

Re: Planning Application 2024/0300/MAF

Objections from Morcott Parish Council

12th April 2024

Morcott Parish Council objects to application ref 2024/0300/MAF on the following grounds:

- Objection #1: Adverse visual impact on an area of special landscape character.
- Objection #2: Sustainability and Climate Change.
- Objection #3: Development is largely on Greenfield Land.
- Objection #4: Biodiversity & impact on protected species.
- Objection #5: Threats to rare, red list species currently present on the site
- Objection #6: Access and Traffic.
- Objection #7: Noise and Light pollution.
- Objection #8: Agricultural Land Classification.
- Objection #9: Recent precedent by the Planning Inspector.

Overall argument

Where there is a proposal for industrialisation of agricultural land in high amenity value rural landscapes and where there are a considerable number of strong local objections to such development the local authority should have regard to these objections in consideration of the application. To date this application has raised in excess of 200 objections.

We raise a significant number of objections in this document (see Objections 1-9) which raise material planning issues which RCC must consider in assessing this application.

In addition to the significant planning considerations that this application raises (see Objections 1-9 in this document) we would urge Rutland County Council to consider the irretrievable step of granting consent for such development on this site based upon the wider human and environmental and ethical implications such as:

1. the considerable objections from the local community,
2. the poor evidence of the consistency and efficiency of energy output from large-sized solar farms in Northern Hemisphere locations,
3. the severe adverse environmental effects globally of the manufacture and transportation of the solar panels and other raw materials, the toxic chemicals released locally by the panels during their use, and the adverse environmental impact of the infrastructure supporting the solar farm during construction and use,
4. the absence of detailed plans or the identification of fiscal and operational responsibilities to return the area occupied by the solar farm to its original agricultural use without adverse effects on the local area & communities,
5. the locations and employment practices of the manufacturers of the solar panels to be utilised and RCC policy commitments to the eradication of Modern Slavery,
6. the issue of future food sustainability and the protection of agricultural land for food production in the UK.

We recognise that solar panels have a contribution to make to energy provision in Britain but priority should be given to applications on truly “brownfield” sites, the roof

tops of domestic and non-domestic buildings and the use of car park solar roofs. Solar panels should not be installed on agricultural land or land which is heralded as of "special value" in landscape, environmental, or biodiversity terms.

We also urge RCC to consider the role of Bluestone Energy (the Applicant), Total Energy (the "operator") and Anglian Water, the main beneficiary of this application. This may not be a material planning consideration but it does raise questions of ethical behaviour:

1. The Applicant, Bluestone Energy, is merely a developer who will probably collect their fee and walk away should consent be granted. Total Energy have been selected as the operator of the site, while Anglian Water Ltd will be the main beneficiary of the proposal should consent be granted. This raises several issues:
2. Is it right that a company operating essential UK utilities (AW are a Public Company, owned by their shareholders and not a public owned authority) should benefit from cheaper electricity and thus higher profits for their shareholders at the expense of the despoilation of over 200 acres of some of the UK's most attractive countryside?
3. In addition, (and not insignificant): is the environmental disturbance to the landscape, road verges, pedestrian pathways etc by the digging of a 11km trench to lay a power cable from the site to Oakham. There will be considerable disturbance to residents in Wing, including traffic congestion between the site and Oakham during the extensive construction period.
4. We repeat, none of this is for the benefit of the Rutland population but for the enrichment of the developer, land owner, operator, and Anglian Water. It will also enable Anglian Water to claim that it has met its climate change obligations to the UK Government. This is "greenwashing" at the expense of the local population.
5. Any offer of compensation so far to the local population has been derisory and not legally binding (unless included as a condition by s106 or similar). In any case, any such offer would not satisfy the majority of residents sufficiently to consider withdrawing their objections.

We note that Rutland County Council has already failed the population of Rutland by not requiring a robust enquiry into the proposals and insisting upon a full Environmental Impact Assessment (EIA) for this proposal. We believe that this is negligent of the Council.

The carbon footprint generated by the manufacture and transportation of the panels and the supporting structures must be taken into account to judge whether this type of proposal results in a net benefit to meeting climate change targets.

This is a major and dominant development in the landscape with substantial negative amenity value to residents of Morcott, Pilton & Wing, affecting travellers through the area on both major and minor roads. The solar farm will be visible from the A47 at Glaston. The construction period in particular will create a conflict between construction traffic over public roads ill-suited to the number and size of construction vehicles. There will be significant risks for pedestrians and other road users alike. Combined with the many traffic movements to and from the Morcott Recycling Centre this creates major risks for RCC.

