

Third Revolution Projects

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19 January 2023

Dear Arne

SMD/2022/0343 Development of a solar farm at Totmonslow – responses to resident comments

This letter provides responses to the comments raised by Checkley Parish Council, nearby residents and RJP Town Planners in the consultation period ending 13th January 2023.

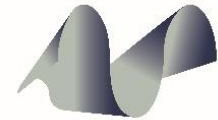
The applicant has worked really hard to address any concerns raised by residents and statutory consultees. They believe they have presented a very high quality proposal to generate renewable energy and significant biodiversity enhancements while also protecting the amenity of nearby residents.

The applicant team have worked collaboratively throughout the application to address concerns, to the extent that the submitted proposals address all planning policies and any residual matters can be addressed via planning conditions.

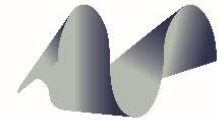
Some additional materials are submitted alongside this letter however they have been prepared to clarify points made and do not materially affect the previously submitted materials:

- Glint and Glare Addendum – Dwellings, January 2023 – **the conclusions are unchanged.**
- Biodiversity Net Gain assessment spreadsheet update (19 January 2023) to include ponds, plus covering letter – **the resulting change from the December update is negligible.**
- Environmental and Community Benefits Proposals (v3.1 January 2023) updated to include the December amendments.
- LVIA update to assess the scheme amended in December (to follow).

The following comments have been made by residents.



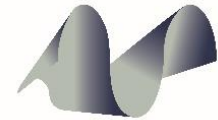
Resident comment	Applicant response
Concerns raised by Checkley Parish Council	The applicant has addressed all concerns raised by Checkley Parish Council in their email 17/8/2022: ▪ EIA screening – see below. ▪ Proximity to dwellings – this has been addressed through the changes to the layout submitted in December 2022, i.e. moving the development further away from properties and including addition screening. ▪ Cumulative effects – the LVIA Response from Ubu submitted in December 2022 confirms that there will be no significant cumulative impacts with the nearby solar farm and proposed extension. ▪ Some properties had not received consultation letters from SMDC. This was rectified and properties reconsulted.
Public consultation	The applicant held a virtual consultation prior to submitting the application where local residents could review and comment on the proposal (https://totmonslowsolarfarm.co.uk/). The website went live on 14 February 2022 and leaflets advertising it dropped through local letter boxes. Details and feedback received are set out in the Statement of Community Involvement section of the submitted Planning Statement. Additionally, the applicant contacted Checkley and Draycott in the Moors Parish Councils and local Ward Councillors.
The need for breeding bird surveys to be completed prior to determination of the application, in accordance with Natural England advice.	The applicant has undertaken extensive ecological surveys and the Biodiversity Net Assessment (January 2022) demonstrates the development will secure significant improvements to ecology relative to the existing site. The applicant's Breeding Bird Addendum (submitted in December 2022) concludes <i>"it is not considered that ground nesting birds are currently using the site due to the relatively narrow field size. It is presumed that a number of species will use it for foraging, both on the ground and in the hedgerows and trees. There are likely to be a number of species using the hedgerows and trees for breeding."</i> <i>"The proposed development would enhance the site for biodiversity, with an additional 5.3ha offsite mitigation area being used solely for biodiversity enhancements."</i>



