



**North Warwickshire
Borough Council**

Nick Leaney
Aardvark EM Limited
Higher Ford
Wiveliscombe
Taunton
TA4 2RL

Jeff Brown BA Dip TP MRTPI
Head of Development Control Service
The Council House
South Street
Atherstone
Warwickshire
CV9 1DE

Telephone: (01827) 715341
Fax: (01827) 719225
E Mail: PlanningControl@NorthWarks.gov.uk
Website: www.northwarks.gov.uk

Date: 29 February 2016

The Town & Country Planning Acts
The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
The Town & Country Planning (General Development) Orders
The Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended)

DECISION NOTICE

Major Full Planning Application

Application Ref: PAP/2015/0459

Site Address

Land South Of Pogmore Spinney, Merevale Lane, Merevale

Grid Ref: Easting 428395.01
Northing 297049.35

Description of Development

Standalone solar PV array, access, associated infrastructure, landscaping and cable route

Applicant

Murex Solar Ltd

Your planning application was valid on 24 July 2015. It has now been considered by the Council. I can inform you that:

Planning permission is **GRANTED** subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered 263.b/D001; 002, 003, 004, 005, 006, 008, 009, 010, 011, 012, 014, 015 and 016 all received by the Local Planning Authority on 22 July 2015.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

Authorised Officer: _____

Date:

29 February 2016

Controlling Condition

3. This planning permission is for a period of twenty five years from the date that the development is first connected to the national electricity grid. The date of this connection shall be notified to the Local Planning Authority in writing within 28 days of it occurring. All solar arrays, their supports foundations, inverters, transformer stations, site substations, access tracks, fencing and security cameras and their supports shall be removed from the site and the land reinstated to its former arable condition within twelve months of the solar park ceasing to be operational.

REASON

To reflect the temporary nature of the development and ensure appropriate reinstatement of the site.

Pre- Commencement Conditions

4. No development shall commence on site until an archaeological investigation has first taken place; the contents submitted to the Local Planning Authority and the written agreement of that Authority given that the development as approved may proceed.

REASON

In the interests of the potential archaeological interest in the land.

5. No development shall commence on site until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and geo-hydrological context of the development together with details of how the system will be maintained in perpetuity over the length of the operation have all first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

To reduce the risk of flooding and to protect water quality.

6. No development shall commence on site until full details of all of the landscaping measures to be undertaken have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

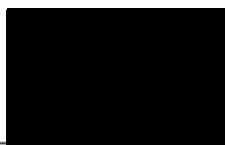
In the interests of the visual amenities of the area.

7. No development shall commence on site until full details of the measures to be implemented on site to protect existing flora and fauna and to enhance bio-diversity throughout the lifetime of then development, have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests to promoting the ecological value of the site.

Authorised Officer: _____



Date:

29 February 2016

Other Conditions

8. There shall be no construction work whatsoever undertaken including any delivery to the site of construction materials other than between 0730 and 1930 hours during weekdays and between 0730 and 1200 hours on Saturdays with no work on Sundays and Bank Holidays.

REASON

In the interests of the residential amenity of nearby residents.

9. Following the commencement of the operational use of the site, the whole of the construction compound shall be permanently removed and the site fully re-instated for agricultural purposes.

REASON

In the interests of the visual amenities of the area.

INFORMATIVES

1. The Local Planning Authority has met the requirements of the NPPF in this case by engaging in pre-application discussions and following through the planning issues with detailed analysis and imposing appropriate conditions.
2. Attention is drawn to the advice of the Local Lead Flooding Authority that the strategy as set out in the submitted plans needs to be revised to provide more surface water attenuation. For instance in other cases, the excavated spoil from the construction of the swale has been placed on the downslope of the swale so as to provide additional attenuation storage and once the site is decommissioned the excavated material can simply be brought forward to fill the swale.
3. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/>, located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the North Warwickshire Building Control Partnership on (024) 7637 6328 for further advice on radon protective measures.

4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Authorised Officer: _____

Date:

29 February 2016

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

APPEALS TO THE SECRETARY OF STATE

1. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you can appeal to the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
2. If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.
3. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, or online at www.planning-inspectorate.gov.uk and www.planningportal.gov.uk/pcs.
4. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
5. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. The Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

PURCHASE NOTICES

1. If either the Local Planning Authority or the Department for Communities and Local Government grants permission to develop land subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
2. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

NOTES

1. This decision is for the purposes of the Town and Country Planning Act only. It is not a decision under Building Regulations or any other statutory provision. Separate applications may be required.
2. A report has been prepared that details more fully the matters that have been taken into account when reaching this decision. You can view a copy on the Council's web site via the Planning Application Search pages <http://www.northwarks.gov.uk/planning>. It will be described as 'Decision Notice and Application File'. Alternatively, you can view it by calling into the Council's Reception during normal opening hours (up to date details of the Council's opening hours can be found on our web site <http://www.northwarks.gov.uk/contact>).
3. Plans and information accompanying this decision notice can be viewed online at our website <http://www.northwarks.gov.uk/planning>. Please refer to the conditions on this decision notice for details of those plans and information approved.

Authorised Officer: _____

Date:

29 February 2016



NORTH WARWICKSHIRE
BOROUGH COUNCIL
APPROVED
29/02/2016
UNDER THE PROVISIONS OF
THE TOWN & COUNTRY PLANNING ACTS
SUBJECT TO CONDITIONS
ON NOTICE

NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
22/07/2015
PLANNING & DEVELOPMENT
DIVISION


Drawing No:	1263.b/D002
Revision:	V.b
Date:	26 June 2015
Project:	Magazine Field
Drawing Title:	Location Plan
Scale:	1:2,500 @ A1



aardvark
environment matters

Aardvark EM Limited
Higher Ford Wivelscombe
Taunton Somerset TA4 2RL
Tel: 01984 624989
Fax: 01984 623912
environment@aardvarkem.co.uk
www.aardvarkem.co.uk

Key:

 Application Boundary

Legend:

- Site (indicative)
- Site centre (indicative)
- 1km bands from site centre
- National Character Areas

Elevation AOD

metres

- 27.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100
- 100.1 - 110
- 110.1 - 120
- 120.1 - 130
- 130.1 - 140
- 140.1 - 150
- 150.1 - 160
- 160.1 - 170
- 170.1 - 180

NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED

22/07/2015

**PLANNING & DEVELOPMENT
DIVISION**

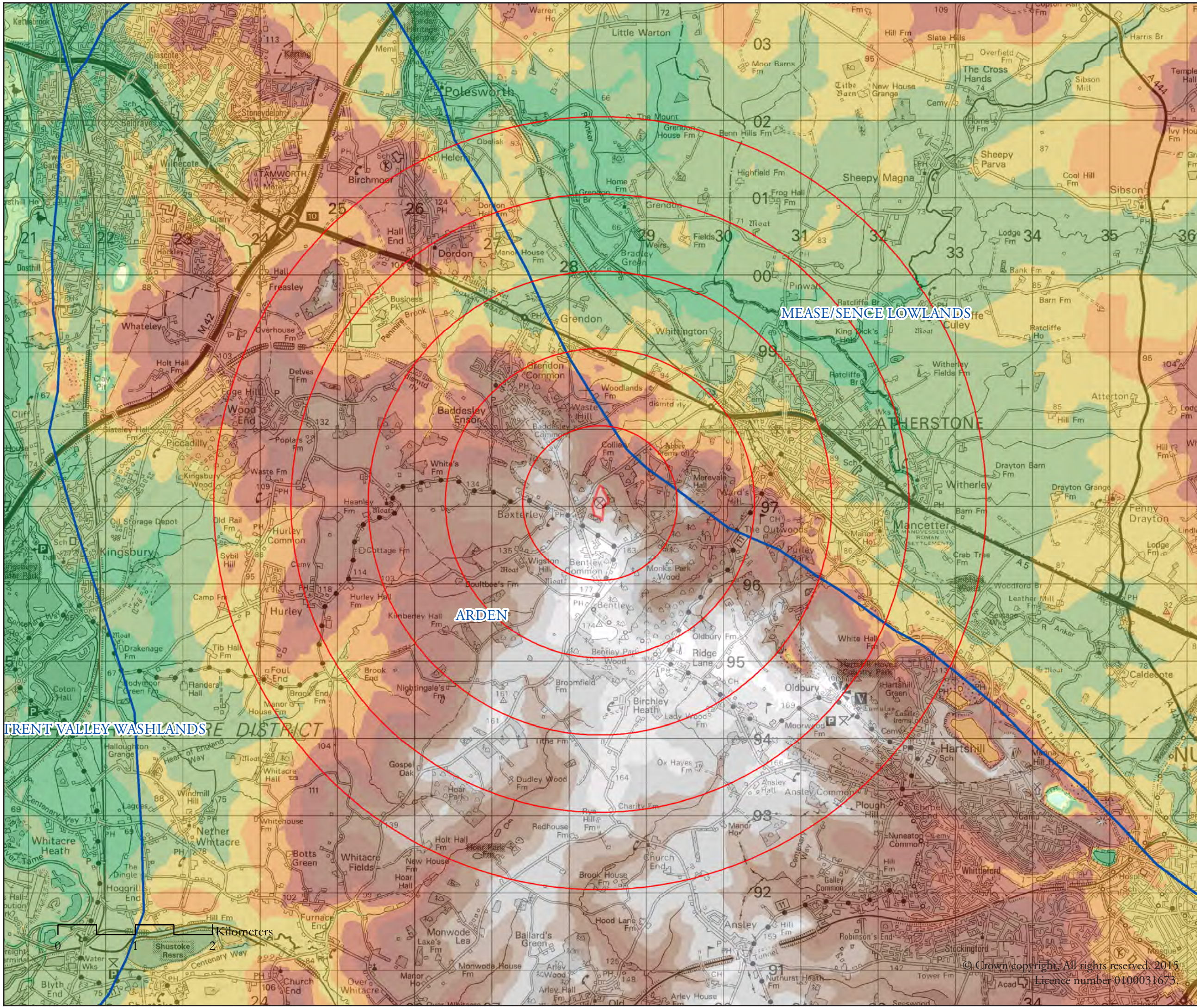
Project: Land at Magazine Field,
Merevale

