

Grahame French
Shropshire Council
The Gateway
The Auction Yard
CRAVEN ARMS
SY7 9BW

Your Ref: 14/02807/FUL
Our Ref: ph_040814_14_02807 Henley solar

4 August 2014

Dear Grahame

14/02807/FUL Continued use of land for agricultural purposes and the installation of up to 6.5 MW of solar photovoltaic panels and ancillary works, Land North of Henley Common, Henley Lane, Acton Scott Shropshire

The Shropshire Hills AONB Partnership objects to this application.

Covering over 22 hectares, we would contend that this is unquestionably a 'major development' and therefore that para 116 of the National Planning Policy Framework applies. No attempt has been made to address the tests of exceptional circumstances which consequently apply, and the application cannot therefore be granted permission.

The landscape impact analysis is inadequate and does not show how a conclusion of 'Slight Adverse Landscape Impact' has been reached. This does not comply with the approved methodology, which states that explaining how the assessment has been built up is critical, especially in the final assessment stage, where considerable judgements are involved. We would argue that a correct rating of a sensitive area of landscape and a large scale and long term negative impact would arrive at a conclusion of a significant adverse effect.

The description of the landscape character of the area neglects to address the obvious factor that this very rural area of landscape is typified by an absence of modern industrial installations, and the addition of this development would change this significantly. This area of Apedale is typified by and known for a tranquil setting of mixed farming and estate land with hedgerows and veteran trees. Landscape and the value derived from it comes from the things intrinsically within an area of land, not just those which are visible. This applies to positive attributes such as archaeology or biodiversity which may not be especially visible (or accessible to the public) but still have great value and indeed often protection. It also applies to negative attributes such as intrusive development. The reason the nationally established methodology of LVIA separates landscape from visual impacts is because they are different and both must be taken into account. A landscape character impact may be much more significant than the visual impact. The current proposed development is an example of this, and the visual argument should not be used also to discount the landscape character impact which would be significant.

The visual impact should not however be deemed as low and acceptable. This large development would be visible and intrusive from locations including the Shropshire Way, from the permissive path right next to the site and from Flounders Folly. In addition to the panels themselves, the associated cabins, fencing, CCTV and lighting would all introduce alien elements into this landscape. It is noted that insurers requirements are not yet clear on the extent of all of these required.

The LVIA is a misrepresentative exercise in downplaying the likely impact of the development, the true scale of which is not accurately described. The enormous number of 33,264 individual panels is not mentioned in the LVIA, but only found in very small print on one of the plans. Sections of the AONB Management Plan have been quoted in support of the application, such as *“the local production of renewable energy should be increased, but in ways compatible with the AONB.”* The clear policy of the Management Plan however which indicates that this development is not compatible with the AONB is however conveniently ignored, i.e. ***“Major developments of wind and solar energy, and woodfuel or biomass processing should be refused within the AONB, unless it can be demonstrated the proposals are in the public interest and the tests of exceptional circumstances in AONBs as set out in NPPF para 116 can be fully satisfied.”***

The argument is put forward that this is a uniquely suitable site within the AONB and would not create a precedent for further potential similar developments. We reject both parts of this argument. The site is not suitable, but if granted permission would almost certainly add to the likelihood of further such development proposals within the AONB.

The following national and local policies applicable support the position that this application should be refused:

Para 14 of the National Planning Policy Framework on the ‘golden thread’ of sustainable development, **highlights AONBs through footnote 9 as an exception to a presumption in favour of development, as one of a few types of special area where “specific policies in this Framework indicate development should be restricted.”**

Para 115 of the National Planning Policy Framework states that:

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. (emphasis added)

Para 116 of the National Planning Policy Framework states that:

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

Shropshire Core Strategy Policy CS17: Environmental Networks states:

Development will identify, protect, enhance, expand and connect Shropshire’s environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:

- ***Protects and enhances the diversity, high quality and local character of Shropshire’s natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;***
- ***Contributes to local distinctiveness, having regard to the quality of Shropshire’s environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge.***

Shropshire Council SAMDev Policy MD12: The Natural Environment states:

In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the conservation, enhancement and restoration of Shropshire's natural assets will be achieved by:

1. Ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on any of the following:

- i. the special qualities of the Shropshire Hills AONB;**
- ii. locally designated biodiversity and geological sites;**
- iii. priority species;**
- iv. priority habitats**
- v. important woodlands, trees and hedges;**
- vi. ecological networks**
- vii. geological assets;**
- viii. visual amenity;**
- ix. landscape character and local distinctiveness.** (emphasis added)

Shropshire Hills AONB Management Plan 2014-19, Management Plan policy for Valuing the AONB in Planning and Decisions (as formally approved by Shropshire Council) states:

Protection of the AONB

In line with national and local authority planning policies, the AONB has the highest standards of protection for landscape and natural beauty and the purposes of designation should be given great weight in planning decisions, also taking into account the statutory AONB Management Plan.

Consideration of the purposes of designation in all decisions affecting the AONB should reflect sustainability and the full range of special qualities defined in the Management Plan as well as landscape character and visual amenity. Exceptionally where a significant adverse impact associated with development cannot be avoided, appropriate mitigation measures including habitat creation or community benefits, should be sought. (emphasis added)

Carbon emissions and Renewable Energy

Major developments of wind and solar energy, and woodfuel or biomass processing should be refused within the AONB, unless it can be demonstrated the proposals are in the public interest and the tests of exceptional circumstances in AONBs as set out in NPPF para 116 can be fully satisfied. (emphasis added)

Yours sincerely

Phil Holden
AONB Partnership Manager