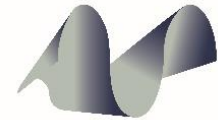
	<i>These enhancements will benefit a range of species including a number of red list birds."</i> Government Guidance¹ notes that surveys should not "usually" be conditioned – the word usually allows flexibility where it can be justified – but the Planning Practice Guidance is clear that requirements should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.² The Addendum was prepared in consultation with Staffordshire Wildlife Trust. It was agreed to include a 5.3ha area for offsite mitigation for breeding birds (within the same landownership). This has been sized for the worst case, should the survey identify the maximum number of breeding pairs possible in the fields available. In accordance with planning guidance, SWT are satisfied that this allows the full impacts on the species to be assessed, which allows the surveys themselves to be conditioned. This is a proportionate approach that ensures breeding birds (should they be present) are protected while the development also secures significant biodiversity net gains.
A revised LVIA should be requested to understand how impact on Highfields Farm and surrounding dwellings has been assessed (if this has not been done, an addendum should be requested) and all visualisations made available for consultation.	Regarding the affected properties, the applicant has worked hard to address residents' concerns. The applicant has moved the development further away from residential properties and included a new hedgerow within the site, designed to be thick enough that once mature will provide year-round screening of the properties to the east of the site. The LVIA will be updated to reflect the changes, however in the meantime, the applicant included a response from Ubu (20 December 2022) in the December submission to matters raised by Stuart Ryder on behalf of Staffordshire Moorlands. This included consideration of cumulative effects and concluded the additional screening would neutralise initial adverse effects on residential properties to the south-east. The effects of the proposed development can therefore be assessed without updating the LVIA itself.

¹ Protected species and development: advice for local planning authorities, Updated 8 September 2022

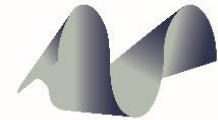
² How can biodiversity and geodiversity be taken into account in preparing a planning application? Paragraph: 018 Reference ID: 8-018-20190721



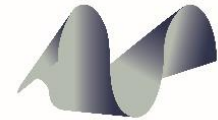
	Stuart Ryder found no significant conflicts with policy that could not be addressed through the proposed landscape mitigation measures (Drawing 1107_12 Rev 4 – see Appendix 1) or the proposed planning conditions. We also understand that the case officer has visited the properties to assess the effect on their amenity and is satisfied that the additional set back and screening will minimise any harm. It has been noted that not all viewpoints were downloadable from SMDC's website. This is a matter for SMDC, however, the applicant would be happy to share the documents with residents if necessary.
The glint and glare study should assess the impact on neighbouring dwellings to Highfields Farm, or provide robust justification as to why they were not assessed.	PagerPower prepared the submitted Glint and Glare Assessment and have confirmed that it addresses the concerns identified by residents. In their assessments, it is quite normal for one dwelling receptor to be held to represent a small number of dwellings that are situated closely together. This is the case in this assessment and the results will be very similar for neighbouring properties. The additional screening proposed for these dwellings in 1107_12 Rev 4 (Submitted December 2022) would also benefit the neighbouring properties. The conclusion therefore that effects will be reduced from low (not requiring mitigation) to zero with the mitigations proposed by the applicant applies for all properties in Receptor 5. Views above the ground floor are considered where necessary, but we would not normally consider this in an instance such as this. However, the applicant has prepared a Glint and Glare Addendum – Dwellings (January 2023) which assesses each individual property within Highfields Farm, including from first floor level. The conclusion is unchanged that there will be a "low impact" and no mitigation recommended. Nonetheless, Drawing 1107_12 Rev 4 (Submitted December 2022 – see Appendix 1) does include additional screening which should reduce the impact to "no impact" at all properties, once matured.
The mitigation and enhancement plan (drawing 1107_11) should be updated to include the recommended mitigation	Regarding the road, drawing 1107_12 Rev 4 submitted in December (Appendix 1) includes a commitment to <i>"A new line of hedging will be planted along the southern boundary to help screen the site from any</i>



