

Upton Warren Parish Council

Meadow Bank Farm,
Stoney Lane,
Alvechurch,
Birmingham. B48 7DG.

Mrs. G.A. Pinfield
Clerk,
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Dear Sir/Madam,

Planning Ref W/14/02267/PN - Rectory Farm, Rectory Lane, Upton Warren, Bromsgrove, B61 7EL

Upton Warren Parish Council are writing to object to this application. Following the public meeting with Upton Warren Parishioner's on Tuesday 18 November 2014 several reasons were established that led the council to object.

- a) Appropriate siting
- b) Environmental considerations
- c) Heritage and local amenity
- d) Opportunity for local communities to influence decisions that affect them

It is important to note that Upton Warren Parish Council is fully supportive of appropriate developments that may include solar parks if the location is considered suitable and in line with the Governments considerations on use of brownfield and other sites. However there is only one village in Upton Warren, named in the Domesday book, with a conservation area and this application locates a solar park right on the village boundary.

The details supporting the reasons to object are summarized in the following pages.

Yours faithfully

Mrs. Gill Pinfield
Clerk to Upton Warren Parish Council

Upton Warren Parish Council

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The Planning Application W/14/02267/PN refers to an application by Green Switch Developments Ltd., 501 Merlin Park, Ringtail Road, Burscough, Ormskirk, Lancashire to create a 48 acre, 8.9 mega watt solar farm on land to the east of the M5 motorway and to the north of Rectory Lane, Upton Warren. The land is currently a series of meadows and pastureland used for occasional grazing of sheep and hay cutting. The land is part of the Green Belt between Bromsgrove and Upton Warren/Wychbold and as such provides a relief from current and future development.

The Department for Communities and Local Government provided a Planning Practice Guide in 2012 stating the purpose of Green Belt and exempted developments within Green Belt areas. A solar farm is not an exempted development as outlined in this guidance (see **Appendix A** for relevant extracts from that Guide).

In April 2014 the Secretary of State, Department of Energy and Climate Change, Mr. Gregory Barker, wrote to all Local Authorities clarifying the Government position on large field-based solar capacity and outlined four guiding principles that should be followed in decisions about solar farms (see **Appendix B**); appropriate siting; environmental considerations; heritage and local amenity and opportunity for local communities to influence decisions.

In October 2014 the Department for Environment and Rural Affairs issued a Press Release by the Right Honourable Elizabeth Truss, MP under the reform of common agricultural policy that farm subsidies will not be available for land used for solar farms (see **Appendix C**). The press release states that the purpose of this change is to discourage the use of farmland for solar generation.

The Parish Council makes a strong objection to this development based on the following:

a) Appropriate siting

The application allows for the solar farm to be in situ for 25 years, although the Centre for Alternative Technology has published results on tests of solar panels suggesting that the electrical performance is little diminished over 30 years and a life span of 40 years has been quoted in other solar panel applications (<http://info.cat.org.uk/questions/pv/life-expectancy-solar-PV-panels>). This implies that a solar farm could be in place for a very long time and would, in a normal definition of the word, not constitute a temporary development. The Parish Council questions whether under these circumstances the land would be Green Belt when the development is no longer economically viable.

The applicant has made assertions at a public meeting held in September 2014 that the land would be restored to its former use after the expiration of its tenure

and that this would be guaranteed by Bond. It transpires that such Bonds are traded commodities and it is uncertain that they would provide for the restoration of the land to farming whenever the solar farm ceases operation.

The siting of large solar farms in Green Belt is regarded as inappropriate in the Department for Communities and Local Government, Planning Practice Guidance, March 2012 paragraph 91:

When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

A similar application for a 40-acre site in Green Belt in Surrey was rejected by Guildford District Council and on appeal by the Planning Inspector, Mr. Andrew Hammond, who stated that:

“Although the framework (Planning Policy Framework) recognises that ‘very special circumstances’ may include the contribution to a reduction in greenhouse gases, this does not indicate that such a reduction, in isolation, outweighs harm by virtue of inappropriateness.”
(Quoted in GoSurrey newspaper 4 November 2014)

It would seem that reducing greenhouse gasses does not, on its own, constitute ‘very special circumstances’. It is not clear from this application by Green Switch what other circumstances there might be that would enable the term ‘very special’ to be applied.

In March 2014 Solihull Metropolitan Borough Council received a planning application for a solar farm to be sited on land at Nailcote Farm Burton Green, again in the Green Belt.

