



Appeal Decision

Site visit made on 5 October 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/H0520/W/24/3344095

Land north of Haddon Road and land north of the A605, approximately 830m east of Bullock Road, Haddon PE7 3TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Charlotte Peacock of Wessex Solar Energy Ltd against the decision of Huntingdonshire District Council.
 - The application Ref is 22/00668/FUL.
 - The development proposed is the installation of a solar park to export up to 25 MW (AC) electricity, comprising up to 65,000 photovoltaic panels, 10 inverter/transformer cabins, a single control building and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form address is 'Land North of Haddon Road, approximately 830m east of Bullock Road. The site also straddles the A605 approximately 1.4km west of the A1(M)'. The decision notice cites 'Land north east of Bates Lodge, Peterborough Road, Haddon PE7 3TT', and the appeal form cites 'Haddon Road, Peterborough Grid Ref Easting: 512690, Grid Ref Northing: 293180.' For best clarity I have used the address of 'Land north of Haddon Road and land north of the A605, approximately 830m east of Bullock Road'.
3. The application form description identifies the export of up to 22 MW (AC) electricity. As the reports accompanying the application, and the description on the decision notice and appeal form refer to up to 25 MW, I have used this as the basis of the proposal.
4. The proposal as originally submitted included an off-site control building. With agreement from the Council, this was removed from the proposal during the application's determination, and I make my determination on the same basis.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area;
 - the safe functioning of aircraft;
 - the best and most versatile agricultural land; and
 - the living conditions of the occupants of Bates Lodge, with particular regard to outlook.

Reasons

6. The site comprises approximately 46ha of agricultural fields, bisected by the A605 and partly running alongside Billing Brook. It is located within the countryside, whereby Policy LP10 of Huntingdonshire's Local Plan to 2036 (LP) restricts development to the limited and specific opportunities as provided for in other LP policies. The LP Policy LP35 identifies that a renewable or low carbon energy generating scheme (other than wind energy), will be supported where all potential adverse impacts are or can be made acceptable. The National Planning Policy Framework ('the Framework') (2023) paragraph 157 also supports the transition to a low carbon future, and renewable and low carbon energy infrastructure.
7. As such, I agree with the Council that the development plan provides that the solar farm proposal is acceptable in principle, subject to the consideration of its potential impacts as explored in the remainder of my reasoning.
8. The proposal seeks permission for a 40 year period, a considerable length of time for something suggested as temporary. Other appeal decisions have been put before me providing detailed support both for and against the view that a 40 year permission would be temporary, and I am also aware more generally of this being a debated matter. No clear consensus appears to have been reached, with the decision being rather a matter of planning judgement based on the specific site and proposal, and the evidence before each Inspector.
9. I do find that to be in existence for over a generation is around the tipping point at which the solar farm should rather be considered as a permanent feature, taking into account the future lived experience of nearby residents and those who use the local area. However, decommissioning would occur at the end of the permission, to remove apparatus and reinstate the site to an acceptable condition in accordance with the LP Policy LP35. It would therefore not be irreversible, and I have not identified any local cumulative impact.
10. Due to the uncertainty of what may occur in 40 years, concerns have been raised that this decommissioning should not be determined via a planning condition, but instead by a legal mechanism or with specific details identified at this point. However, suitably imposed conditions would run with the planning permission which runs with the land, and thus could be enforced against if necessary. Multiple solar farm appeal decisions have dealt with decommissioning schemes in this manner, to ensure that impacts are temporary and reversible. I see no reason to find differently. Overall, I thus conclude that 40 years is a temporary period of time for this specific solar farm proposal, and my reasoning below is therefore made on this basis.

Character and Appearance

11. This reason for refusal refers to the introduction of intrusive lighting into an otherwise dark landscape, with interested parties also referencing this in objections. A lighting plan was requested by Cambridgeshire Constabulary due to criminal activity around solar farms. However, the appellant states that the site would include no artificial lighting. It is common for solar farms to use infra-red or night vision CCTV if required for security purposes, precisely to avoid the harmful effects of lighting within generally dark landscapes. Therefore, my assessment of the site's impacts does not include any effect from lighting.