Title: Figure 1: Topography and
NCAs

Date: June 2015

Ref: 1191/01

Scale: 1:45,000 at A3



Pogmore Spinney

Track

Pond

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NORTH WARWICKSHIRE
BOROUGH COUNCIL

APPROVED
29/02/2016



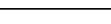
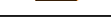

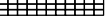



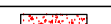




UNDER THE PROVISIONS OF
THE TOWN & COUNTRY PLANNING ACTS
SUBJECT TO CONDITIONS
ON NOTICE

Drawing No:	1263.b/D001
Revision:	V.c
Date:	09 July 2015
Project:	Magazine Field
Drawing Title:	Indicative Site Plan
Scale:	1:1,000 @ A2

**aardvark**
environment matters

Aardvark EM Limited
Higher Ford, Wiveliscombe
Taunton, Somerset TA4 2RL
Tel: 01984 624989
Fax: 01984 623912
environment@aardvarkem.co.uk
www.aardvarkem.co.uk

Key:

	Application Boundary
	Inverter Transformer Building
	Private Substation Building
	GRP Enclosure (DNO building)
	Solar PV array
	5m Ecological Exclusion Zone
	Storage container
	Fence
	Proposed Internal Access Track
	Gate
	New Hedgerow
	Customer Room
	Control Building
	Swales

File:Z:\Data 2015\1263b Magazine Field\Data & Drawings\CAD\1263.b-D001-v.c-Indicative
Site Plan.dwg
Drawn By: RC Checked By: KG ☒

NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED
22/07/2015

PLANNING & DEVELOPMENT
DIVISION

(7) Application No: PAP/2015/0459

Land South of Pogmore Spinney, Merevale Lane, Merevale,

Standalone solar PV array, access, associated infrastructure, landscaping and cable route, for

Murex Solar Ltd

Introduction

The receipt of this application was reported to the last meeting of the Board and it resolved to visit the site prior to making a determination. That visit has now taken place and the matter is referred back to the Board for determination.

For convenience the previous report is attached at Appendix A. No further changes have been made to the proposal since it was submitted and the planning policy background has also not changed. That report describes the site and the proposal and so those matters will not be repeated here.

The plans and photographs attached to Appendix A will be displayed at the meeting.

Representations

Atherstone Civic Society - The Society objects because of the visual impact on an historic landscape and the cumulative impact with the major industrial developments on the former colliery site and its shale tip – the car distribution depot and the AD plant. The Society describes the proposal as a “brutal engineering solution without any aesthetic consideration with the only palliative being suggested that it is partially out of sight and masked by some hedgerows and trees”. The objection covers the impact on open countryside; the impact on heritage assets, the nature of the associated infrastructure, the cumulative impact, energy and financial considerations and reference to best practice. The full objection letter is attached at Appendix B.

Atherstone Town Council - The Council supports the objection of the Civic Society

One representation has been received from an Atherstone resident pointing out that the submitted photographs were taken in the summer months when vegetation is in full leaf, and that the view from Twenty One Oaks should not be lost.

All households in Baxterley village were notified of the application as well as the Baxterley Parish Council. There have been no responses received.

Consultations

Severn Trent Water Ltd – No comments to make

Warwickshire County Council as Highway Authority – Originally submitted an objection because of concerns about highway safety in the construction period. Additional survey work has been requested and carried out. This is now with the County Council and a further response is awaited.

Warwickshire County Council as Lead Local Flood Authority – No objection subject to conditions.

Birmingham Airport – No objection

Environmental Health Officer – No objection

Observations

a) Planning Policy

The site is not in the Green Belt.

Planning policy in respect of renewable energy projects is found in the Development Plan and in the NPPF. The NPPF supports the “transition to a low carbon future” and the “encouragement of the use of renewable resources” as guiding principles. It also says that “small scale projects provide a valuable contribution to cutting greenhouse emissions”. The NPPF therefore concludes that Local Planning Authorities should have a positive strategy to promote energy from renewable sources and “approve applications if their impacts are or can be made acceptable”. The relevant policy in the Core Strategy is NW11 which says that, “renewable energy projects will be supported where they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular they will be assessed on their individual and cumulative impact on landscape quality, sites or features of natural importance, sites or buildings of historic or cultural importance, residential amenity and the local economy”. This reflects the approach of the NPPF where it says that, “when determining applications local planning authorities should approve the application if its impacts are acceptable” unless material considerations indicate otherwise. The Government’s NPPG on renewable energy projects again reflects this approach. In general terms this reiterates the commitment to increasing the amount of energy from renewable technologies. In respect of solar farms the guidance identifies a number of factors which will need to be assessed. These include whether the land is greenfield or brownfield; the agricultural grading of the land, bio-diversity impacts, the effect of glint and glare, the need for additional infrastructure, the visual impact, the effect on landscape character together with the impacts on heritage assets.

The common theme running through these documents is that the presumption is in favour of the grant of planning permission unless the impacts are so great that they cannot be mitigated or made acceptable through amended plans or planning conditions. This therefore is the starting point for the assessment of this application.

It is proposed to deal with all of the matters raised in the NPPG. The most significant matters in respect of this particular case are those relating to visual impacts; to the impact on landscape character and thirdly on heritage assets. Before addressing these, a number of the other matters will be dealt with first.

b) Residential Amenity

It is considered that there will be no adverse impact on the amenity that nearby residential occupiers might reasonably enjoy. This is because there is no residential property directly overlooking the site. Part of the site will be visible from the upper floors of Bentley Nursing Home in Twenty One Oaks but the impact is limited and will be mitigated by the proposed peripheral planting on that part of the site boundary which is the most visible from this property. Moreover the area of the site affected is very small

and when considered in the very wide panorama from this property, it is concluded that this is not a significant issue. The lack of any representation from residents in Baxterley, surrounding dwellings or indeed from the proprietors of the Nursing Home, support this conclusion. As such it is considered that there is no material harm arising in respect of this issue.

c) Agricultural Land

It is agreed with the evidence of the applicant that this land is Grade 3b and that part of the site at its northern end is probably at a lower value than that. As such there is no material harm arising from consideration of this particular issue. The land will also be put to pasture thus enabling some agricultural use. Members will also be aware that the proposal is reversible and time limited to some 25 years.

d) Drainage

Given the advice of the Local Lead Flooding Authority there is no objection here in principle. The condition recommended will require a sustainable drainage solution to be designed and agreed. This is line with the applicant's intentions. Given the slope of the land; the peripheral safeguarded boundary and the spaces between the panels, there are many opportunities here to provide such a solution.

e) Bio-Diversity

There is no evidence submitted in rebuttal of the conclusions found in the applicant's own ecological survey which recommends that there is a good opportunity here to enhance bio-diversity within and around the site – the peripheral zones; the new hedgerows and trees and the introduction of pasture. Suitable conditions can protect the management of existing flora and fauna. There is no material adverse impact here to warrant a refusal.

f) Construction

The Environmental Health Officer has not raised any issues in respect of the construction management plan as set out in Appendix A. This was to be expected given the temporary nature of the construction period (12 to 15 weeks) and the fact that there are very few if any affected residential properties.

g) Access Arrangements

The Highway Authority has no concerns with the use when it is operational as traffic movements are likely to be no more or possibly less than existing agricultural traffic generation using the field gate access. The Authority's main concern is thus with the construction period because of the larger and slower vehicles using the access and its location particularly in respect of visibility to the north where there is the crest of the hill. Additional survey work has been undertaken at the request of the Highway Authority as mentioned above – speed surveys in particular. Subject to the Highway Authority's clearance it is considered that there is likely to be no objection subject to the usual conditions.

h) Visual and Landscape Impacts

The applicant's evidence concludes that the development would introduce a modern low-level engineered element into a well wooded semi-enclosed farmland landscape but without any significant change to the character of the landscape or visual impact. This conclusion needs to be assessed as members are fully aware of the significant landscape value of this part of the Borough.

This value arises from the topography of the area being located on the top of a substantial scarp slope overlooking very wide and far panoramas. The North Warwickshire Landscape Character Guidelines show that the site is in an area described as the "Baddesley to Hartshill Uplands". It defines a distinct and unified upland landscape on a steeply sloping and undulating rock scarp. It has a complex land use pattern of settlements; woodland, recreation, quarrying and associated industry and farmland. The landform too gives rise to characteristic heavily wood areas, heath and pockets of permanent pasture in small hedged fields as well as isolated large arable fields between woodland blocks. Settlements and industry are generally absorbed by the prevailing upland character. Long views from highpoints are significant.

