at the end of this report.



Development Control Committee Schedule 25/07/2023

Farmland bird species

The site is used by Linnet and Skylark bird species. The Biodiversity Team have advised that Linnet are a hedgerow species and the mitigation measures proposed should improve the habitat for this species of bird. However, Skylark nest in more open crop land and it is recognised that the proposal has the potential to impact upon this species. The applicant is proposing offsite Skylark mitigation measures within fields adjacent to the site as outlined by the Skylark Mitigation and Management Plan which has been submitted to support the application. The Biodiversity Team are satisfied with the proposed mitigation measures and one of the recommended conditions seeks to secure the suitable management of the adjacent parcel of land identified for Skylarks.

FLOOD RISK

The NPPF paragraph 159 advises that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

The NPPF paragraph 162, advises that 'The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.'

Policy ES4 'Water resources, quality and flood risk' is relevant and this seeks to ensure consideration is given to the sequential test and that proposals are safe and do not increase flood risk elsewhere.

The application site is set wholly within Flood Zone 3 which is an area recognised as being susceptible to flooding. To support the application a Flood Risk Assessment has been submitted. This document advises that tidal flooding is the principal source of flood risk at the site and climate change increases this risk.

In accordance with the NPPF and Policy ES4 the sequential test should be applied to steer development into areas with the lowest risk of flooding from any source. If it is not possible for the development to be located within areas with a lower risk of flooding the exception test is then applied.

In order to meet the exception test the application would need to demonstrate both of the following as outlined by paragraph 164 of the NPPF:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The supporting Flood Risk Assessment document advises that in terms of the sequential test this is the only suitable site for the solar farm as it is next to the substation. The applicant has then applied the exception test and refers to the NPPF Annex 3 Flood risk vulnerability



Development Control Committee Schedule 25/07/2023

classification which advises that solar farms are essential infrastructure and as such in respect of the exception test are acceptable.

LPA Officers have reviewed the sequential test and requested further justification for the siting of the solar farm in respect of the grid connection and sequential test as the substation forms part of the application. The applicant has advised that they are allocated Points of Connection by the DNOs and in this instance they have located the substation as close to the pylon to avoid any electrical ramifications as well as reducing the impact on the land by a lengthy dig. They have advised that the substation also constitutes 'essential infrastructure'.

On balance, following the submission of this additional information providing justification for siting the substation and point of connection in this location, LPA Officers are satisfied that the sequential test has been carried out.

In respect of paragraph 164 of the NPPF exception test criteria a) it is considered that the development would provide wider sustainability benefits to the community in terms of renewable energy generation which will reduce reliance upon fossil fuels and help meet carbon neutral targets set both nationally and locally.

In terms of the exception test criteria b) consideration must be given to the safety of the development. A number of mitigation measures have been taken to mitigate the risk of flooding. The solar arrays are higher than average with a height of 3.6 metres (set 1.6m up). The transformer stations which are positioned throughout the site are also positioned on mounds so that the finished floor level is 1.6 metres above ground level. The substation and associated electrical equipment, switch room and DNO operator room are also raised by 1.6 metres. It is recognised that the flood mitigation measures which have consisted of raising structures, panels and electrical equipment by 1.6 metres throughout the site will have an additional visual impact which has been considered within the above section entitled landscape and visual amenity.

The Lead Local Flood Authority have been consulted on the application and they have advised that the development will not increase flood risk and will manage surface water where necessary. On this basis no objection has been raised. It is also recognised that there is a low vulnerability of users of the development. On this basis LPA Officers are satisfied that criteria b) has also been satisfied. The proposal is therefore considered to comply with the NPPF and Policy ES4 of the adopted Local Plan.

HERITAGE ASSETS & ARCHAEOLOGY

A key consideration relates to the potential impact of the proposal upon designated and non-designated heritage assets including any archaeological interest. As defined by the NPPF paragraph 189 'heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites'.

Paragraph 194 of the NPPF advises 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'.



Development Control Committee Schedule 25/07/2023

Policy ES10 'Valuing our historic environment and assets' of the Local Plan is relevant. This policy advises seeks to preserve and where possible enhance heritage assets. In accordance with the development plan a Heritage Statement and archaeological Geophysical Assessment accompanies the planning application.

