

**Planning application Ref:** 14/01732/FUL

**Proposal:** Construction of a solar farm comprising ground-mounted solar panels for electricity production, together with inverters, substation, DNO substation, inward-facing CCTV cameras, 1.8m high deer fencing, permeable stone access tracks, temporary construction compound, and landscaping.

**Location:** Land to North of Ilmington Road Blackwell

## **Response of the Cotswolds Conservation Board**

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

The Board has two statutory purposes<sup>1</sup>:

- 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.<sup>2</sup>

The Guidance also states that National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.

The Cotswolds AONB Management Plan 2013-18 includes the following policies:

**LP1:** The key characteristics, principal elements, and special qualities (including tranquillity), which form the natural beauty of the Cotswolds landscape are conserved and where possible enhanced.

**LP2:** Development proposals and changes in land use and management, both within and outside the AONB, take account of guidance and advice published by the Board.

The site lies approximately 900m from the Cotswolds AONB. The Board has issued a Position Statement regarding development in the setting of the Cotswolds AONB. This can

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<sup>1</sup> Section 87, Countryside and Rights of Way Act 2000.

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

be downloaded from the Board's website at  
<http://www.cotswoldsaonb.org.uk/userfiles/position-statements/setting-revision-2013.pdf>

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.'

3. The Board would therefore suggest that this proposal is clearly not in accordance with Stratford on Avon Local Plan Policies PR1, Landscape, PR6 Renewable Energy and EF1 Cotswolds Area of Outstanding Natural Beauty, all of which stress the need to conserve and enhance landscape character, including in the the setting of the AONB.

4. **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 scale<sup>1</sup>.

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."*

5. The Board notes that the Management Strategy for the Feldon Landscape Character Area identified in the Warwickshire Landscape Character Guidelines and in which the proposed site lies includes

*"Conserve rural character and avoid types of farm diversification which are inappropriate to an agricultural landscape".*

6. The Board is of the view that this proposal has a major adverse significant urbanising effect on landscape character, including in the setting of the Cotswolds AONB and is therefore contrary to Policies PR1, PR6 and EF1 of the Stratford on Avon Local Plan and paragraphs 17 and 109 of the National Planning Policy Framework.
7. The Board notes that the site can be clearly seen from elevated viewpoints within the Cotswolds AONB. Mitigation of the visual impact of the proposal by tree planting from these viewpoints could not be satisfactorily achieved at best until towards the end of the proposed temporary use period of 25 years
8. The Board therefore **objects** to this proposal.