12. The site lies within the National Character Area 88, Bedfordshire and Cambridgeshire Claylands, a broad, gently undulating, lowland plateau dissected by shallow river valleys that gradually widen to the east. More locally, it lies within the Northern Wolds Landscape Character Area, an attractive and relatively unspoilt part of the district with a strong historical character¹.
13. The Northern Wolds contains the highest land in Huntingdonshire, characterised by a distinctive and repeated pattern of ridges, pronounced valleys, and regularly spaced settlements. The ridges are generally arable farmed, with a relatively open feel with long views and few hedgerow trees. The valleys have a higher proportion of land in pastoral use, and are more densely vegetated with large mixed hedgerows. They typically feel more enclosed due to smaller field sizes, and constrained views.
14. The appeal site is reflective of this general landscape, lying on the side of a gentle valley sloping down from east to west, with fields separated by established hedgerows and boundary trees. Although not a 'valued landscape' under Paragraph 180(a) of the Framework, it is clearly valued locally as part of the broader landscape, including that interested parties are promoting a new National Landscape across this area.
15. The Council agrees that the assessed viewpoints and the Zone of Theoretical Visibility (ZTV) within the appellant's Landscape and Visual Impact Assessment (LVIA) and Supplementary Notes², are sufficient to provide an understanding of the proposal's visual impact. A resident of Bates Lodge commissioned a rebuttal landscape review during the application determination period ('the Bates Lodge Review'³), and the appellant also provided further landscape evidence for the appeal⁴. My site visit incorporated the majority of these viewpoints, as well as others including from Bates Lodge.
16. In combination, the extent of landscape evidence submitted by all the parties considers numerous specific viewpoints and receptors, providing extensive detail and tabulation of sensitivity levels, the scale of landscape effects and visual effects, and mitigating factors. I have considered this in depth, alongside my own site visit experience, but do not find it necessary to rehearse my conclusions in a similarly detailed manner.
17. The site's characteristics of open fields would unquestionably change to utilitarian arrays of solar panels up to 3.5m high, incorporating inverters, a control building, and surrounded by high fencing with occasional higher CCTV cameras. The wider landscape does incorporate the busy A605, electricity pylons and transmission lines, and the Morborne Hill Transmitting Station. Nonetheless, it is sensitive to the proposed development type, which overall would be discordant in form, height, and colouring compared to the surrounding agricultural fields and vegetation.
18. I acknowledge that following scheme modifications, the Council's Landscape Officer did not object to the proposal. They agreed in principle that the landscape has the capacity to absorb the development, would have a negligible

¹ As identified in the Huntingdonshire Landscape and Townscape Supplementary Planning Document (LTSPD) (2022)

² March 2022, September 2022, December 2022: Stephenson Halliday

³ Review of Landscape and Visual Aspects of Planning Application 22/00668/FUL: The Landscape Partnership, November 2022

⁴ Landscape and Visual Appeal Statement: Stephenson Halliday, April 2024

- effect on the setting of Haddon, and that the proposed planting would provide adequate mitigation and suitable screening. However, this is one voice out of the many parties involved in reaching a determination on this matter, which is ultimately a matter of planning judgement. In isolation, this does not require me to similarly declare no harm in landscape terms.
19. The topography would result in visibility of the expanse of panels for up to approximately 3km from various points from the north round to the south west, plus at closer range to the north east. The Council describes the ridge above the site as the District's highest point. The site is within long distance views from parts of the road network, bridleways/PROWs, and from dwellings.
 20. However, none of the structures would break the most visually sensitive ridgeline within these views, and would avoid the highest ground. The layout would retain the existing field pattern, and where the whole site could be seen the use of these multiple fields would break up the broad expanse of panels. This would be strengthened through significant boundary planting, which would be maintained generally higher than at present. While this would not entirely screen the site, planting would mitigate to a moderate extent the most harmful impacts of being a series of large and prominent expanses of infrastructure. These positive elements of the design would help blend the proposal into the landscape, albeit that its visual effect would be greater until planting matures, and during periods of leaf drop.
 21. Furthermore, I do find the extent of long range viewpoints of the proposed panels to be limited in the context of the size of this area as a whole. In some instances they would also be filtered by intervening close range vegetation such as along Greenhill Road, or would be oblique such as from Oundle Road. The distance of such views from the opposite side of the valley, the enhancement of the field boundaries, and the dark colouring of the panels set within a wider agricultural landscape, would combine such that it would not be unduly visually dominant. Indeed, during the period of my site visit, the movement of the cloud cover noticeably affected the colour tone across different fields, causing some to appear dark.
 22. In general therefore, I find the harmful impact on long distance vistas to be small, albeit this would result in a long term medium scale of change, particularly before landscaping matures.
 23. At medium range of approximately 1km to 300m away, including along Bullock Road, the panels would be more prominent due to this increased proximity. I find similarly as above, with a slightly increased magnitude of harm and noticeable change. I address the specific impact on Bates Lodge in more detail below.
 24. At a range of 300m and closer along Haddon Road, the proposal would be very prominent. The open views across the site and long range views to the countryside beyond would be effectively blocked by the panels stretching out to the highest viewpoint. Their 3.5m height would dwarf the human scale at this proximity, albeit with grazing pasture underneath. The additional hedgerow screening, when matured, would predominantly block the panels but would also block this view and thus effect large scale change. In this regard I am most persuaded by the objectors to the proposal, who place a greater magnitude of change and effect on significance than that of the appellants.