The definition also describes a relatively undisturbed heavily wooded landscape around Merevale Hall which has a "strong sense of unity".

The characteristics of the proposal limit its harm on the character of the landscape as set out above. This is because it is low-level containing linear elements which will have a dark matt colouring and because it is time limited. The development is reversible. The selected site also has real advantages. It is surrounded by heavy woodland and is thus within an enclosed or contained setting. It is in a field that is not on the crest of the scarp or readily visible from the north and itself is an undulating field. It therefore "sits" very well in the surrounding landscape. It is not considered that it would adversely affect the overall character of the landscape as described. It is sited in a sensitive area but the actual development would be absorbed into the landscape without material harm to that landscape.

In terms of visual impact then as indicated it would not be readily visible from the north, even several kilometres away; it would not be visible from Merevale Lane and there are no public footpaths across or in the vicinity of the site or its surrounding area. Visual impact is limited to partial views of the site from Twenty One Oaks to the south and south-east. However these are transitory and glimpsed views. They are proposed to be mitigated through hedgerow and tree planting along the site's boundaries in this corner of the development such that the site would become self-contained. Importantly the development would not be seen as a foreground feature from this road within the wide panoramic views to the north, which is perhaps the most substantial of the likely concerns. It is agreed that this particular corner of the site is presently visible from the upper floors of Bentley House but again, the mitigation measures proposed will greatly assist in lessening adverse impacts.

In conclusion therefore it is not considered that there are adverse landscape or visual impacts here to warrant there being more than minor harm.

i) Heritage Impacts

This again is a significant concern. As reported in Appendix A there are three Grade 1; nine Grade 2 star and 27 Grade 2 Listed Buildings within five kilometres of the site. In addition Merevale Park is a Registered Park and there are eight scheduled monuments within the same five kilometres.

It is concluded immediately that there is no adverse impact or harm to the setting of the Atherstone Conservation Area given the separation distances and the lack of any inter-visibility.

There is also considered to be no harm to any of the Scheduled Ancient Monument Sites given the separation distances. However given that there has little archaeological fieldwork undertaken in the general area of the site and because of its proximity to the Watling Street and the 12th Century Cistercian Monastery at Merevale Abbey, the development enables archaeology fieldwork to be undertaken prior to the development commencing.

An assessment has been made by the applicant of each of the Listed Buildings referred to earlier. This involves a description of each; its landscape context and presence, its setting, views of the building and the sensitivity of the asset concluding with an assessment of the magnitude of the impact of the proposed development on the setting and significance of the asset. Of these individual assessments, none has resulted in any impact greater than minor to moderate. This occurred in only two cases – that of the Grade 2 star Merevale Hall and the Registered Park/Garden of the Hall. All other impacts were found to be neutral or negligible because of separation distances and lack of inter-visibility or historic and architectural association or linkage. These assessments have been explored and there is nothing found to warrant any different conclusions.

Clearly the two assessments referred to above need to be examined further particularly as NPPF guidance is that harm to heritage assets has to be given substantial weight in the determination of development proposals reflecting the relevant planning legislation. The significance of Merevale Hall is as a country house with late 17th Century origins but which was rebuilt in the late 19th Century of regional architectural and historic value located on a site with a long history and within an associated garden/park/estate built in an Elizabethan style which has been preserved and well maintained together with an associated stable block. It is set in a landscaped wooded estate framed by formal gardens and standing in a hill top location with commanding views, thus being visually dominant. Given this description the Hall is sensitive to any change or interruption where focus is removed from the building itself.

The issue is thus what impact the proposal would have on this description. The applicant considers that the site may be visible from the upper floors of the Hall but that the site and development will be screened from the gardens, grounds and stables as well as the lower floors. As such there would only be minor impacts. This is agreed. The development's characteristics are helpful as to assessing the impact of the proposal on wider views looking from outside of the immediate area around the Hall, into the Hall itself. The question as set out in the final sentence above, is would the visual prominence of the Hall be diluted or lessened by the development because the eye would be drawn away from the Hall? The development is low-level with dark matt colouring and the site is surrounded by woodland blocks with new planting proposed. It is considered that the proposal would have no significant impact on this issue but that there may be some visual distraction from more distant views. However this would not be significant and thus the applicant's assessment is agreed.

It will not be surprising that the gardens and parkland of the Hall are registered by Historic England as a heritage asset. This is a 185 hectare asset containing ten hectares of gardens with the remainder as parkland. It extends to the Watling Street, the B4116 and Merevale Lane. The parkland is recognisable as such with sweeping pasture and mature trees which make a visible landscape presence but not one dominant in the landscape. The development site is outside of the Registered Park and Garden area being in the surrounding farmland. The parkland itself is very sensitive to changes or additions – views across parkland; to and from the Hall and views of post-medieval parkland and medieval monastic landscapes. The impact of the proposal on this significant asset will thus be highly important. The features of the development itself as set out previously are important factors here as are the surrounding woodland blocks. There is no impact on any of key views or vistas although the site may be visible as before over the parkland from the upper floors of the Hall and from some other locations within the park itself. The Council's saved policy ENV16 says that developments adjoining registered parks will not be permitted if they adversely affect the character and setting of the area. In these circumstances set out above, it is considered that the overall impact on the significance of the parkland asset is minor to moderate and thus there would be no adverse impact to warrant a refusal under this saved policy.

The overall conclusion therefore is that there will be impacts on the totality of the heritage assets within the area around the site but that at worst these would be minor to moderate.

Members however are also asked to consider any cumulative impacts arising from this proposal. There is only the one other solar farm at Grendon some five kilometres from the site and there are no other outstanding planning applications for such developments. It is not considered that there would be a cumulative impact here given the separation distances and the fact that the two sites are largely not inter-visible. As indicated above the south east corner of the present site will be planted and landscaped so that the development would not be seen in the foreground of any wider views looking north and the site is very largely not seen from the north looking south because of its location over the crest of the slope and the surrounding woodland blocks. There is however an issue with the other commercial uses nearby – the former colliery site and the former shale tip. These two sites are close by and are significant developments. However they are on sites that are very largely contained. The AD plant on the former shale tip is hardly visible at all from any public viewpoint and the colliery site too is surrounded by existing woodland. Members have visited both of these sites in the past and should thus be fully aware of this conclusion. The application site too as described above is self-contained. Each development is thus absorbed into the landscape with no adverse alteration to its overall character and appearance.

j) Other Matters

Birmingham Airport has not come back with any objection.

The report at Appendix A outlines the community consultation that the applicant carried out prior to submission of the application. This concluded that community benefit should preferably be in the form of a "fuel poverty" scheme for local residents. The applicant proposes to set up a Charitable Trust which would administer local projects including community projects and a local fuel poverty scheme. This would amount to £1000 a year (index linked) over the lifetime of the project. This is considered to be a benefit that weighs in favour of the application.

The Civic Society has raised the issue of a deferral asking the applicant and land owner to review the application in light of recent Government announcements on reductions of tariffs for ground based solar farms and that it is keen to give priority to brownfield land and to roof coverage rather than to sites in open countryside. Members will be aware that the application has been submitted and should be determined on its planning merits as it stands now. The government announcement has not been translated into changes to the National Planning Practice Guidance.

Conclusion

The key issue here is whether the support for renewable energy projects as set out in the NPPF and the Development Plan should be set aside here because greater weight should be given to the retention of the landscape character and quality together with the significance of the heritage assets in the locality. It is agreed that the sensitivity of the site in regard to these two factors is high and that particular weight has to be given to any assessment where there is harm to heritage assets. As a consequence the judgement here is finely balanced.

Whilst the Board will need to address all impacts here, it is worth recording that it is not considered that there is significant harm arising from drainage, amenity, ecological, agricultural and construction issues either individually or when added together. The highway situation is still to be resolved. No statutory objections have been received and it is noticeable that the only objection received has a different focus entirely. The issues raised by the various consultation responses can be dealt with through planning conditions.

This therefore brings the matter back to the two key issues. There is no doubt that this is a valued landscape both at a local level but perhaps more so because of the panoramas both into and out of this upland scarp. The characteristics of the development and its actual immediate setting here are of significant weight in that the proposal is very largely a self-contained site. Whilst the Civic Society dismisses additional planting so as to enhance that self-containment, it is considered that this is a significant mitigation measure and one that is of overall benefit. These measures affect the south –east corner of the site. Had such measures been proposed over a far wider area of the site then the conclusion here may well have been different. The planting too significantly reduces the visual impact of the development being a foreground feature when views are taken looking north. There are two nearby sites that contain industrial uses but again because of the visual self-containment of these there is not considered to be any significant cumulative impact. In the case of the application site and that of the AD plant then they are not readily visible from the public's perspective and it is considered that all three would not therefore be perceived together from a visual point of view. Overall the conclusion is that with these measures there would only be minor harm to visual and to landscape character.

The heritage issue here is also of weight because of the combination of the potential impacts on a Grade 2 star Listed Building and its associated Registered Parkland. It is considered that the harm to the Listed Hall is minor because of separation distances and intervening woodland. Importantly the visual prominence of the Hall within its setting would not be harmed either when looking into the Hall from outside from different positions around it or when overlooking the Hall from the higher ground to the south when looking towards the north. Given this conclusion and that in respect of the visual and landscape impacts, it is not considered that there would be harm to the setting or significance of the associated parkland. The parkland can be seen in its wider setting because of views into the Hall and across it. Also there is the more local impact from

within the grounds itself either looking within or out of the site. There is not considered to be any significant harm to either of these concerns.