The Heritage Statement looks to assess the potential impact that the proposed development would have upon the historic environment in this location. The assessment encompassed an outer study area of up to 5 km and an inner study area of 1 km. The assessment advises that due to the nature of the topography surrounding the site, impacts upon designated assets will not extend beyond 5 km from the site.

The assessment identifies three key designated heritage assets in the outer study area as requiring more detailed assessment. These were:

- *Grade II* Berkeley Castle Registered Park and Garden
- *Grade II* Listed Church of St Michael
- *Berkeley Conservation Area

The Grade II* Berkeley Castle Park and Garden's is also known as Whitcliff Park and is the deer park for Berkeley Castle and is located approximately 1km to the south west of the castle. Whitcliff Park holds an elevated position in the area and a moated site within the park is a scheduled monument. The main impact upon this heritage asset are from the southern end of the park looking west across the river Severn. The only mitigation measures proposed in respect of this relate to hedgerow and tree planting on the landscape masterplan.

The Berkeley Conservation Area is approximately 3.5km away from the site and the zone of theoretical visibility indicates that there will be no views of the development from this Conservation Area due to the natural topography.

The grade II* Church of St Michael is located 1.7 km to the south of the site. The Heritage Statement advises that there will be no setting impacts from the proposed development to the Church.

Appendix 1 of the Heritage Statement outlines the designated heritage assets within the study area and the residual impact of the proposal upon these assets. This indicates no change impact for all 332 heritage assets identified. The Statement also contains maps illustrating the study zones and positions of assets as well as photographs from the key heritage assets identified.

The Heritage Statement has been independently reviewed by the LPAs Conservation Team and Historic England.

Historic England initially raised concerns on heritage grounds and requested further information in respect of the impact upon Park House, a crenelated tower house located on the ridge within Whitcliff Park. It was also requested that viewpoint 11 within Whitcliff Deer Park was further clarified and a viewpoint taken at year one and year ten once planting has become established. They also advised that views from the moated site should also be assessed and further information was requested in respect of Berkeley Conservation Area.



Development Control Committee Schedule 25/07/2023

The applicant has sought to address the comments received from Historic England and provided additional information which includes viewpoints with wireframes showing the extent of the application site. Historic England have been re-consulted and they have advised that the additional information supplied demonstrates that there would either be no visibility or very limited visibility of the proposed solar array. They are satisfied that any impacts would not be harmful to the significance of individual heritage assets and have raised no objection to the proposal.

The Conservation Officer has advised that they largely agree with the assessments made within the heritage statement. In relation to the isolated grade II farmhouses of Blisbury Farm, Comelly Farm, Bevington Farm, Dayhouse Farm together with Park House, the Conservation Officer has advised that they will retain the overwhelmingly rural nature of their surroundings and the proposal will not harm the character of their settings. In relation to the sensitive designations considered in detail by the Heritage Statement the Conservation Officer has advised that there are no significant concerns over the impact on the nearby heritage assets.

Paragraph 202 of the NPPF advises 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'.

Policy ES10 'Valuing our historic environment and assets' seeks to preserve, protect or enhance Stroud District's historic environment. Criterion 5) advises that 'Any harm or loss would require clear and convincing justification to the relevant decision-maker as to why the heritage interested should be overridden'.

In this instance, the public benefits include renewable energy generation which would provide clean power and significantly contribute to meeting the carbon neutral targets set both nationally and locally. Specialist consultees have advised that there are no significant concerns over the impact upon nearby heritage assets and that any impacts would not be harmful to the significance of assets. The level of harm upon heritage assets is therefore considered to be small or less than substantial and is outweighed by the public benefits of the proposal. As such accords with Policy ES10 5) and ES2 of the adopted and Draft Local Plan.

Archaeology

An Archaeological Desk-Based Assessment initially accompanied the application. This document advised that there is potential for unknown buried archaeological remains to be present on the site and there is a high potential for groundworks to impact any surviving buried remains.