Details of our objections, which do raise material planning considerations, follow:

OBJECTION #1:
Adverse visual impact on an area of special landscape character.

We refer to:

1. RUTLAND LANDSCAPE CHARACTER ASSESSMENT 2022 - Part 1 report commissioned by RCC. (see extracts below):

1.1. Extracts from Rutland Landscape Character Assessment 2022. Part 1:

1.1.1. *“In so doing, this new Rutland Landscape Character Assessment, 2022, highlights the characteristics, special qualities and sense of place which contribute to the distinctiveness of Rutland’s landscapes. Appropriate landscape management objectives for each landscape type are described to conserve, enhance, restore and re-create landscape and settlement character. Areas and landscape features with significant landscape sensitivity to new developments, including renewable energy proposals, are identified, together with those considered to have the ability to absorb new developments. Recommendations are made on positive criteria-based policies within the new Local Plan that reflect the study findings”.*

1.1.2. *“Rutland is a deeply rural county. The appearance of the countryside is a product of the evolution of natural processes and how the land is managed. There are unprecedented pressures on Britain’s rural areas that could accelerate a change to the look of the countryside and the character of the landscape: climate change, Brexit and continuing biodiversity decline are just some of the issues of concern. In recent months the government has prioritised these issues with the aim of boosting agricultural production and making land use more environmentally friendly and resilient “.*

1.2. Definition of “Landscape” by the European Landscape Convention:

1.2.1. Over the years the early landscape assessment guidance evolved to culminate in the best practice approach in Landscape Character Assessment: Guidance for England and Scotland, developed by the Countryside Agency and Scottish Natural Heritage (now NatureScot) in 2002.

1.2.2. Around about the same time the Council of Europe met in Florence and produced the European Landscape Convention (ELC) in October 2000 (the UK Government signed up to the ELC in 2006).

1.2.3. The ELC definition of “landscape” is: “...an area, as perceived by people, whose character is the result of the action and interaction of natural and / or human factors.”

1.2.4. The scope of the ELC applies to natural, rural, urban and peri-urban areas and includes land, inland water and marine areas.

1.2.5. As the ELC acknowledges, *“the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas”.*

1.3. Rutland Landscape Character Assessment 2003:

- 1.3.1. With this wider understanding of what landscape character is (from the European Landscape Convention), and updated guidance and experience on how landscape character assessment should be undertaken, Rutland County Council commissioned a County-wide Landscape Character Assessment in 2003.
- 1.3.2. This used the 2001 Leicester, Leicestershire and Rutland *Landscape and Woodland Strategy* as the basis for a Rutland Landscape Character Assessment (LCA) at a more detailed scale (1:25 000 scale), with the specific requirement of assisting the Council in its policies and proposals in the emerging development plan and to inform the preparation of countryside design guidance.
- 1.3.3. Its purpose was also to help others involved in the development and land use change in the countryside, by identifying what is important and distinctive about the Rutland landscape, so that future change could be managed to conserve and enhance, and where necessary restore, that distinctiveness and the characteristics that make Rutland special and gives the County its sense of place.
- 1.3.4. Subsequent Local Plans setting out the spatial strategy and planning policies for Rutland (within Core Strategy and Site Allocations and Policies Development Plan Documents) have sought to conserve and enhance the quality and diversity of Rutland's natural environment by requiring development to respect and be appropriate to the landscape character type within which it is situated (as identified and described in the Rutland LCA) and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.

2. **RUTLAND COUNTY COUNCIL POLICIES: defined by the Local Plan 2001 EN26/EN28 (see appendix), now superseded by policies EN1 EN12 and EN8 in the intended 2018 -2036 Local Plan (later withdrawn) and in the emerging Local Plan 2025-2041 (Such policies adopted or otherwise are still relevant as guidance).**

2.1. Policy SP23 in the Site Allocations and Policies Development Plan Document (DPD), adopted October 2014, states:

- 2.1.1. *“Proposals to develop on land in the countryside will only be permitted where the development complies with either Policy SP6 (Housing in the countryside) or Policy SP7 (non-residential development in the countryside) and Policy SP15 (Design and amenity) and Policy SP19 (Biodiversity and geodiversity conservation).”*
- 2.1.2. *“New development in and adjoining the countryside will only be acceptable where it is designed so as to be sensitive to its landscape setting. Development will be expected to enhance the distinctive qualities of the landscape character types in which it would be situated, including the distinctive elements, features, and other spatial characteristics as identified in the Council’s current Rutland Landscape Character Assessment.”*
- 2.1.3. *“Proposals will be expected to respond to the recommended landscape objectives for the character area within which it is situated.”*

2.2. Policy SP26 in the Site Allocations and Policies DPD, 2014, replaced eight separate policies in the 2001 Rutland Local Plan relating to development in the Rutland Water Area. The intention was to continue the largely successful previous policy approach in protecting the nature conservation interests of the reservoir and retaining the unspoilt and tranquil nature of the area, while accommodating recreation and tourism needs.