As a consequence it is concluded that the actual harm to these issues would be minor, particularly with the additional mitigation measures as proposed. In these circumstances the balance should lie in favour of the grant of planning permission.

The proposed community trust is a material consideration here but it is not seen a determining factor of significant weight. The recommendation below allows for it to be established.

Recommendation

That subject to there being no objection from the Highway Authority and completion of a Section 106 Agreement to establish the Community Trust as outlined in this report, planning permission be granted subject to the following conditions and any conditions required by the Highway Authority:

Standard Conditions

1. Standard Three year condition
2. Standard Plan Numbers - 1263.b/D001; 002, 003, 004, 005, 006, 008, 009, 010, 011, 012, 014, 015 and 016 all received on 22/7/15.

Controlling Condition

3. This planning permission is for a period of twenty five years from the date that the development is first connected to the national electricity grid. The date of this connection shall be notified to the Local Planning Authority in writing within 28 days of it occurring. All solar arrays, their supports foundations, inverters, transformer stations, site substations, access tracks, fencing and security cameras and their supports shall be removed from the site and the land reinstated to its former arable condition within twelve months of the solar park ceasing to be operational.

REASON

To reflect the temporary nature of the development and ensure appropriate reinstatement of the site.

Pre-Commencement Conditions

4. No development shall commence on site until an archaeological investigation has first taken place; the contents submitted to the Local Planning Authority and the

written agreement of that Authority given that the development as approved may proceed.

REASON

In the interests of the potential archaeological interest in the land.

5. No development shall commence on site until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and geo-hydrological context of the development together with details of how the system will be maintained in perpetuity over the length of the operation have all first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

To reduce the risk of flooding and to protect water quality

6. No development shall commence on site until full details of all of the landscaping measures to be undertaken have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

7. No development shall commence on site until full details of the measures to be implemented on site to protect existing flora and fauna and to enhance bio-diversity throughout the lifetime of then development, have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests to promoting the ecological value of the site.

Other Conditions

8. There shall be no construction work whatsoever undertaken including any delivery to the site of construction materials other than between 0730 and 1930

hours during weekdays and between 0730 and 1200 hours on Saturdays with no work on Sundays and Bank Holidays

REASON

In the interests of the residential amenity of nearby residents

9. Following the commencement of the operational use of the site, the whole of the construction compound shall be permanently removed and the site fully re-instated for agricultural purposes.

REASON

In the interests of the visual amenities of the area.

Notes:

1. The Local Planning Authority has met the requirements of the NPPF in this case by engaging in pre-application discussions and following through the planning issues with detailed analysis and imposing appropriate conditions.
2. Attention is drawn to the advice of the Local Lead Flooding Authority that the strategy as set out in the submitted plans needs to be revised to provide more surface water attenuation. For instance in other cases, the excavated spoil from the construction of the swale has been placed on the downslope of the swale so as to provide additional attenuation storage and once the site is decommissioned the excavated material can simply be brought forward to fill the swale.
3. Standard Radon Gas Note
4. Standard Coalfield Standing Advice Note

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0459

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	22/7/15
2	A Whyman	Representation	11/8/15
3	Atherstone Civic Society	Objection	14/8/15
4	Birmingham Airport	Consultation	17/8/15
5	WCC Highways	Consultation	18/8/15
6	Severn Trent Water	Consultation	19/8/15
7	Atherstone Town Council	Objection	20/8/15
8	Environmental Health Officer	Consultation	2/9/15
9	WCC Flooding	Consultation	5/8/15
10	Applicant	Letter	11/9/15
11	Applicant	E-mail	23/9/15

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

General Development Applications

(#) Application No: PAP/2015/0459

Land South of Pogmore Spinney, Merevale Lane, Merevale,

Standalone solar PV array, access, associated infrastructure, landscaping and cable route, for

Murex Solar Ltd

Introduction

This application has recently been received and is reported at this time for information. Given the location and size of the proposal it is recommended below that Members undertake a site visit prior to determination.

The Site

This amounts to some 5.2 hectares of arable agricultural land on the east side of Merevale Lane and to the north of Twenty One Oaks. The immediate surrounding area comprises blocks of woodland and other agricultural land. Whilst on the high scarp running parallel to the A5, the actual site itself slopes towards the south with a height difference of around 10 metres. The nearest residential property is located at the junction of Merevale Lane with the Coleshill Road – some 130 metres distant; Colliery Farm to the north at 350 metres and the Bentley House Care Home to the south at 400 metres. Merevale Hall is over a kilometre to the north-east. There are no public rights of way across or near to the site.

The general site is illustrated at Appendix A.

The Proposals

The proposal comprises a 5MW photovoltaic solar array with its associated infrastructure, landscaping and cable route to enable the export of renewable energy to the National Grid – sufficient it is said for consumption by around 1000 dwellings. It is not proposed to conduct any levelling works as the arrays will be able to be fitted directly into existing ground levels such that they face south. The rows of panels would be 3.5 metres apart and vary from 0.8 metres to 2.5 metres in height above ground level with an angle of around 25 degrees. The panels would be a matt blue-grey in colour.

The arrays would be connected via an underground cable to the National Grid on the 33Kv line to the north-west. The onsite sub-station would be located on the west side of the site close to the access. It would be 9.2 by 5.8 metres and 4.2 metres tall and constructed in colour coated steel. An associated car park would be needed together with a collection of other buildings.

There will also be a collection of inverter stations throughout the array. These would be metal clad buildings measuring 6.6 by 2.8 metres and be 2.3 metres tall.

A security fence and CCTV cameras are proposed. This would be 2.5 metres tall and be similar to deer fencing which is made of a high tensile steel mesh. CCTV cameras would be located every 60 to 70 metres around the perimeter on 4.5 high metre poles.

Access to the site for construction and maintenance once installed would be via an improved existing field gate on Merevale Lane. Construction is expected to take between 12 and 15 weeks, seven days a week, with a maximum of between 18 to 20 HGV movements a day particularly at the beginning of that period.

In this case a full planning permission is sought rather than a time limited one usually 25 years.

The developer proposes to set up a Solar Charitable Trust for the duration of the operational period of the solar array. This would be for use by the local community either for community projects or for a local residents' fuel poverty scheme. No decision has yet been made or terms of reference drawn up.

Plans at Appendices B to D illustrate the matters referred to above.

A number of supporting documents accompany the application.

A Design and Access Statement describes the appearance of the various pieces of plant, equipment and structures to be installed as well as summarising operations.

An Agricultural Appraisal describes the setting and the work done in investigating the nature of the soils across the site also looking at cropping and field conditions. It concludes that the site can be classified at Grade 3B agricultural land – e.g. “land capable of producing moderate yields of a narrow range of crops principally cereals and grass, or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year”.

An Ecological Survey describes the site as an enclosure bordered by conifer and broadleaved woodland and a species rich hedgerow. A number of recommendations are made: all boundaries need to be protected during the construction period, further badger surveys are needed but the current level of activity is not a constraint, bats may use the woodland to the east and so if these trees are to be managed further survey work is needed and all construction work should be carried out between September and February to avoid the nesting bird season. The site has good potential for bio-diversity enhancement and an appropriate plan should be drawn up.

A Flood Risk Assessment shows the site to be in a low risk area for fluvial flooding. There is a low risk of surface water flooding from the PV array but the sustainable drainage system involving the use of swales running across the slope at regular intervals is supported.

A Construction Management Plan says that the construction period would last between 12 and 15 weeks. Whilst 24/7 working is suggested there would be no deliveries on Sundays as HGV movements would operate between 0730 and 1930 during the week, with hours of 0730 to 1200 on Saturdays.. All construction traffic would use Merevale Lane and the A5. The temporary site compound would be within located in the field between the actual site and Merevale Lane adjacent to the access. The majority of the HGV movements (15 to 20 a day) would be in the first 10 weeks of the overall programme.

A Statement of Community Involvement states that apart from pre-application discussions with various Agencies, the applicant undertook a “mail-shot” to residential properties within 2 kilometres of the site as well as to Baxterley Parish Council including a response sheet. The responses are said to be supportive and there was a majority of respondents saying that any community benefit should go towards a local residents’ fuel poverty scheme.

A Heritage Impact Assessment says that the site is on the edge of the Merevale Park Estate, historically part of a 12th Century Cistercian Monastery. Very little archaeological fieldwork has been undertaken but due to the proximity of the Watling Street; the former Monastery and the medieval activity in the area, the opportunity should be taken to carry out some field work here. There are three Grade 1 and nine Grade 2 star Listed Buildings including a Registered Park within 5km of the site together with a further 27 Grade 2 Buildings and eight Scheduled Ancient Monuments. The Assessment concludes that most of these assets are located some distance away from the site so as to minimise any impact on their settings or indeed on their actual architectural and historic characteristics either individually or cumulatively. Additionally intervening topography and woodland suggests that they would be partly or wholly insulated from the effects of the proposed solar array. The overall conclusion is that only six assets or groups of assets would be affected, but that the level of harm overall would be negative/minor – there being negative or minor harm to Merevale Abbey, Oldbury Camp, The Gate House and the remains of Merevale Abbey but with negative/moderate harm to Merevale Hall and its registered parkland.