The County Archaeologist reviewed the desk-based assessment and advised that the proposed development is within an area of archaeological interest and that 'The site includes an undated rabbit warren, a couple of levelled earthworks, an early medieval find spot and medieval-post-medieval ridge and furrow remains. Immediately to the north and west of the site are the recorded remains of a substantial Roman settlement and kiln site.'

An Archaeological Geophysical Assessment was subsequently submitted in September 2021 to address the comments received from the County Archaeologist. This document advises that



Development Control Committee Schedule 25/07/2023

sinuous, broad geological trends are evident in all fields within the Proposed Development Area (PDA). 'Linear anomalies indicative of ridge and furrow cultivation, former boundaries and regular patterns of field drains attest to agricultural activity from the post-medieval period onwards'. The document concludes that the 'PDA is assessed as of low archaeological potential'.

In December 2021 an Archaeological Written Scheme of Investigation was also submitted providing detailed advice on how trial trenching would be undertaken at the site and this also details the procedures in place in case of an unexpected complex discovery. An archaeological report would then be published and sent to relevant parties. The County Archaeologist advised that they were happy with the written scheme of investigation and recommended that trial trenching was undertaken during the planning application process.

Paragraphs 194 and 195 of the NPPF as outlined below make it clear the need to undertake the necessary field evaluation prior to determination:-

194. 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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

For a development proposal of this size in a location which may be archaeologically sensitive, following the advice given by the County Archaeologist, LPA Officer's requested field evaluation in the form of trial trenching to be carried out at the site in accordance with the written scheme of investigation that was submitted with the application.

The applicant put forward a case advising that due to the prevalence of Black-grass at the site, a weed which can seriously reduce crop yields, if trial trenching was carried out at the site this would lead to further spread of the weed. A supporting letter from a Senior Weed Specialist was submitted advising that if the site is subject to trial trenching then this would spread black-grass throughout the site and would cause a significant economic loss to the landowner. The supporting letter has put forward the case that without a valid planning permission it would be unreasonable for the landowner to incur a significant loss in their farm income through trial trenching. Further supporting evidence has been submitted in the form of black-grass treatments that have taken place at the site and an email from the land-owners agronomist.

It must be stressed that normally trial trenching would be required prior to the determination of an application of this size and scale within an area where there is the potential for archaeology.



Development Control Committee Schedule 25/07/2023

However, following the submission of the supporting letter and evidence of weed treatments at the site, in this instance it is considered that exceptional site-specific circumstances have been demonstrated by the applicant. In this instance it has been shown that trial trenching prior to planning approval may lead the landowner to incur loss in income.

The site-specific evidence of black-grass must be balanced against the archaeological risk. It is considered that in this instance a pre-commencement condition can adequately mitigate for the potential of archaeology at the site whilst ensuring that archaeological work is carried out prior to development. The pre-commencement condition has been recommended by the County Archaeologist following discussion. It should be noted that this approach carries an element of risk for the applicant. If archaeology is found at the site, alterations to the scheme may be required. For instance, pile driven foundations may not be appropriate in some locations at the site. The applicant has been advised that a formal application would be required to deal with any layout changes and depending upon how significant these are it may be possible for this to be dealt with via a S73 variation of condition application.

On balance, subject to a pre-commencement condition, it is considered that archaeology can be protected at the site and as such the proposal complies with Policy ES2 and ES10 of the Local Plan.

OBLIGATIONS

The Local Planning Authority does not seek financial obligations from the type of development proposed. Whilst understanding that any possible community fund might be desirable and provide benefit to the local community it is not considered compliant with the Community Infrastructure Levy Regulations 2010 (as amended) and would not meet the tests of a planning obligation to be necessary, directly relevant in planning terms and fair and reasonable. It can therefore not be required under planning law and should not be given weight either in its presence or absence when considering the planning balance of the planning application.

OTHER MATTERS

Community Benefit

Policy ES2 4) of the Local Plan seeks proposals to demonstrate 'the direct benefits to the area and local community'. Renewable energy generation has wider benefits locally and nationally in respect of reducing reliance upon fossil fuels and providing 'clean' energy. The applicant has advised that in terms of social and economic benefit they will wherever possible look to use local suppliers and that the scheme will offer short and long term job opportunities. The scheme will also provide approximately £120,000 in business rates every year. In addition, they have advised that there are local benefits in respect of biodiversity net gain at the site.