Burton Green Parish Council made objections to the proposal that included inappropriate siting by reason of the land being Green Belt. On 4 November 2014 the proposal was rejected by Solihull Council on the following grounds:

The proposed solar park development represents inappropriate development within the Green Belt. The proposal causes harm both by definition and by demonstrable visual impact to the openness of the Green Belt, the purposes of including land within the Green Belt and the character, appearance and openness of the locality. The very special circumstances case advanced to support the development does not clearly outweigh the harm by reason of inappropriateness and any other harm. The proposal would therefore be contrary to guidance within National Planning Policy guidance relating to the provision of renewable energy and Policies P15 and P17 of the adopted Solihull Local Plan 2013.

The proposed solar farm would, by virtue of the appearance of the panels, sub frames, security fencing, buildings, roads and other associated development, have a considerable adverse impact upon the setting of designated and undesignated heritage assets and would produce less than substantial harm to their significance that would not be outweighed by any public benefits of the proposal. The proposal would therefore be contrary to Policy P16 of the adopted Solihull Local Plan 2013.

Over the last five years Wychavon District Council has pursued action against unauthorized and inappropriate development in Green Belt at Bywater Farm, Upton Warren not more than two miles distant from the current application. If this application were to succeed it would negate some of the objections raised by Wychavon District Council in the actions taken at Bywater Farm. A successful application would also create a precedent that might be used by other landowners for similar or other developments within the Green Belt that may be even less desirable.

The letter from the Secretary of State in April 2014 states that the Government is keen to focus growth of solar generation on domestic and commercial roof space and on previously used land and gives examples of this type of development. The proposal does not accord with that intention.

It is the opinion of the Parish Council that the siting of this solar farm is inappropriate.

b) Environmental considerations

The proposed site for this solar farm is approximately 500m from the Upton Warren/Christopher Cadbury Wetland Reserve, a haven for wildfowl and migrating birds as well as rare and endangered species including frogs and newts. It is also a site of Special Scientific Interest and is managed by the Worcestershire Wildlife Trust. Birds flying to and from the wetlands overfly the site and rest in the trees on the land. In the last two years a family of deer have become established in the fields to the east of Rectory Lane between the motorway and the A38 and at the moment can roam freely across the land subject of this application.

The desk top environmental survey undertaken by the applicant makes mention of the land being suitable for badgers but that no badgers had been seen on the land. Locally it is known that badger setts have been created in hedgerows east of Rectory Lane within 200 or 300 metres of the site.

The site is bounded and crossed by a number of hedgerows that will be disturbed during the installation of the solar panels and whilst the company may make good damage it cannot replace ancient hedges and the sanctuary they provide for animals and birds.

The company asserts that planting mature trees in addition to those already growing on the land will screen the site. However the site will be visible from the A38 especially during the winter and from the southern hills around Bromsgrove including Grafton Manor and its associated chapel. Dwellings in Rectory Lane and A38 will overlook parts of the site and it will also be visible to properties at West Lodge Farm, west of the M5 motorway.

The existing and planted trees may obscure parts of the site but the provision of a 3 metre security fence around the land will negate the screening provided by these trees. The addition of cameras as proposed by the company will only serve to exacerbate the negative visual intrusion in the open fields around the site and to residents and travellers nearby.

The need to install security fencing and cameras suggests that there are risks of theft or damage to property on the site including theft of copper cable and the panels themselves. Evidence from US solar farm insurers suggests that thefts have increased by 15% since 2008 and continue to rise to the extent that site owners are fitting panels with 120-decibel alarms (SolarInsure quoted by SolarEnergy Home UK, 28 Church Road, Stanmore, Middlesex, London, UK. HA7 4XR), and other physical barriers to removal.

A public footpath crosses the site and as the environmental desk survey by the company shows the visual impact on the footpath will be severe with a 3 metre security fence on one side and the motorway on the other.

The installation of the solar panels themselves are on a concrete or metal frame and are angled so that at the highest point they can be between 2m and 3m metres off the ground. The intended screening will therefore need to be higher than this to effectively hide the panels. It is unlikely that planted hedgerows will in the short term make much difference to the visual impact of the panels themselves, unless fast growing species of evergreen hedging is used. Such planting would add a negative impact of its own to the site and it is unlikely that effective management would be maintained over the lifetime of the site.

It has been suggested by the company that sheep could be grazed on the land to keep the grassland under control. Sheep are not regularly grazed on the land at the moment and it is not considered likely that the company or the landowner will do so in the future.