A Landscape and Visual Impact Assessment concludes that the development would introduce a modern low-level engineered element into a well wooded semi-enclosed farmland landscape. As the development would contain linear elements, the proposal would relate well to the undulating terrain and the land cover pattern. Landscape character effects would occur primarily within the 0.2 to 0.3 km distance from the site principally focused to the south/south-east. No views would be available from the principal settlements in the area. There would be some localised visual impacts during construction particularly from the upper floors of Bentley House. There are no public footpaths in the area and views from the highway network would be very limited but these at worst would be transitory glimpses. Overall the Assessment concludes that the development would be accommodated within the existing landscape structure but that there would be very limited views of it from publically accessible locations or from private dwellings. These would be reduced by on-site planting and strengthening of hedgerows.

A Planning Policy Statement sets out the planning policy background referring to the National Planning Policy Framework; the 2014 Core Strategy, the saved policies of the 2006 Local Plan and to the National Planning Practice Guidance. Other Material Planning Considerations relevant to solar arrays is referred to. The Statement concludes that the development accords with this policy background.

Appendices E to H are photographs of the actual site from just inside the access track. Appendix I illustrates the site from Twenty One Oaks.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW10 (Development Considerations), NW11 (Renewable Energy), NW12 (Quality of Development), NW13 (Natural Environment) and NW14 (Historic Environment)

Saved Policies of the North Warwickshire Local Plan 2006 – Core Policy 2 (Development Distribution); Core Policy 3 (Natural and Historic Environment), Core Policy 11 (Quality of Development), ENV1 (Protection and Enhancement of Natural Landscape), ENV10 (Energy Generation), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation) and ENV16 (Listed Buildings)

Other Material Planning Considerations

The National Planning Policy Framework 2012

National Planning Practice Guidance 2014

Planning Guidance for the Development of Large Scale Ground Mounted Solar PV Systems – BRE

Solar Farm – 10 Commitments: Solar Trade Association.

Observations

At this stage this report is for information so as to acquaint Members with the recently submitted application. A full determination report will be prepared in due course once full consultation has taken place with a number of relevant Agencies and the local community.

Perhaps the key issues when dealing with the application will be to assess the visual impact and the impacts on the character of the surrounding landscape. As in previous cases it is recommended that Members visit the site and its surrounds.

Recommendation

That Members note the receipt of the application and undertake a site visit prior to determination.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

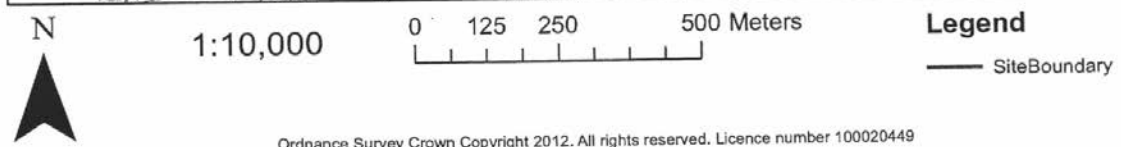
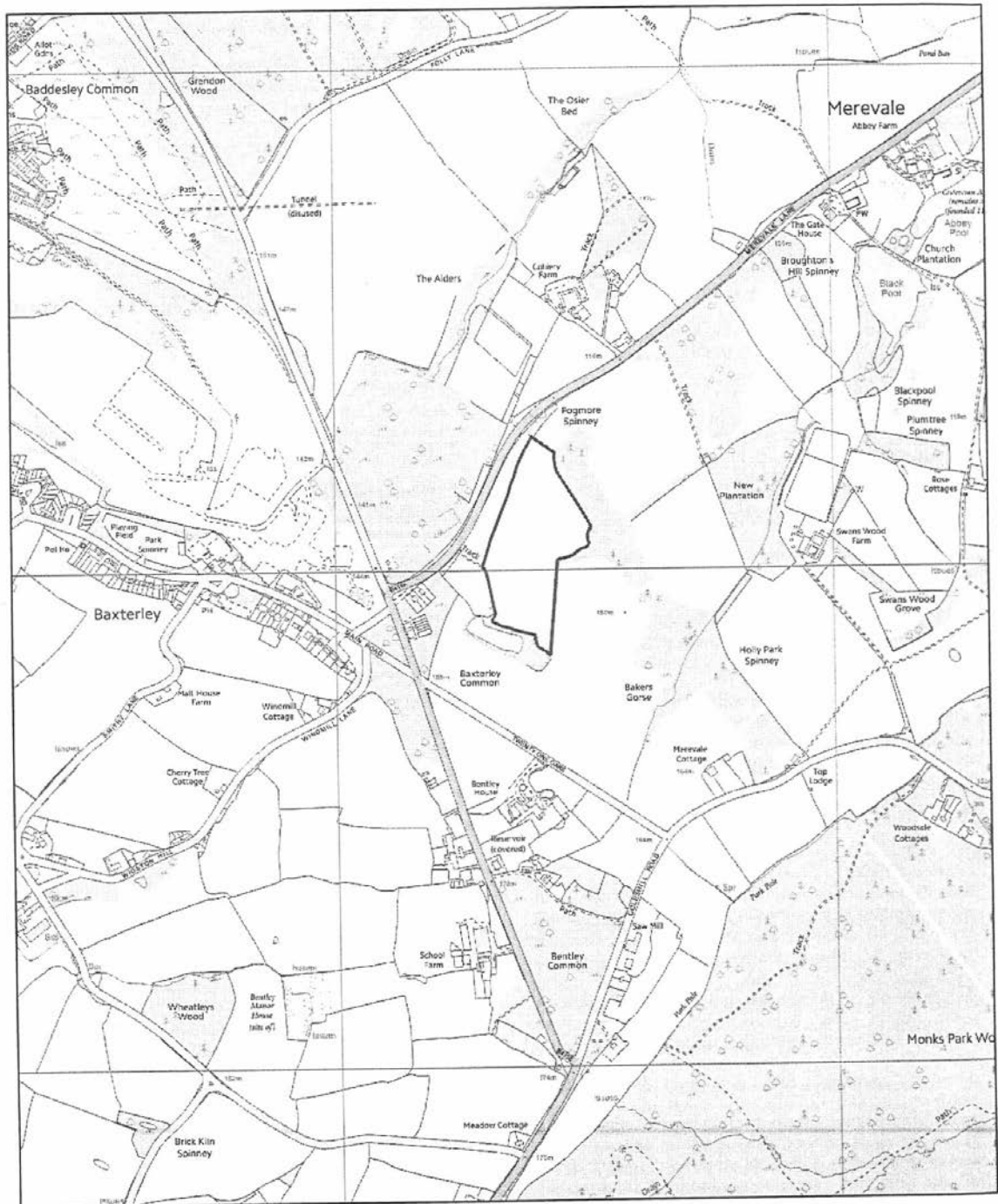
Planning Application No: PAP/2015/0459

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	22/7/15

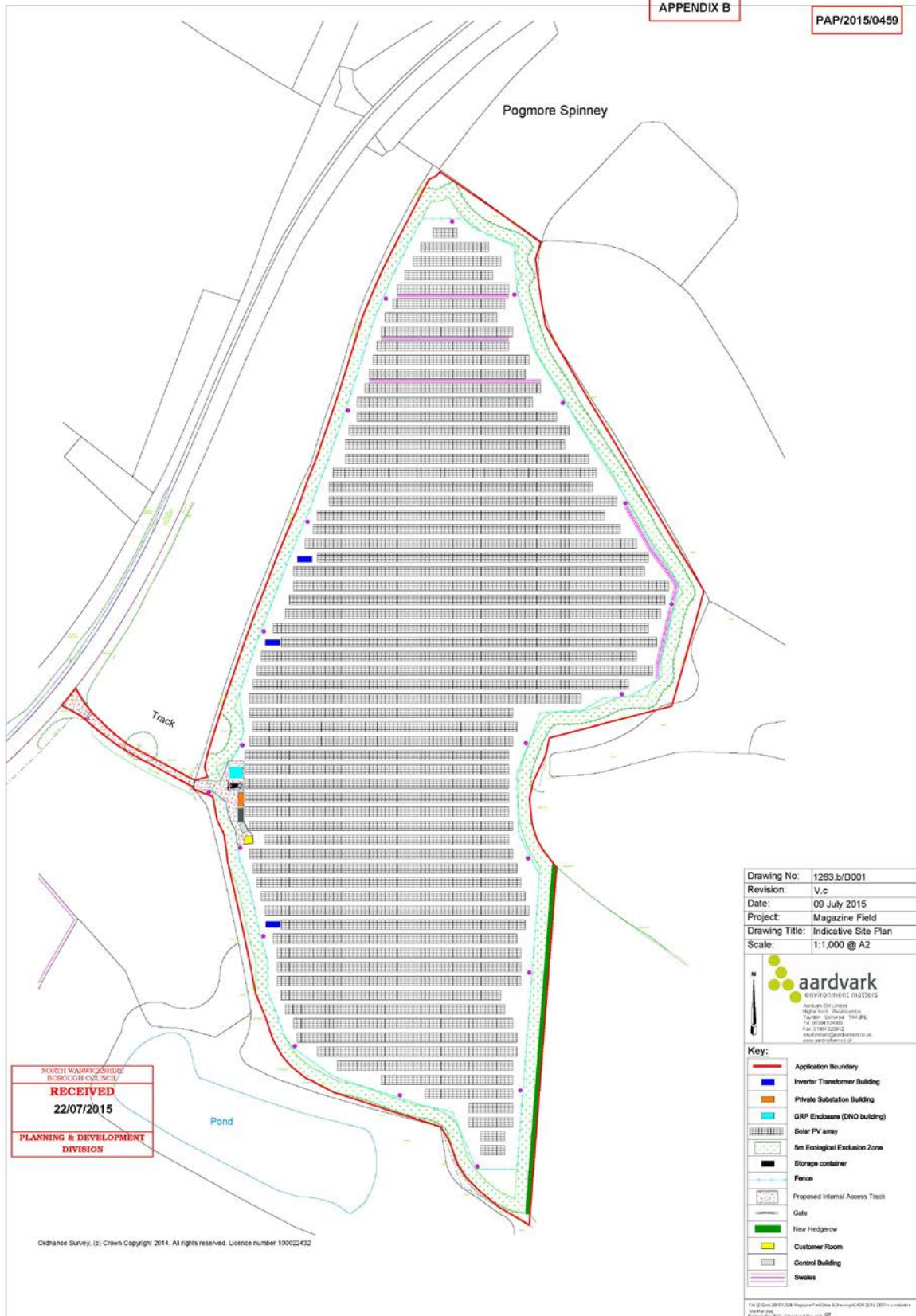
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