to avoid glint and glare impacts on road users and the location of CCTV cameras.	<i>possible Glint and Glare caused by the proposed development on the A50."</i>
The wording of the condition with respect to noise should be amended to require submission of a validation report once the solar farm is operational.	The applicant agrees with the residents that it would be appropriate to include a planning condition to verify operational noise and agrees with the additional wording provided by RJP Town Planners that this should take place within 3 months on the solar farm becoming operational. This should ensure sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 at the nearest sound-sensitive premise and shall not exceed the background sound level between 23.00–07.00.
No assessment of construction impact.	The applicant recognises that noise and disturbance during construction can be a concern to residents. They are committed to being good neighbours and as such propose that a construction management plan to be agreed in advance, secured through a planning condition. Noise from on-site activities will vary across the construction period, with noisier activities such as the piling close to residential properties confined to around 1 week. The management plan will include details of when these periods will be, how disturbance will be minimised and will include contact details for the site manager, should the need arise. The temporary construction compound will be located close to the site entrance, well away from residential properties. Details can be agreed via a planning condition, if necessary.
Evidence of like-for-like developments.	It is not uncommon for solar farms to be constructed close to residential properties. The following examples include residential properties that are not party to the respective applications: ▪ Burgate Solar Farm, Fields adjoining Spixworth, Broadland, reference 20202016 ▪ Three Bridges Solar Farm, Land South Of Elsing, Breckland, reference 3PL/2020/1134/F
Application is a large site than screened for EIA.	An amended location plan was submitted to SMDC on 5 August 2021 and was assessed by officers in forming the EIA screening opinion. This amended location included all areas within the current planning application.



Suggestion that the applicant sought to bribe residents by resurfacing a private lane.	Once the applicant became aware that some residents had concerns about the proposed development, they met with them to better understand the nature of those concerns and how they might be addressed. The additional surveys and amended plans submitted in December are a direct response to this meeting. To clarify, the applicant has suggested that they will improve the condition of the access road coming from Draycott Road to the access of the site at the Totmonslow Farm. There will be no access to the solar project or any use of the private lane to Highfields Farm during the life of the solar project so it cannot be resurfaced as part of the project. No formal offers were made to directly benefit the affected residents, would not form part of our planning application and should therefore, not be taken into consideration by officers or the planning committee.
Efficiency of the development.	The layout and size of solar farms are determined by the characteristics of the individual site, including solar radiance in the locality, topography, and shading from surrounding and onsite features. In the case of Totmonslow Solar Farm, the topography, small field sizes, existing trees and coppice, water bodies and existing overhead pylons were key constraints affecting the design. These make the site very different to the nearby consented scheme. The current site is used for sheep grazing. If consented, the solar farm will continue to allow grazing of sheep while also generating renewable energy and providing biodiversity enhancements. It can therefore be considered to be a more efficient use of the site than currently.
Lack of future enforcement	The applicant has worked hard to create a high quality and viable project. They welcome the use of planning conditions to secure the significant benefits it will bring. They would ensure that the contractor builds the scheme as approved without any need for enforcement.
Biodiversity net gain	The Biodiversity Net Gain assessment was updated in December 2022 and again in January 2023 to take account of comments from SWT (to add ponds).



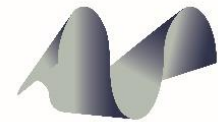
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	The opportunities to secure biodiversity gains are different on every site and are determined in part by the existing ecological baseline. In the case of Totmonslow Solar Farm this baseline included significant habitats, which have been well managed by the landowner. The additional gains are very significant but are lower than might be achieved on sites where the existing baseline is relatively poor: ▪ Habitat units – 23% ▪ Hedgerow units – 14.6% ▪ River units – 58% These figures are a little different from the pre-application stage and original submission as the applicant has refined their proposals in consultation with SWT. However, the updated spreadsheet (19 January 2023) includes figures that are broadly the same as those submitted in December 2022.
CCTV	The CCTV cameras are designed specifically to secure the solar farm. They will be directed into the site and along the boundaries and will not capture images of nearby properties. The applicant has provided details of the CCTV cameras to be used (Drawing 1107_09). The exact number and position around the site can be secured via a planning condition.

If you have any queries, please do get in touch.

Yours sincerely

Robert Shaw, MRTPI
Managing Director



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Appendix 1 – Copy of the Landscape and Ecology Management Plan (1107_12 Rev 4) submitting in December 2022