25. The site is visible from parts of the proximate PROW network to the north. I note that the parties generally agree on the magnitude of change from these PROWs. These views would be less prominently affected, but users would still experience a significant magnitude of change. The effect for horse riders would be more pronounced due to their higher position. While some PROW routes such as 111/8 may not have been in regular recent use, it is not inconceivable that this would increase over the 40 year time period of the proposed development.
26. I note that the reason for refusal includes visual dominance from Permissive Path CSS 05/352/0003. The appellant identifies that this path has not been in existence since 2014, and with no contrary evidence, I agree that this is not a public vantage point. Bridleway 111/5 as referenced in the decision notice falls outside of the ZTV.
27. The Bates Lodge Review queries why the A605 is identified with low sensitivity, given the number of users, and that Landscape Institute Guidance⁵ suggests that road travellers tend to fall into an intermediate category of moderate susceptibility to change. However, I agree with the appellant's conclusions that the A605 would only allow for brief and transient views of the solar array, from low sensitivity receptors of generally fast moving vehicles. These would have the road corridor continuing to be their primary visual influence set within a generally thick hedgerow. This is different to the higher sensitivity experience of travellers along Bullock Road and Haddon Road.
28. There is interested party reference to the proposal having a cumulative impact along with nearby polytunnels, but this does not affect my assessment of the site within its own context and on its own merits.
29. It has been put to me that the solar panels may be seen from designated heritage assets, including listed buildings. I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed buildings, and Section 16 of the Framework also requires that great weight should be given to the conservation of designated heritage assets. However, the Council has identified no conflict in this regard. The Conservation Officer raised no objection due to screening from the majority of nearby heritage assets, and the preservation of their immediate settings. Due to the separation distances involved I similarly find that the proposed change would not cause harm to any designated heritage assets.
30. The LVIA and Supplementary Notes conclude that overall, there would be an effect of moderate/minor significance on landscape character prior to the full establishment of mitigation planting after 10 years, and that the effects on landscape character would be limited and relatively localised.
31. Taking all the above into account, I find that the proposal would have an overall adverse visual impact of moderate significance, of a wider than local effect. The extent of this harm would vary across the different spatial scales and from different receptors. Although the proposal is temporary, 40 years is long term regarding this impact, and indeed the LVIA methodology identifies that effects over 25 years should be assessed as if they were permanent in

⁵ Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3)

terms of the magnitude of change. The proposal would therefore have a significantly harmful effect on the character and appearance of the area overall.

32. There would be a resulting conflict with the LP Policies LP10, and LP35, which together and amongst other matters, aim for renewable energy schemes to compensate to make their impacts acceptable, recognise the intrinsic character and beauty of the countryside, and not give rise to impacts that would adversely affect the use and enjoyment of the countryside by others.
33. The LTSPD identifies that development proposals in this area should protect key views towards the distinctive skyline of ridge tops, and protect and enhance the distinctive characters of the valley and plateau landscapes through maintenance of field patterns and long distance views from the upland areas. As such, I find the proposal would be partly in conflict with these requirements.
34. The proposal would also conflict with the Framework paragraphs 135 and 180. These require enhancement of the local environment, recognition of the intrinsic character and beauty of the countryside, and that developments are visually attractive as a result of layout and appropriate and effective landscaping, sympathetic to local character and history including the surrounding landscape setting, and maintain a strong sense of place.