2.3. Effect on Historic and Cultural assets:

Furthermore, we object on the grounds of the adverse effects of the development on the Historic and Cultural assets. These are well documented in the Local Plan including numerous Grade 2, Grade 2*, and Grade 1 properties in the ancient village settlements of Morcott, Wing and Pilton and the Conservation Areas encompassing those villages. The predominance of the agricultural landscape including ancient "Ridge and Furrow" fields will forever be damaged by these proposals.

In particular, and relevant to this application, we would point out the following which would constitute unacceptable visual intrusions having significant adverse effects on the landscape and on historical and cultural assets:

2.3.1. The application shows a 2.4-metre-high perimeter fence around the whole of the site that will be highly visible from Wing Road, Morcott Road and North Luffenham Road. This creates a "tunnel" along Morcott Road from Morcott village to Pilton village.

2.3.2. There will be a 135 x 4-metre-high CCTV towers erected at regular intervals around the perimeter and on installations within the compound.

2.3.3. The proposed 33KV Sub-station will be the size of a large shipping container within the site with an overall height above ground of 3.56 metres.

2.3.4. There are 8 Inverter/Transformer Stations within the compound which will be located within the site with heights of 2.6 metres above ground.

2.3.5. The currently uninterrupted vegetation of the pastureland will be criss-crossed with vehicular routes within the site for access to transformers and panels for cleaning and maintenance. All of which will have a negative effect on biodiversity.

2.3.6. A tall telecoms tower related to the site operation, which is to be erected at the Anglian Water site, will further intrude on the skyline.

2.3.7. The visual amenity of the site and the proposals are not merely the long views from distance but also the immediate visual impact from those people who chose to walk, cycle, horse ride etc along the roads adjoining the site.

3. MINISTERIAL STATEMENTS:

The following statement from Eddie Hughes MP, Ministry of Housing, Communities and Local Government in a letter dated 2nd June 2021 to Kemi Badenoch MP, which constitutes planning guidance:

3.1. *"There are strong protections in place within national planning policy which guards against inappropriately sited solar farms... expects local authorities... to*

take account of the benefits of the best and most versatile farmland, to enhance the biodiversity and recognise the character and beauty of the countryside....

3.2. *“Where a proposal involves Greenfield land, local councils are expected to consider whether the proposed use of any agricultural land has been shown to be necessary.*

3.3. *“Where high-quality agricultural land is involved, this would need to be justified by the most compelling evidence.*

3.4. *“We have been clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities, and that the views of local communities should be listened to.... Where relevant planning considerations are raised by local residents these must be taken into account by the local council”.*

4. CONCLUSIONS:

4.1. Taking all of this into consideration, the application stands contrary to established policy.

4.2. There is quite simply insufficient evidence to demonstrate that the proposal would not be harmful to the landscape.

4.3. There is little consideration given to the current quality of the landscape and how highly it is valued.

4.4. These are fundamental characteristics to be considered when judging the impact of this project on the Rutland landscape.

4.5. We consider that the application is contrary to established RCC and National policies and we object to the application on this basis.

OBJECTION #2: Sustainability and Climate Change:

We refer you to:

1. RCC Policy SC1. EN12: Rutland County Council has, in the Local Plan Review, made the sustainability of development to be a significant contributor to policy and the debate on new development. The report (*“UCL Bartlett Energy Institute report. Net Zero emission energy scenarios and land use report. May 2023”*) included highlights of the benefits of retro-fitting PV panels to existing housing, non-domestic buildings and car parks and a change to Part L of Building Regulations:

1.1. To meet the sustainability efforts of RCC, the introduction of such measures should be championed rather than a Solar Farm on a Greenfield site such as this application,

1.2. Photovoltaic panels and Solar Farms have poor outputs compared to alternatives and are a “quick fix” to support inadequately researched methods of meeting Britain’s energy requirements.