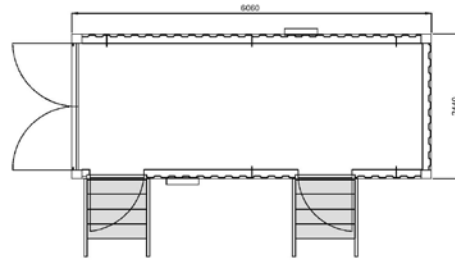
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

MUREX - LAND AT MEREVALE LANE SOLAR SITE PROPOSED LOCATION

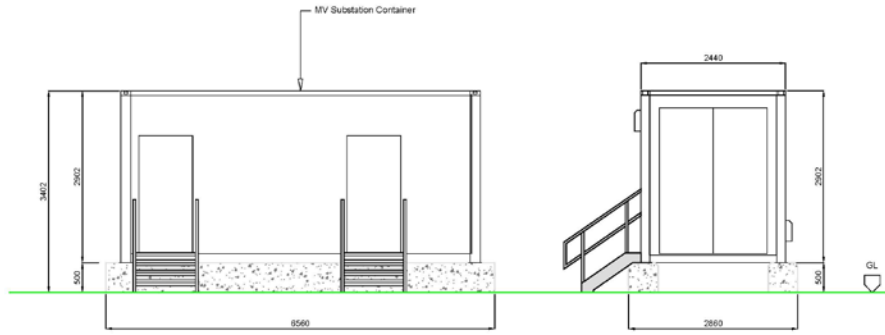


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FLOOR PLAN



SIDE ELEVATION

FRONT ELEVATION

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22/07/2015

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DIVISION

Drawing No: 1263.bD008
 Revision: v.1
 Date: 16 June 2015
 Project: Magazine Field
 Drawing Title: MV Substation Container Elevation and Plan
 Scale: 1:50 @ A3

**Notes:**

- Building colour RAL 6005
- Building made of coated steel
- All dimensions are indicative and in "mm".

For all drawings, all dimensions are given in millimetres (mm) unless otherwise stated.
 Drawn by: [Signature] Checked by: [Signature]

PAP/2015/0459



Existing view

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Grid references: 428307 297003
Location: South-western site boundary
Camera and lens: Canon 5Diii/50mm
Viewer height: 1.6m
Viewing distance: 300mm
Angle of view: 60°
Date: 3 June 2015
Time: 1:00 p.m.
Weather: Fine

Project: Land at Magazine Field, Merevale

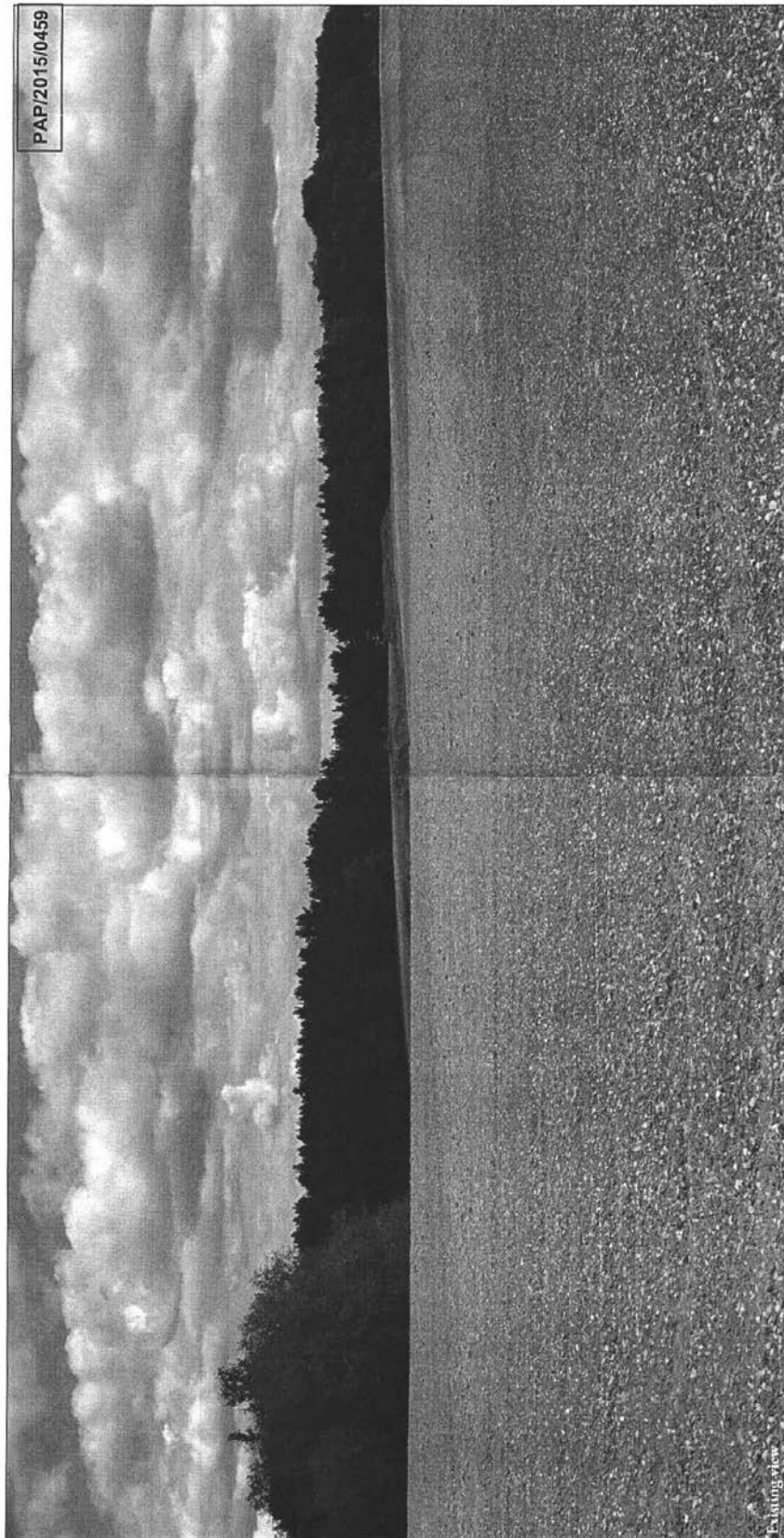
Tide: Viewpoint 1: South-western site boundary looking south-east

Ref: 1190/06.01 sheet 4 of 4

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Appendix E



PAP/2015/0459

Existing view

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Grid reference 428307 297003
 Location: South-western site boundary
 Camera and lens: Canon 5Diii/50mm
 Viewer height: 1.6m
 Viewing distance: 300mm
 Angle of view: 60°
 Date: 3 June 2015
 Time: 1:00 p.m.
 Weather: Fine