Aircraft Safety

35. The Planning Practice Guidance⁶ (PPG) identifies that particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms include the effect of glint and glare on neighbouring uses and aircraft safety. Guidance from the Combined Aerodrome Safeguarding Team (CAST)⁷ identifies that 'glint and glare' is the general term used to describe the reflection of sunlight from a reflective surface. Glint is a momentary flash of bright light typically received by moving receptors or from moving reflectors. Glare is a continuous source of bright light typically received by static receptors, or from large reflective surfaces. I refer to both aspects collectively as 'glint', as per the appellant's evidence.
36. Following the appeal submission, the Ministry of Defence (MOD) confirmed no objection to the proposal in relation to RAF Wittering. I therefore have no reason to conclude that harm would be caused to RAF Wittering aircraft.
37. Peterborough Flying School is based at Sibson Aerodrome, approximately 5km from the appeal site. The appellant's Addendum to the Glint and Glare Assessment (April 2024) specifically addressed potential glint on Sibson Aerodrome. It concluded that no glint is predicted at the Air Traffic Control tower nor at ground level at any of its runway thresholds, as the angle of reflection to ground receptor points immediately north of panels generally makes this impossible.
38. It further identifies that glint effects are only technically possible along a short length of one airborne runway approach during a limited time in the morning to early afternoon throughout the year. Due to the panels being either directly below the aircraft on this approach, or below and behind it, this glint would not

⁶ PPG paragraph 013 (Reference ID: 5-013-20140306)

⁷ Renewable energy developments: Solar photovoltaic developments - CAST Aerodrome Safeguarding Guidance Note (July 2023) – page 3

- be visible to pilots. Therefore overall, the appellant predicts no significant impacts for the final approach of aircraft, and the Aerodrome's operation.
39. However, Peterborough Flying School has objected in detail following the appeal submission. They highlight that there has been no direct contact between the appellant and the School, despite page 3 of the CAST guidance stating that the benefit of early consultation with aerodrome authorities cannot be understated. The School identifies that the modelling used does not represent the Aerodrome's specific flying activity patterns, with the 'straight-in' approach being too simplistic to replicate the real life situation. Air traffic typically enters its circuits from the south and east, proximate to the appeal site. Aircraft use a wider range of descent angles and approach lines than modelled, due to a wider variety of aircraft types, student pilots, helicopters, and regular parachuting activity.
 40. In the absence of more detailed evidence on how glint is experienced and reacted to by pilots during various airborne manoeuvres, it is reasonable to assume that its impacts could have a catastrophic outcome. I find that a precautionary principle needs to be in place in this instance, due to the lack of detailed information as to exactly how the solar panels may affect these local aircraft, which have flight patterns significantly differing from those modelled. I do not have sufficient confidence to be able to declare that there would be no harm resulting from glint.
 41. Further to matters of glint, pilots may require a forced landing due to engine failure after take-off or on approach. The CAST Guidance recommends that in such a forced landing scenario, a pilot should not conduct turns greater than 45 degrees of straight ahead, to ensure airspeed and height are maintained as much as possible.
 42. The Flying School considers that the appeal proposal would diminish the available land for forced landings from the Sibson Aerodrome runways. Such emergencies would be particularly exacerbated by flying restrictions above electricity pylons, whereby a turn towards the appeal site would be the most probable outcome. It is somewhat unclear as to the precise route for such potential flight paths, and why other adjacent fields could not be used instead. However, in the absence of detailed information from the appellant to refute this claim, I also give some weight to this objection.
 43. There is also a private grass runway running north of and parallel to the A605 at Furze Farm, in the adjacent field to the west of the appeal site. Following the Council's Statement of Case, the appellant's Addendum to the Glint and Glare Assessment (August 2024) provides clarity to the appellant's case on this matter.
 44. This Furze farm Addendum identifies that some glint would occur, across varying time periods and different months in the year, for different aircraft sizes, and location along the flight path. It concludes that significant impacts are not predicted. Mitigating factors include that glint would generally only be transitory during the landing process, and any visible glint would only originate from a small area of the panels at any one time, forming a small part of a wider peripheral view for pilots.
 45. However, there appears to me to be a potentially noticeable impact for some Furze Farm flying manoeuvres across a large proportion of the day/year. The

mitigating factors do not sufficiently indicate to me that any glint which is experienced, would not be harmful to pilots. Moreover, there is very limited evidence of the type and frequency of the flying activity taking place from the runway. This further reinforces my concerns in terms of the modelling used not being reflective of the local flying patterns and activity. In any case, conclusions with respect to Furze Farm would not alter my findings in respect of Sibson Aerodrome.