Access to the site will also have an impact on the environment if, as the company proposes, they create an access road across fields from the A38 entailing the removal of trees and hedges. It is not clear from the plans seen by the Parish Council where this access will be obtained. The A38 is a main trunk road carrying a heavy traffic load throughout the day. It is part of the by-pass around Bromsgrove and is also a diversion route for the not infrequent closures of the M5 motorway. Additional vehicle movements on to and off the A38 will have a considerable undesirable impact on existing traffic and hazards attendant to the movement of large vehicles and earth moving equipment.

In addition the plan seen by the Parish Council indicates that, following construction, maintenance traffic will use at least part of Rectory Lane to gain access to the site. It is not clear what this entails but Rectory Lane is a very narrow lane and although tarmacked is not well maintained. At the site end of the lane there is little room for vehicles to turn or maneuver and large vehicles may be hazardous to the residents, walkers and horse riders that frequently use it.

It is the opinion of the Parish Council that the environmental and visual impact will be severe and will completely change the nature of the open land that currently separates Upton Warren and Wychbold from Bromsgrove.

c) Heritage and local amenity

Upton Warren is an ancient community mentioned in the Domesday Book with a 13th century church and protection as a Conservation Area. There are links to

the settlement at Grafton Manor north of the proposed site with connections between the chapel at Grafton Manor and St. Michaels Church in Upton Warren. Grafton Manor played a minor role in the 'Gunpowder Plot' and the land proposed for this site was part of that Manor as indeed was Upton Warren.

A footpath from Rectory Lane to Grafton Lane and from there to Grafton Manor passes the western side of the site and provides a link to the Monarch's Way long distance footpath at Bromsgrove. Local people, ramblers and Duke of Edinburgh Award candidates from the nearby Upton Warren Outdoor Centre use the path regularly. At the moment walkers on the footpath can enjoy the open fields but if this application is approved the footpath itself will be diverted (as suggested at the public open meeting held by the company) or hemmed in by newly planted trees and security fencing as to make it more of an industrial alleyway than a country footpath.

It is the opinion of the Parish Council that the imposition of a solar farm on this site will have a severe impact on the historical nature of Upton Warren and Grafton Manor and would be detrimental to the enjoyment of this local amenity.

d) Opportunity for local communities to influence decisions that affect them

The initial notification that there was any intention to site a solar farm in Upton Warren was confined to less than a week before a public meeting was held by the company in September 2014 when many people were on holiday and consequently unaware or unable to attend. The notification to the Parish Council of the Planning Application and the timescale in which to respond was also limited and local people have had little opportunity to appreciate the scale of the proposal.

Nevertheless the Parish Council was able to hold a special public meeting on Tuesday 18 November to allow residents and parishioners to discuss the proposal. About one quarter of the permanent residents of the village were represented at the meeting and all expressed their concerns at aspects of the development including the implications for the Green Belt now and in the future; the ability of the company to make good the site at the end of its tenure; the industrial nature and size of the development; the visual impact of the site and the effect on property prices. In addition some concerns have been expressed about the impact on the health of residents and the possible dazzle of reflections from the solar panels.

After much discussion and questions from those present the Chair asked for a vote on whether and what objections the Parish Council should raise in relation to the application. Of those present 94% voted that the Parish Council should raise objections to the application and that those objections should be as such as are outlined in this paper.

It is the opinion of the Parish Council that residents of Upton Warren are strongly opposed to the installation on this site.

Conclusion

The Parish Council is not opposed to development per se indeed it has publicly stated in its Mission Statement that it would encourage appropriate development of a rural nature within the Parish. It is clear that this application for a very large solar farm on Green Belt land at the edge of a Conservation Area and adjacent to a wildfowl site of Special Scientific Interest is not appropriate and not of a rural nature. It is opposed by residents and will have a negative impact on the open rural nature of the land, the environment and amenity use.

The documents at **Appendices B** and **C** indicate that Government is clearly moving away from the use of large field based solar energy generation in favour of the reuse of brownfield land and commercial and domestic roofing for siting solar panels. This proposal clearly contravenes that intention of Government.

As an alternative the Parish Council would support the District Council should it wish to encourage the existing landowner to make more productive farmed use of the land.

Extract from Department for Communities and Local Government, Planning Practice Guidance, March 2012

Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling **of derelict and other urban land**.

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.

Exceptions to this are:

- buildings for agriculture and forestry;
 - provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
 - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

To all Local Authorities

SOLAR PV STRATEGY

The Rt Hon Gregory Barker MP Minister of State

Department of Energy & Climate Change

3 Whitehall Place, London
SW1A 2AW

www.gov.uk

22 April 2014

I wrote to you on 1 November 2013 regarding the Government's ambitions for solar energy. Since then, we published on 4 April a comprehensive UK Government Solar Strategy. I'd like to update you with the main points in that publication.