Fire Risk

Fire risk is a concern which is often raised locally in respect of solar arrays. During the application process LPA Officers have requested details in respect of how any fire risk might be managed at the site. The applicant has submitted an example fire risk assessment to show that consideration has been given to this aspect. The Fire Service have been consulted on the application and this document, although no comments were received.



Development Control Committee Schedule 25/07/2023

LPA Officers have recommended a condition in respect of ensuring the submission of a Solar Farm Fire Management Plan prior to energy first being transferred from/to the grid. It is considered that this will ensure early engagement with the Fire Service and help minimise the risk of fire and ensure a fast response time to incidents. On balance, the low risk of fire is considered to be outweighed by the public benefits of the proposal which supports renewable energy generation and reduces reliance on fossil fuels, thereby helping to achieve carbon neutral targets at local and national level.

REVIEW OF CONSULTATION RESPONSES

It is considered that the comments received have been addressed within the main body of the report.

PLANNING BALANCE AND RECOMMENDATION

In terms of Government policies on climate change and Stroud District Council's target of becoming carbon neutral by 2030, it must be recognised that the proposal would make a substantial contribution towards meeting this ambition through renewable energy generation and storage by providing power to approximately 12,501 homes annually. Paragraph 158 of the NPPF advises that when determining applications for renewable and low carbon development, local planning authorities should '*approve the application if its impacts are (or can be made) acceptable.*'

This is a very large solar installation, and the key concern relates to the potential impact upon the landscape and visual amenity of the area. It is recognised that there will be a long-term large impact at the site and within 500 metres and it is considered that this is exacerbated by the height of the structures and associated electrical equipment which have been raised due to the site's location in Flood Zone 3. However, the site is relatively flat and set in a relatively remote location within the District and it must be recognised that the surrounding land forms, which include the Triassic ridge where Whitcliff Park is situated, help minimise the proposals impact upon the wider landscape character areas. During the application process additional planting has been secured and it is considered that this will help reduce the impact of the development from a number of viewpoints within 15 years once planting has become established.

It is noted that there are heritage assets in the surrounding area and of particular importance is Whitcliff Deer Park which is set at an elevated height to the site approximately 1km away. However, both Historic England and the LPAs Conservation Officer have advised that the proposal will not be harmful to the setting of the park or other heritage assets in the area due to limited visibility in accordance with Policy ES2 and ES10 of the Local Plan.

It is recognised that there may be a temporary adverse impact upon the highway during construction works due to the narrow nature of the local road network. However, the LHA have recommended conditions/informatives and subject to these it is considered that construction work can be effectively managed so that vehicle movements do not result in a significant adverse impact in accordance with Policy ES2. Once operational vehicle movements will be low and will not adversely harm the area.



Development Control Committee Schedule 25/07/2023

Other aspects such as the impact upon residential amenity in terms of visual effect and noise, archaeology, flooding, ecology and fire risk on balance are considered acceptable and any impact can be mitigated for by planning condition in accordance with Policy ES2 of the Local Plan.

The sites proximity to an adjacent proposed solar farm within South Gloucestershire and the site at Woodlands Farm are acknowledged. However, limited weight can at present be attributed to any cumulative impact as these proposals do not benefit from planning permission at this time.

Whilst finely balanced in respect of the localised impact upon the landscape, it is considered that this has been mitigated for through additional planting and in this instance the public benefits of the proposal outweigh the harm identified. As such the planning balance lies in favour of the proposal and it is recommended that planning permission be **granted** subject to conditions.

HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.