46. The Council also suggests that the proximity of the solar panels to the Furze farm flight path would have safety implications for emergency landings, albeit this was not identified in the reason for refusal. However, emergency landings would require a turn substantially less than 45 degrees to reach the field to the north of the appeal site. This would therefore be within the acceptable range identified in the CAST Guidance, and so no harm would arise on this basis.
47. The appellant has identified multiple solar farms approved or in operation near other UK and international airports. These do indicate that the principle of locating solar panels close to airports can be acceptable. However, on the evidence before me, I find the specific context of the appeal site to be such that these are not determinative to my decision.
48. In conclusion therefore, I find insufficient demonstration that the proposal would not harm the safe functioning of aircraft. As such, this would conflict with the LP Policies LP14 and LP35, which amongst other matters require that a high standard of amenity is maintained for all users of neighbouring land, and that all potential adverse impacts can be made acceptable.
49. The proposal would also conflict with the Framework. Paragraphs 135 and 191 identify that new development should have a high standard of amenity for existing and future users, and be appropriate for its location taking into account the potential sensitivity of the wider area to impacts that could arise from it. Paragraph 110(f) refers to the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time. Paragraph 193 identifies that planning decisions should ensure that new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

Agricultural Land

50. Parties opposing the proposal consider that it should be in an alternative location in order to protect agricultural land, particularly with relation to the southernmost field. Reference is made to Government and national documents and evidence to support the need for local food production, reduce food miles, and preserve agricultural resources in order to ensure future national food security. The expected rise in sea level is also suggested to place increased importance on high level farmland.
51. While I acknowledge this overall importance, there is also clearly significant national importance placed on addressing climate change through renewable energy. Alongside the development plan, on this matter I have most regard to policy forming part of the planning system, being the Framework, the PPG, and Written Ministerial Statements (WMS).

52. The LP Policy LP10 identifies that countryside development must avoid the irreversible loss of the best and most versatile agricultural land (BMVAL) where possible, classified as Grades 1, 2 and 3a. The PPG lists particular planning considerations for solar farms. This includes focusing them on previously developed and non-agricultural land, provided that it is not of high environmental value, and whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land, and the proposal allows for continued agricultural use where applicable.⁸
53. The Framework paragraph 180 requires protection of soil quality. Paragraph 181 and its footnote 62 identifies that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality, and the availability of agricultural land used for food production should be considered. However, this terminology of 'food production' is different to that of BMVAL, and is also in the context of plan making and not decision taking for specific proposals.
54. I also note the Lullington High Court judgement⁹, where the site assessment was concluded as not robust as no comparative soil investigation was undertaken outside of the appeal site. However, in that case the parties had agreed on matters of weight which have not been agreed in this instance before me, and each site must be assessed on its own merits and evidence. Other appeal examples, and the Bramley court judgement¹⁰, have confirmed that the PPG and the Framework, alongside the WMS of 25 March 2015 and of 15 May 2024, do not mandate the consideration of alternatives, nor some form of 'sequential test' for site selection. I therefore find no reason to conclude otherwise in this case.
55. The appellant identifies that 20% of the site is Grade 3a BMVAL. The Agricultural Land Classification and Soil Resources Report (2022) noted a further soil sample as Grade 2 land, but the Council accept this as anomalous based on the Natural England Agricultural Land Classification maps showing the closest Grade 2 land being some distance away. Interested parties suggest the samples identified in the Soil Report indicate a total of 40% BMVAL. On the basis of the evidence before me in this case, I have applied a cautious approach of assuming 40% BMVAL as a 'worst case scenario'.
56. The appellant indicates that the land would continue to be farmed via sheep grazing around the solar panels. I therefore find it would still be available for food production as per the Framework footnote 62 terminology. The manner in which land is farmed is not subject to planning control, and an alternative type of agricultural use could be put in place in any event even in the absence of the solar farm. The works proposed would be removed from the site after the 40 year permission ceases, due to decommissioning and land reinstatement conditions.
57. There are conflicting views on whether the soil would degrade or improve over this period. Natural England confirms there would be limited soil disturbance with no permanent loss of agricultural land quality likely to occur. A Soil

