

Planning application Ref: PK14/2339/F

Proposal: The installation of a 16MW Solar PV Park complete with inverters, CCTV, security fencing, soft landscaping, a new bridlepath, access routes, and all ancillary works.

Location: Ring O Bells Farm Pucklechurch Road Hinton Chippenham South Gloucestershire SN14 8HJ

Response of the Cotswolds Conservation Board

1. The Cotswolds Conservation Board ('the Board') was established by Parliament in 2004.

The Board has two statutory purposes¹:

- a) to conserve and enhance the natural beauty of the Area of Outstanding Natural Beauty (AONB); and
- b) To increase the understanding and enjoyment of the special qualities of the AONB.

In fulfilling these roles, the Board has a duty to seek to foster the economic and social well-being of people living in the AONB.

The Council, as a public authority, is required by Section 85 of the Countryside and Rights of Way Act 2000 to have regard to the purpose of designation of the AONB in exercising its functions with respect to the area.

Planning Practice Guidance issued by the Department for Communities and Local Government (DCLG) in March 2014 makes clear that the duty of public bodies to have regard to the purpose of the designation of AONBs is relevant in considering development proposals that are situated outside Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.²

2. With respect to impact on landscape character the Board would refer to the Inspectors decision regarding a 38.43 hectare solar park in Suffolk (appeal reference **APP/D3505/A/13/2204846**) which states

'The development would result in the loss of arable land for 25 years [30 years in the case under consideration], albeit this would be reversible. Nonetheless, for the lifetime of the development the regimented rows of hard surfaced solar panels would represent intrusive, utilitarian elements on an industrial scale in the open countryside. Together with its associated new buildings and structures, the proposal would have a considerable urbanising impact in this rural location, and would detract from the distinctive topography of the site and its surroundings.'

¹ Section 87, Countryside and Rights of Way Act 2000.

² <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/landscape/>

4. The Board would therefore suggest that this proposal is clearly not in accordance with South Gloucestershire Core Strategy CS3 which states:

POLICY CS3 - RENEWABLE AND LOW CARBON ENERGY GENERATION

Renewable or low carbon energy installations will not be supported in areas covered by national designations and areas of local landscape value unless they do not individually or cumulatively compromise the objectives of the designations especially with regard to landscape character, visual impact and residential amenity.

Furthermore, South Gloucestershire Local Plan Policy LP2 (which is still applicable) includes:

Cotswolds Area of Outstanding Natural Beauty (AONB)

L2 development that would harm the natural beauty of the Cotswolds AONB will not be permitted.

The supporting text to this Policy includes:

“Policy L2 applies not just to proposals within the AONB but also to proposals which could affect its setting.”

5. **National Policy considerations**

These are clearly set out by the Inspector in the Suffolk appeal case referred to above:

“22. Turning to Government policy, the National Planning Policy Framework (the Framework) at paragraph 17 recognises within its core planning principles the intrinsic character and beauty of the countryside, and paragraph 109 seeks to protect and enhance valued landscapes.

23. In the House of Commons oral statement of 29 January 2014 the Planning Minister, Nick Boles, stated the *“The policies in the national planning policy framework are clear that there is no excuse for putting solar farms in the wrong places. The framework is clear that applications for renewable energy development, such as solar farms, should be approved only if the impact including the impact on the landscape – the visual and the cumulative impact – is or can be made acceptable. That is a very high test.”*

24. Also of relevance is the recent Planning Policy Guidance (PPG), paragraph ID 5- 007 of which indicates that local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on the landscape, and which recognises that impact can be as great in predominately flat landscapes as in hilly or mountainous areas. At paragraph ID 5-013 the PPG goes on to say that *“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes.”* There is no dispute that this solar array, with an installed generating capacity of 10 Mega Watts (MW) is large scale¹.

25. Additionally, the PPG at paragraph ID 5-010 says that *“Renewable energy developments should be acceptable for their proposed location”*, and indicates at paragraph ID 5-008 that distance away from a development is just one consideration, stating that *“Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses.”*

26. Furthermore, the UK Solar PV Strategy Part 1 of October 2013 sets out four guiding principles for solar PV, the third of which states, amongst other things, that solar PV should be appropriately sited with proper weight being given to environmental considerations such as landscape and visual impact. Following publication of this strategy, the Minister for Energy and Climate Change, Greg Barker, produced a letter dated 1 November 2013 indicating that *“...inappropriately sited solar PV is something that I take extremely seriously and am determined to crack down on.”*

6. The Board has issued a Position Statement regarding development in the setting of the Cotswolds AONB. This can be downloaded from the Board’s website at <http://www.cotswoldsaonb.org.uk/userfiles/position-statements/setting-revision-2013.pdf>
7. The Board is of the view that this proposal has a major adverse significant urbanising effect on landscape character in the setting of the Cotswolds AONB and is therefore contrary to Policy CS3 of the South Gloucestershire Core Strategy, Policy L2 of the South Gloucestershire Local Plan and paragraphs 17 and 109 of the National Planning Policy Framework.
8. Mitigation measures in the form of additional tree planting, particularly on the embankment of the M4 motorway adjoining the site will have the effect of screening views of users of the motorway and also from the overbridge nearby of the Cotswolds escarpment.
9. The proposed additional right of way proposed adds little to the extensive right of way network in the area, and in any case would provide users with a close up view of the array.
9. The Board therefore **objects** to this proposal.