Development Control Committee Schedule 25/07/2023

Subject to the following conditions:	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p>Site location plan drawing number 1650-0200-05 received 10.02.23</p> <p>Planning Layout Drawing number 1650-0201-00 Issue 12 received 10.02.23</p> <p>Mounting system drawing number 1650-0201-28 received 10.02.23</p> <p>CCTV Detail Drawing number 1650-0204-00 received 11.05.21</p> <p>Fence Detail Drawing number 1650-0205-01 received 11.05.21</p> <p>Transformer Station Detail Drawing Number 1650-0207-00 received 11.05.21</p> <p>Spares Container Detail drawing number 1650-0207-40 received 11.05.21</p> <p>Welfare Container Detail Drawing number: 1650-0207-41 received 11.05.21</p> <p>Access Road Sections Drawing number 1650-0208-10 received 11.05.21</p> <p>DNO HV Compound Drawing Number 1650-0208-80 received 11.05.21</p> <p>DNO HV Compound Elevations Views Drawing Number 1650-0208-81 received 11.05.21</p> <p>Illustrative Sections (A-B) Drawing number 1050692-BSR9001-WOR-L-8001 received 10.02.23</p> <p>Illustrative Sections (C-D) Drawing number 1050692-BSR9001-WOR-L-8001 received 10.02.23</p> <p>Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</p> <p>3. The permission hereby granted shall be limited to a period of 45 years from the date when electricity is first exported from the solar panels to the local electricity grid (hereafter known as 'The First Export Date'). Written notification of The First Export Date shall be given to the Local Planning Authority within 14 days of the event occurring.</p>
---	--



Development Control Committee Schedule 25/07/2023

Reason: In order to safeguard the visual amenity and landscape character of the area in accordance with Policies ES2 & ES7 of the adopted Stroud District Local Plan.

4. Within 12 months of the date when the solar panels permanently cease to produce electricity, or the expiration of this permission, whichever is the sooner, the solar panels and its ancillary equipment and infrastructure shall be removed, and the land restored, in accordance with a scheme to be submitted to and approved by the Local Planning Authority. The land restoration scheme shall be submitted within two months of the cessation of electricity production.

Reason: In order to safeguard the visual amenity and landscape character of the area in accordance with Policies ES2 & ES7 of the adopted Stroud District Local Plan.

5. Notwithstanding the submitted details, the colour and finish of the proposed inverters/ transformers, spare containers, welfare container, DNO Control Room and Customer Switch Room including elevations and floor plans of the control and switch room shall be submitted to and approved by the Local Planning Authority and shall be maintained as such thereafter.

Reason: In order to safeguard the visual amenity and landscape character of the area in accordance with Policies CP14, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015. Consideration of dark green or brown matte colours to recess into the landscape should be considered.

6. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of residential amenity in accordance with Policies CP14, ES2 and ES3 of the Stroud District Local Plan 2015.

7. Construction works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved by the Local Planning Authority,

Reason: To protect residential amenity in accordance with Policy ES3 and CP14 of the Stroud District Local Plan 2015.

8. Prior to electricity first being exported to the grid a further Noise Impact Assessment shall be carried out and agreed in writing by the Local Planning Authority. The Noise Impact Assessment shall take into



Development Control Committee Schedule 25/07/2023

consideration the exact specifications of equipment installed at the site to demonstrate final suitability in noise terms.

Reason: To demonstrate acceptable noise levels at the site are achieved and to protect surrounding residential amenity in accordance with Policy ES2, ES3 and CP14 of the Stroud District Local Plan 2015.

9. Prior to the commencement of the development hereby permitted, including any enabling works, a final Traffic Management Plan shall be submitted to and approved by the Local Planning Authority and thereafter the approved Plan shall be fully complied with at all times during the construction and decommissioning stages of the development.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the construction phase of the development and subsequently during the decommissioning of the site.

10. The development must be fully compliant with the Arboricultural Impact Assessment BSR Energy Worlds End Farm Solar Park Rev C dated June 2023.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

11. Prior to commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a qualified tree specialist (where arboriculture expertise is required) shall be submitted to and approved by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

12. The development hereby permitted shall not be brought into use until further details of hard and soft landscaping for the site have been submitted to and approved by the Local Planning Authority. This should clearly outline the number and species of proposed tree and hedgerow planting at the site. The approved landscaping scheme shall then be managed in accordance with the Biodiversity Net Gain/Landscape Management Plan (BNGLMP).

Reason: In the interests of biodiversity enhancement and visual amenity of the area.