⁸ PPG Paragraph: 013 Reference ID: 5-013-20150327

⁹ Lullington Solar Park Limited v Secretary of State for Levelling Up, Housing and Communities and South Derbyshire District Council [2024] EWHC 295 (Admin)

¹⁰ Bramley Solar Farm Residents Group v Secretary of State for Levelling Up, Housing and Communities, Bramley Solar Limited & Basingstoke and Deane Borough Council & Others [2023] EWHC 2842 [Admin]

Management Plan condition could be imposed to safeguard soil resources, and to secure appropriate agricultural and biodiversity land management across the period. I therefore see no reason to conclude differently from Natural England in this instance.

58. In giving due weight to the use of BMVAL, as required by the 2024 WMS, I find the proposal would have no undue impact on national food security overall. Taking all the matters above into account, I find that the proposal would not result in an irreversible loss or degradation of BMVAL to the detriment of food production and its contribution to the local and rural economy. It would therefore comply with the relevant aspects of the LP Policies LP10 and LP35, and with the Framework Paragraphs 180 and 181.

Living Conditions

59. The Council considers the proposal would have a harmful impact on the living conditions of the occupants of Bates Lodge approximately 470m to the west of the site, from its scale, lighting, and glint. Objections from Bates Lodge residents include that the proposal would be a dominating and encroaching feature that would be the main focus of their views when going about their daily lives. The parties do acknowledge that the planning system does not protect individual views.
60. I have addressed above that no lighting is proposed. The glint modelling identifies that existing screening would eliminate any potential glint effects at the majority of the modelled potentially sensitive receptors. Any glint for Bates Lodge would be only for a maximum of approximately 5 minutes in the early morning. I am satisfied that this would not be unduly harmful to living conditions.
61. The majority of the Bates Lodge Annexe living accommodation is on the first floor, and some or all of the site would be visible from all the east and south facing windows, and its decking. It would also be visible from the first floor south facing windows in the main house, and various points within the garden. On entering the long driveway, the property would be framed above and to either side by the solar panels. The appellant concludes that the visual effects to Bates Lodge would be major/moderate, and it is clear that this property would be the most affected.
62. I have identified above that there would be a harmful change to the landscape character in the vicinity of the site, which would therefore incorporate harm to views from Bates Lodge. However, its driveway view would remain framed between open fields in the foreground, to either side, and in a strip along the skyline above the panels. The property is not immediately adjacent to the appeal site, with either one or two fields in between. Enhanced hedgerows and foreground trees would also break up the solid expanse in all views from Bates Lodge. The solar panels would also not be as stark and pale as presented within the Bates Lodge Review photomontages. They would not break the skyline, and a very wide and open view would remain, the majority of which would be of agricultural fields and vegetation.
63. I therefore do not find the proposal to be so proximate that it would be overbearing, or detract from the quality of the views to the extent that it would directly harmfully affect outlook and visual amenity so as to justify a dismissal of the appeal. Overall, the proposal would not cause harm to the living

conditions of the occupants of Bates Lodge. In this regard, there would be no conflict with the LP Policies LP14 and LP35, or the Framework paragraphs 135 and 191.

64. Although not within this reason for refusal, the Council's appeal Statement of Case also refers that other dwellings along Bullock Road would be affected, as the panels face directly into their homes and gardens. I note the interested party representations also made on this basis. However, any such glint would be for a maximum of approximately 15 minutes in the early morning, and these properties would be significantly further away from the site than Bates Lodge. Thus I make the same conclusion, regarding a lack of harmful impact on living conditions.