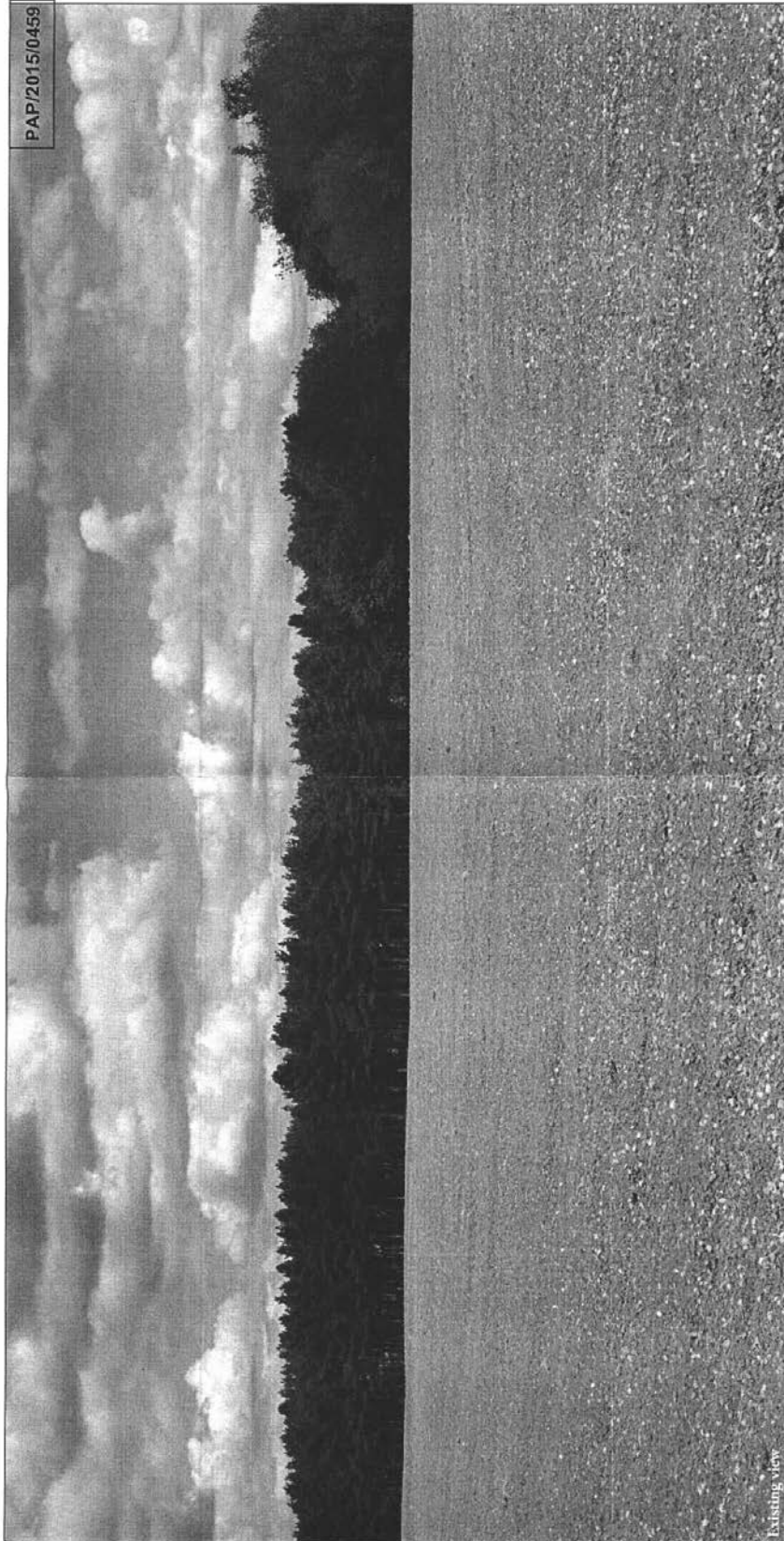
Project: Land at Magraine Field, Merevale
 Title: Viewpoint 1: South-western site boundary looking east
 Ref: 1190/06.01 sheet 3 of 4

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Appendix F

PAP/2015/0459



Existing view

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APPENDIX G

Grid reference: 428307 297003
 Location: South-western site boundary
 Camera and lens: Canon 5Diii/50mm
 Viewer height: 1.6m
 Viewing distance: 300mm
 Angle of view: 60°
 Date: 3 June 2015
 Time: 1:00 p.m.
 Weather: Fine

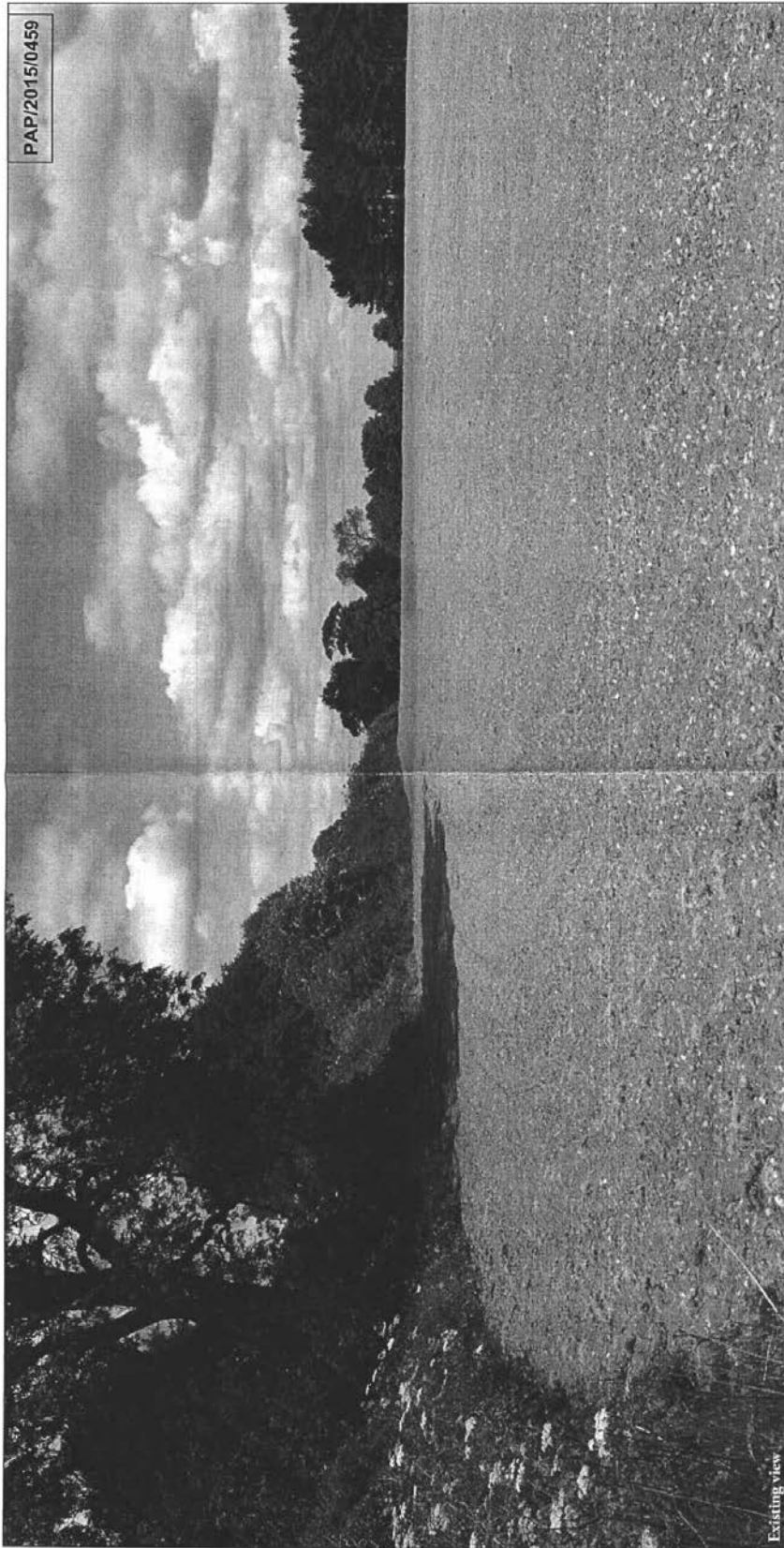


Project: Land at Magazine Field, Merxvale
 Title: Viewpoint 1: South-western site boundary looking north-east
 Ref: 1190/06.01 sheet 2 of 4

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PAP/2015/0459



Existing view

continued on next page >

Appendix H

Project: Land at Magazine Field, Merevale
Title: Viewpoint 1: South-western site boundary looking north
Ref: 1190/06.01 sheet 1 of 4

NORTH WARWICKSHIRE BOROUGH COUNCIL
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Grid reference: 428307 297003
Location: South-western site boundary
Camera and lens: Canon 5Diii/50mm
Viewer height: 1.6m
Viewing distance: 300mm
Angle of view: 60°
Date: 3 June 2015
Time: 1:00 p.m.
Weather: Fine



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Existing view



Grid references: 428440 296611
 Location: 215m to the south of the site
 Camera and lens: Canon 5Diii/50mm
 Viewer height: 1.6m
 Viewing distance: 300mm
 Angle of view: 60°
 Date: 3 June 2015
 Time: 11:50 a.m.
 Weather: Fine

NORTH WARWICKSHIRE BOROUGH COUNCIL
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PLANNING & DEVELOPMENT DIVISION

Project: Land at Magazine Field, Merevale
 Title: Viewpoint 2: Twenty One Oaks road
 opposite Bentley House
 Ref: 1190/05.02

Harbon, Amanda

From: Judy Vero <secretary@atherstonecivicsociety.co.uk>
Sent: 14 August 2015 09:33
To: planappconsult
Cc: Brown, Jeff
Subject: PAP/2015/0459: Land south of Pogmore Spinney, Merevale Lane, Merevale

For the attention of Jeff Brown

PAP/2015/0459: Land south of Pogmore Spinney, Merevale Lane, Merevale – Standalone solar PV array, access, associated infrastructure, landscaping and cable route

Thank you for your consultation of 28 July 2015.

We **object** to this proposal for its visual impact on an historic landscape and the cumulative impact with two other major industrial developments on the Merevale Estate. Our reasons are as follows:

The proposed development

The proposed development is of a large unacceptable scale, with the installation of 19,230 photovoltaic panels on a greenfield site in open countryside. The scheme illustrates a brutal engineering solution without any aesthetic consideration. The only palliative suggested is that it would be partially out of sight and masked by some hedgerows and trees.