We strongly support solar PV. As our new Solar PV Strategy makes clear, it is now one of the priority renewable energy technologies. It will help us deliver secure, cleaner energy at the lower possible cost to the consumer. It gives households more control over their energy bills. Additionally, it will help the UK meet its renewable energy targets.

However, the main message from the Strategy is that we are keen to focus growth of solar PV in the UK on domestic and commercial roof space and on previously-used land. There are many good examples of this throughout the UK: over 500,000 homes now have solar panels; solar has been deployed on transport infrastructure such as London's Blackfriars Bridge or Southend Airport; and large factories such as Bentley or Jaguar have large solar roofs. We are looking at making this easier, including by working with the Department of Communities & Local Government (DCLG) to ease permitted development rights for larger rooftop installations.

There is still a place for larger-scale field-based solar in the UK's energy mix. But the Solar Strategy makes it very clear that new solar installations need to be sensitively placed. It sets out four guiding principles, including that:

"Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them."

In many cases, there is a role for Local Authorities in considering planning applications for solar developments. In such cases, I would draw your attention once again to DCLG planning guidance which was revised and strengthened in July last year. This stresses that:

- It is important that the planning concerns of local communities are properly heard in matters that directly affect them
- The need for renewable energy does not automatically override environmental protections
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of planning proposals on views important to their setting
- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

I would encourage your planning officers to familiarise themselves with this planning guidance. It is designed to help ensure planning decisions reflect the environmental balance in the National Planning Policy Framework. It should hopefully assist you in your consideration of Local Plans and individual planning applications

We are working closely with the UK solar industry to help build understanding around the Solar PV Strategy. I understand, for example, that the industry is holding a conference entitled 'Large Scale Solar UK' from 29 April to 1 May at Kelham Hall. If your planning experts intend to take part, they will be invited to a free workshop on community engagement. I do hope they will find that valuable.

The Solar PV Strategy can be downloaded at:

<https://www.gov.uk/government/publications/uk-solar-pv-strategy-part-1-roadmap-to-a-brighter-future>

Further information on the free workshop on community engagement can be found at:

<http://largescale.solarenergyevents.com>

Yours sincerely,

GREGORY BARKER

DeFRA Press Release October 2014

Farmers will lose their right to claim subsidies for fields filled with solar panels under new plans to ensure more agricultural land is dedicated to growing crops and food. The move will help rural communities who do not want their countryside blighted by solar farms.

Britain has some of the best farmland in the world and ministers want to see it dedicated to agriculture to help boost our food and farming industry that is worth £97 billion to the economy.

The change, which will come into effect from January 2015, will mean that farmers who choose to use fields for solar panels will not be eligible for any farm subsidy payments available through the Common Agricultural Policy for that land.

Environment Secretary, Elizabeth Truss said:

English farmland is some of the best in the world and I want to see it dedicated to growing quality food and crops. I do not want to see its productive potential wasted and its appearance blighted by solar farms. Farming is what our farms are for and it is what keeps our landscape beautiful.

I am committed to food production in this country and it makes my heart sink to see row upon row of solar panels where once there was a field of wheat or grassland for livestock to graze. That is why I am scrapping farming subsidies for solar fields. Solar panels are best placed on the 250,000 hectares of south facing commercial rooftops where they will not compromise the success of our agricultural industry.

The subsidy change will also save up to £2 million of taxpayers' money each year that won't be available for these subsidies. The reform follows other government measures designed to end support for solar farms in agricultural fields. The Department for Energy and Climate Change recently announced that renewable energy subsidies for new large-scale solar farms will end next April. This year, the Department for Communities and Local Government amended planning rules to ensure that whenever possible solar installations are not put in fields that could be used for farming.

The changes the government is making are expected to slow down the growth of solar farms in the countryside in England. There are currently 250 installed, with the biggest covering as much as 100 hectares. Under previous plans, the number of fields dedicated to solar farms was set to increase rapidly, with over 1,000 ground-based solar farms expected by the end of the decade across the UK. These changes should help to halt this expansion as it will now become less financially attractive for farmers to install the solar panels.

The decision is part of a drive by environment ministers to ensure that the new Common Agricultural Policy delivers maximum benefits for the English food and farming industry, as well as providing greater benefits for rural communities, the environment and wildlife.