Other Matters

65. The proposal contains limited clarity on any confirmed grid connection, with reference to such being via existing primary substations at Orton or Great Haddon. Although the expected implementation timescale is therefore unclear, I also have no firm indication that it would not be achieved, and so this does not weigh against the proposal.
66. The LP Policy LP35 identifies that when identifying and considering the acceptability of potential adverse planning impacts from a renewable and low carbon energy proposal, their significance and level of harm will be weighed against its public benefits.
67. The Framework paragraph 157 states that the planning system should support renewable and low carbon energy and associated infrastructure, with paragraph 163 giving recognition that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions. The PPG similarly identifies that planning for renewable energy is important, as increasing the amount of energy generated from renewable and low carbon sources will help to secure the national energy supply and contribute to mitigating climate change¹¹. The Council has pledged to be net zero by 2040 in the context of a declared climate emergency. Government strategy¹² is to reach net zero by 2050.
68. The need for renewable energy provision is further reinforced within National Policy Statements (NPS) EN-1 and EN-3¹³. Although having effect for decisions on energy developments that are nationally significant under the Planning Act 2008, they can be a material consideration in decision making under the Town and Country Planning Act 1990. Solar is identified as a key part of the Government's strategy for low-cost decarbonisation of the energy sector and has an important role in delivering greater energy independence goals. Wind and solar are described as the lowest cost way of generating electricity.
69. The solar farm would clearly positively contribute to these combined aims, by providing a public benefit of a secure and resilient supply of electricity from a low carbon source. It would have an installed capacity of up to 25 MW with an estimated power output of some 42,180 MWh of electricity per annum, sufficient to power an average of 7,713 homes. It would also help to reduce the

¹¹ Paragraph: 001 Reference ID: 5-001-20140306

¹² Net Zero Strategy: Build Back Greener (October 2021)

¹³ EN-1: Overarching National Policy Statement for Energy, EN-3: National Policy Statement for Renewable Energy Infrastructure (January 2024).

transmission losses associated with long lengths of transmission lines from conventional power stations, and contribute towards the efficiency of the UK distribution system. The current reliance on imported energy also exposes the UK to unpredictable energy supplies and high energy costs.

70. There would be further environmental benefits of reduced other air quality pollutant emissions in addition to carbon dioxide, following reduced conventional generation, and fuel transportation. It would assist in reducing the UK economy risks of the potential impacts of not taking action to combat climate change. Overall, the proposal would make a significant contribution to mitigating against climate change and achieving net zero ambitions, which I give substantial weight.
71. It would also result in some local economic benefits during construction and its ongoing operation, to which I give moderate weight.
72. Interested parties object that the proposal would result in harm to wildlife. However, the Wildlife Trust suggests that it would provide significant positive biodiversity net gain, despite being likely to be slightly lower than the suggested 215% increase in habitat units, and 91% increase in hedgerow units. I therefore give this benefit significant weight.
73. Access for Bridleway 111/8 would be improved, and a permissive path proposed around the northern field. I give this public benefit minor weight.
74. I note the interested party objections on additional matters not identified above, including flood risk, impact on wildlife and watercourses, highway safety, carbon release, and a lack of full archaeology assessment. The Council did not deem these to be issues sufficient to warrant a reason for refusal. In any case, as the appeal is to be dismissed, it is not necessary for me to consider these or any other matters in any further depth. I have come to my own conclusions based on all the evidence put to me.
75. Where relevant, my reasoning above has addressed matters relating to the proposed conditions, were I to have allowed the appeal. I do not find that the Council's total number of proposed required conditions should in itself suggest that harm would be caused.

Planning Balance and Conclusion

76. The proposal would help to secure national energy supply, and mitigate against climate change, with the associated environmental benefits. These are significant public benefits which hold substantial weight. There would also be local economic benefits, significant biodiversity net gain, and an improved PROW network at the local level.
77. The proposal would cause no harm to the retention of the Best and Most Versatile Agricultural Land, or the living conditions of the occupants of Bates Lodge. However, I found significant harm would be caused to the character and appearance of the Northern Wolds Landscape Character Area, and insufficient demonstration that the proposal would cause no harm to the safe functioning of aircraft, both matters which attract significant weight.

78. I find the significance and level of this combined harm, would not be outweighed by the public benefits. The proposal would therefore conflict in principle with the LP Policy LP35 overall, and also with LP14, and with aspects of LP10 and the LTSPD. There would also be an overall conflict with the Framework paragraphs 110, 135, 180, 191, and 193.
79. For the reasons given above, the proposal would therefore conflict with the development plan taken as a whole. With no other material considerations indicating otherwise, I conclude that the appeal is dismissed.

L N Hughes

INSPECTOR