The site in open countryside

The siting of this apparatus is in a hitherto unspoilt area of the North Warwickshire countryside in an agricultural setting. It is of paramount importance that these areas are rigorously protected against all types of building, however credible their credentials. To permit such development in an historic landscape could be seen as setting precedent both locally and nationally.

Although the Merevale Estate has very limited public access, the views across it are some of the greatest attractions of North Warwickshire. Of special note is the view north across Leicestershire from the vantage point of 21 Oaks. This currently very beautiful view would be seriously damaged by the proposal. Government guidance is clear on the need to protect the landscape. *The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes.* (Planning Practice Guidance – Renewable and low carbon energy, para 010 Ref: ID 5-010-20140306, revision Ref: ID: 5-013-201503272, Mar 2015). The Council's Core Strategy reinforces this: *Renewable energy projects will be supported where they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular they will be assessed on their individual and cumulative impact on landscape quality, sites or features of natural importance, sites or building of historic or cultural importance....* (Policy NW11)

This is an undulating landscape. Until the Warwickshire Structure Plan was abolished, it was included in its Special Landscape Area policy. In the Warwickshire Landscape Guidelines (1993), the area was described as *Arden: Wooded Estate lands: A well-wooded estate landscape characterised by a large scale rolling topography and prominent hilltop woodlands.* The North Warwickshire Landscape Character Assessment of 2010, (which has, in effect replaced the designation of SLA), states that, *A relatively undisturbed heavily wooded landscape surrounds Merevale Hall. The Hall is a prominent landmark building set within an historic Registered Park and Garden, affording long views across the Anker Valley to the north. A significant proportion of the adjacent Monk's Park/Bentley Park Wood is designated as a SSSI, reflecting*

its Ancient Woodland qualities. The area retains a strong sense of unity. (Character Area 4, p. 37) It is, however, acknowledged that, *the area is subject to a complex range of pressures for change*, and advises a management strategy to, *Conserve and restore the character of this distinctive upland landscape*. This would therefore suggest that solar arrays are not appropriate development for this landscape.

Impact on heritage assets

It appears that the heritage assets in the area (Merevale Hall, garden and park, church, abbey ruins, Abbey Farm, lakes, bridges, walls, etc) would not have their immediate setting damaged by the development. However, registered parks and gardens are rare and the Government's Planning Guidance, 'Conserving and Enhancing the Historic Environment' (Ref. ID:18a-049-20140306, Para 049) makes the point that, to be listed as such, *Any grade II park or garden should be exceptional. Local authorities are required to consult Historic England and The Gardens Trust on certain applications for planning permission*. As with a conservation area, the setting of a registered park and garden is important, because it provides a buffer zone between the park and the wider landscape. The park, garden and surrounding landscape is very attractive and, apart from some metal barns, is free of modern development. It retains its integrity as an historic site. The approach from the south along the B4114 would offer glimpses of the solar array which would impact on the overall impression of the heritage assets and their setting.

The Government's Planning Practice Guidance on Solar Farms also states that, *Great care should be taken to ensure that heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.* (Ref.: ID: 5-013-201503272, Revised 2 Mar 2015)

The construction and the countryside

The engineered design of these panels and the supporting equipment covers an area of over a 5,17Ha (61,833 sq. yards). The panels have a finish of coloured aluminium which will not naturally 'weather' over time.

The siting of a number of shipping containers for apparatus, painted green would not be acceptable in any other long term planning application in the countryside. The site would be surrounded by fencing with posts at 50 metre intervals to a maximum height of 4.5 metres (13 feet) with CCTV cameras placed on the top.

The suggestion, as stated in the supporting environmental report, that the site will be mainly screened by 'unmanaged hedgerows' should not be considered as an acceptable practice. Leaf cover is seasonal and periodic cutting of hedges using the technique of 'hedge-laying' could expose the installation in the autumn and winter months.

In planning terms, the material used is particularly sensitive when developments are proposed in the countryside. Usually, materials reflect the local natural environment, with emphasis on the colour and type of brick, tiles or stonework. The proposal for an aluminium and plastic type construction with shipping containers does not accord with these principals.

Cumulative impact

The Merevale Estate is already generating electricity in the biomass plant, and we understand that another proposal is expected soon for a solar farm in the area. In addition to this a solar farm is already in existence approximately five kilometres to the northwest at Grendon.

The character of Merevale Estate to the west of the B4114 is changing on account of two major commercial uses. The largest of these is the recent consent for Jaguar Landrover, to use the former Baddesley colliery site as a centre for car distribution, operating 24/7 and generating 200 vehicle movements per day. Across the road to the north, the former shale tip site now accommodates a biomass plant which also generates electricity. It has consent for 120 vehicle movements per day, making a total of 320 vehicle movements per day extra on the B4114. Local people pleaded with the planners to allow them to have Sunday free of noise and HGVs. But this was not possible. Although, once built, the solar farm would not generate significant vehicle movements, its construction period would add further to traffic on Merevale Lane. The development would also spread an industrial character to the east side of Merevale Lane with all the installations needed to protect and service the site.

Although there is no public access to the Merevale Estate, the lanes which surround it offer attractive views and vantage points from which to admire the unspoiled Arden landscape. 21 Oaks is one of these where visiting walkers and cyclists pause to admire the views. Although some of the development will be shielded by vegetation the visible part of the solar farm will add a jarring element to the landscape, particularly in form of fencing, CCTV poles, and service buildings.

The merit of solar power is being applauded as a solution to a green and more ecologically acceptable energy supply. However, it should not be done just for its own sake, and overrule the rigorous policies which have previously protected the countryside.

There should be a step back from the rush for solar 'farms', an inappropriate label, to seriously consider where these sites are really needed and install them accordingly.

Energy and financial considerations

Apart from a letter to the local residents from the applicant promoting this scheme there is no mention of its viability other than annual output of 5MWp, loosely translated into how many average houses this will serve. In comparison with other schemes, where community groups are looking into a co-operative project, the latitudes of annual output are measured from low to high according to the conditions in daylight hours.

On the occasions in the year when peak output is reached, these will be on warm summer days when fewer people need energy in their homes. Electricity cannot be 'stored'. It can only be used at the time it is generated, and in order to keep power on demand, traditional capacity will always be required on standby. Intermittent demand makes these mainstream power stations less efficient.

As a recent article in the Financial Times pointed out (3 Aug 2015), solar panels produce the most electricity at midday when the sun is strongest, and therefore at this time the price is lowest and the return to the supplier the least. It should also be noted that, although subsidies are being cut the cost of installing solar panels is falling and there is going to be keen competition between energy suppliers.

While some local residents find favour with the scheme, on the basis that there would be a financial kickback for local community projects, there are no indications of what this would be, and whether the financial reward, ethically offsets the loss of open countryside. The notion that the 'community income' could provide individual houses with further photovoltaic panels to domestic rooftops ad lib, in a rural setting, is an alarming prospect. PV panels should not be fitted to buildings in sensitive areas, especially adjacent to listed buildings or on those in conservation areas. Monetary dealings do nothing to make electricity cheaper, when the illusion is that a free source of energy is available.

It is noted that in correspondence with the applicant, the planning officer stated that there are brownfield sites in the applicant's ownership and these should be looked at. There is no mention in the application that this type of site has been considered. Nor has there been any suggestion of putting the development on a well-screened flat site in a more remote area of countryside of lesser amenity.

In its guidance, the government states, *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.* (Para 022 Ref.: ID: 5-022-20140306)

Best practice

If a more enlightened practice was embraced, the installation of these panels would be more widely acceptable and encouraged. The sensible target for their siting would be to integrate them into the roofs of new build and existing industrial buildings. Indeed, this is already being done by some local house builders, and farmers, who have shown that they can generate most of their electricity need from panels on barn roofs. In North Warwickshire there are numerous examples of large roof areas on local industrial parks ; some single examples far exceed the superficial area of this proposed site.

The peak measure of electricity generated is on summer days when there is a high level of daylight, but a low demand for domestic electricity. Conversely, there is a high demand during daylight hours for commercial buildings, production units and supermarkets. By necessity, they will have an energy need for plant, air conditioning and refrigeration. The design of these panels could be easily be adapted to form an integral part of a roof structure, placing them where they are directly needed..

Promoters and manufacturers of these sites should be encouraged to locate them in this manner rather than by detrimental incursion into the countryside.

A new policy proposal from Government to reduce the tariff for ground based solar PV to developers, follows on from letters to Local Authorities in Nov 2013 and again in April 2014 from the Minister of State, DECC urging Planning Officers to look carefully at applications for renewable energy projects . He said, *The main message from the Government Solar 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.*

If the Council is minded to approve this application, it is particularly important than any consent is conditioned on the complete removal of the solar farm, all its foundations, buildings and equipment and its return to its return to agriculture after the 25 years which is considered to be its operational life.

Conclusion

Atherstone Civic Society strongly urges the Planning Board to **refuse** this application. In the light of new recommendations it would preferable to **delay** any decision until such time that the industry adopts a policy of siting solar panels on brownfield sites or more suitably incorporated into suitably aspected roofs of commercial buildings.

(Patrick Woodcock and Judy Vero, 13 August 2015)

Judy Vero
Hon. Secretary
Atherstone Civic Society
Tel.: 01827 712250
Email: secretary@atherstonecivicsociety.co.uk