Development Control Committee Schedule 25/07/2023

13. No development shall take place until a Skylark Compensation and Management Plan, has been submitted to and approved by the Local Planning Authority. This should be supported by agreements to guarantee third party delivery of ongoing habitat management requirements.
- The Skylark Compensation and Management Plan shall include:
- I. Identification of the compensation site
 - II. Details of how the compensation site will be managed
 - III. The provision of evidence of arrangements to secure the delivery of compensation measures, including a timetable of delivery; and a management and monitoring plan (for a period of not less than 5 yrs. from the commencement of the scheme). Ecological monitoring reports should be submitted to the LPA in year 2 and year 5 yr.
 - IV. Identification of persons responsible for implementing the works
 - V. The inclusion of a feedback mechanism to SDC, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary.
- Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.
14. No development, site clearance, soil stripping, removal of materials shall take place until a resurvey (3 months prior to commencement of works) for badgers has been undertaken and the results have been submitted to and approved by the Local Planning Authority.
- Reason: Badgers are protected under the Protection of Badgers Act 1992.
15. No works shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not limited to the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones"
 - c) Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals.
 - d) Measures taken to safeguard habitats (e.g. pollution prevention, storage of materials, equipment and waste)
 - e) Avoidance mitigation strategy to safeguard great crested newts, breeding birds, bats, badgers and reptiles and other mammals such as hedgehogs.



Development Control Committee Schedule 25/07/2023

- f) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- g) The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- h) The timing during construction when ecological or environmental specialists need to be present on site to oversee works
- i) Responsible persons and lines of communication
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- k) Use of protective fences, exclusion barriers and warning signs
- l) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works
 - a. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reasons: To adequately demonstrate biodiversity is safeguarded as required by The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006.

16. Prior to the commencement of works, a Biodiversity Net Gain/Landscape Management Plan (BNGLMP) shall be submitted to, and be approved by the local planning authority addressing how the site will be ecologically enhanced and maintained.

The BNGLMP will be based on the Biodiversity Net Gain metric calculation and supporting plans by ADAS (May,2023) and shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management
- c) Appropriate management options for achieving aims and objectives
- d) Prescription for management actions
- e) Details of biodiversity enhancements, including location of badger gates and mammal gaps.
- f) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 30-year period)
- g) Details of body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The BNGLMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to fulfil the requirements of paragraph 175 of the NPPF by ensuring that measurable biodiversity net gains are secured.



Development Control Committee Schedule 25/07/2023

17. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR112) and with the proposals detailed on plan "World's End Farm: Impact Map for great crested newt district licensing (Version 1)", dated 2nd September 2022.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112.

18. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

19. No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR112 and in addition in compliance with the following:
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
 - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/ destructive/ night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

Reason: In order to adequately mitigate impacts on great crested newts.

20. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording and/or preservation of any archaeological remains that may be destroyed/impacted by ground works required for the scheme. The archaeological programme will



Development Control Committee Schedule 25/07/2023

advance understanding of any heritage assets which will be lost, in accordance with paragraph 205 of the National Planning Policy Framework.

21. Prior to first exported of power to the local electricity grid from the Solar Farm (hereafter known as 'The First Export Date') hereby approved, a Fire Risk Assessment and Management Plan shall be submitted to and approved by the Local Planning Authority. Written notification of 'The First Export Date' shall be given to the Local Planning Authority within 14 days of the event occurring. The development shall be managed in accordance with these approved details.

Reason:

To ensure that fire risk is adequately managed at the site.

Informatives:

1. No materials, plant, temporary structures or excavations of any kind shall be deposited / undertaken on or adjacent to any Public Right of Way that may obstruct or dissuade the public from using the Public Right of Way whilst development takes place.

No changes to any Public Right of Way direction, width, surface, signing or structures shall be made without the prior written approval of the Gloucestershire County Council or the necessary legal process.

No construction / demolition vehicle access shall be taken along or across any Public Right of Way without prior permission and appropriate safety/mitigation measures approved by the Gloucestershire County Council. Any damage to the surface of the Public Right of Way caused by such use will be the responsibility of the developer or their contractors to put right / make good to a standard required by the Gloucestershire County Council.