

Formal Objection of Proposed Development SMDC/2022/0343 Totmonslow Farm, Draycot Road

In response to the email received from Arne Swithenbank on 22/12/22 regarding the new and/or revised/updated submissions from the applicant. Please find below my concerns and objections to the proposed development

Evidence of Like-for-Like Developments

We would like to see evidence of where other solar farms have been erected so close to existing residential properties that are not inhabited by the landowner, who financially gains from the development.

This scheme does trap us not only physically but also financially too. Our resale ability will be significantly impacted, as well as depreciating our properties. We accept that there is no case law to evidence this, but we would like to understand SMDCs policy of planning and decision-making that impacts to property cost, resale ability and, more importantly, mental health and well-being to residents in their community.

Construction Impact

There is no robust construction impact assessment. One response details that the equipment/machinery will only add an addition 5dB of noise, this does not address the issue of piling or drilling over a period of 26 weeks. It also does not take into account any potential structural damage caused to our properties (built circa 1880).

Reflecting on the effect on our residential rights for noise nuisance, disruption and disturbance. We are seeking to advise in line with the Environmental Protection Act 1990, as we believe the sound impact during construction will be unliveable and to the mental and physical detriment of ourselves and animals. Also, noise nuisance is covered by Part III of the Environmental Protection Act 1990, including categories such as Industrial noise (eg noisy machinery) and barking dogs, both of which applies in our case. Please can we understand the applicant's response to this.

As previously stated (emailed to Arne Swithenbank 30/11 but not addressed), I am the Managing Director of a consultancy and am contracted to work from home. My organisation provides professional services to a range of clients, where work is charged by the hour or day. This requires me to be on Teams/Zoom calls for the majority of the day (8am-5pm). Consistent noise created from drilling, piling and dogs barking (which is inevitable based on the disturbance) will not be tolerated or accepted by my paying clients who have procured a professional service. To put this into perspective, on any given day I can be facilitating virtual sessions for up to 30 people who do not want to hear the level of background noise the construction will create.

This disturbance, although described as 'short lived' (planned to be 26 weeks) will not only impact my immediate revenue but also the long-term financial pipeline of future work. As the main fee earner to the business, a loss of earnings/revenue will not only affect myself but also the 11 people that I employ. If I am unable to work at the same level or unduly impacted by the noise created by the construction phase, this will negatively influence the financial security of the business and ultimately result in redundancies from a Staffordshire-based company.

This will leave me no other option but to seek legal advice on a potential loss of earning claim, if this should happen, whether this be against SMDC, the developer or land owner, as it seems grossly unfair that the commercial gain of others (rent per acre to the land owner over the tenure of the contract) has a harmful impact on my business. To this matter, it would also be interesting for you to explore the proposed commercial agreement between the developer and the land owner; focusing specifically on understanding if this is based on output or purely on acreage rented for use of solar panels. If based on output, then a more efficient design, with a smaller footprint and a greater level of output with significantly reduce the development and affect on us, as residents, in addition to protecting long-term farming land.