2. The report quoted “*UCL Bartlett Energy Institute report. Net Zero emission energy scenarios and land use report. May 2023*”, authored by Dr Daniel Scamman and Professor Mark Barrett was commissioned by CPRE, the countryside charity:
 - 2.1. The following extract from the report indicates the inefficiency of Solar energy:

“The integration of PV into the wider energy system has not been addressed here. The capacity factor - the average output divided by the peak output - of PV is about 11%, whereas onshore wind is about 30% and offshore about 50% so they respectively generate three times and five times as much energy per year per GW installed compared to PV. Furthermore, solar’s peak output is in the summer at noon whereas high demand is currently in the winter and the evenings. These features of solar energy mean it may require more storage and back-up generation along with their associated costs, as compared to wind, particularly offshore. “
3. End of viable life arrangements:
 - 3.1. There is nothing in the application that guarantees the removal and recycling of the materials at the end of the life and the reinstatement of the land. If the application is for a “temporary” period the applicant should provide documentary evidence of safeguarded funding, operational responsibility and arrangements for returning the site to its former state. There is no such evidence. Reassurance that this will take place is inadequate.
4. Pollution during operation:
 - 4.1. There is no mention in the application of the polluting effect of the panels from run-off and degradation of the materials and supporting structures. It is well known that the manufacture of panels uses rare minerals. The potential for toxic contamination of the land and adjacent areas is ignored by the applicant and not included in the many reports that form part of the application.
5. Alternatives:
 - 5.1. One single offshore wind turbine has the capacity to generate more electricity than the total output from this proposed solar farm. The application does not utilise an efficient method of generating energy and is wasteful.
6. We object to the application on the basis that it does not provide a viable means to combat climate change given the harms it causes.

OBJECTION #3: The development is largely on Greenfield land.

We refer to: RCC Policy CC8:

1. Claims made by the Applicant are misleading and inaccurate:
 - 1.1. This is NOT a brownfield site in spite of the claim by the applicant, as only 10%-15% of the area which is the subject of the application has been previously worked as a stone quarry.

2. Brownfield before Greenfield:
 - 2.1. There should be a presumption of development on true “brownfield” land before consideration is given to valuable agricultural land. This site is comprised of more than 25% BMV land.
3. Alternative sites:
 - 3.1. RCC should be proactive in identifying sites, for example reaching agreement with the MOD and prescribing the redundant brownfield land at MOD sites at North Luffenham, Cottesmore and Woolfox as potentially suitable sites for Solar Farms.
4. Emerging Local Plan:
 - 4.1. However, the over-riding principal must be to site solar panels on buildings rather than on land that is suitable for other purposes, i.e. residential development or agricultural use.
5. We object to the application on the basis that the statements made about it being on brownfield land are misleading and inaccurate. The application is largely on greenfield land.

OBJECTION #4: Biodiversity.

1. A significant part of the application site is Special Protected Area (SPA) where development is strongly opposed by Natural England and a SSSI is located nearby and RAMSA.
2. The application demonstrates an overall disregard for wildlife and is misleading. For example, the Ecological Report makes light of the influence of the effects of the landscape being covered by 87,000 solar panels.
3. The presence on the land of Lapwings and Skylarks, already on conservation red lists will be further endangered by this development (see Objection #5).
4. Such species and others are protected by the Wildlife and Countryside Act 1981 where it is illegal to interfere with the habitat of protected species.
5. Larger ground mammals such as deer will be at danger from becoming trapped in the security fencing surrounding the compound.
6. Bats are nocturnal mammals and any lighting within the site will compromise their habitat. The offer of a few bat boxes is derisory.
7. The proposed statistics for Biodiversity Gains proposed in the application are based on desk research rather than a site visit and are therefore merely theoretical without any appreciation of the actual existing conditions. The overall attitude of the Applicant is that of a “greenwashing grandstand”. Without the proposed industrialisation of the site (with the imposition of the solar farm and its extensive conversion & control apparatus as well as the alien security installations) there

would be no need for replacement hedgerows or trees as those already existing form part of the farming husbandry, as they have done for generations.

8. We object to the biodiversity plans on the basis that they are not adequate. They do not reflect the actual on-site situation including the value of rare species which live on the site. We disagree with the Applicant that the specified plans are adequate. We believe that the harm caused by the installation of the solar farm would significantly outweigh the benefits.

OBJECTION #5:

Threats to rare, red list species currently present on the proposed site.

1. The proposed development would constitute a threat to rare, red list species present on the proposed development site, including skylark and lapwing.
2. The developer claims that a 7.63 Ha dedicated Biodiversity Enhancement Area will result in a Biodiversity Net Gain across the whole site. This has been calculated by desktop research alone rather than bothering with a site visit to establish the actual situation. We dispute the developer's claim amid mounting evidence that real world industrial scale solar farms are, in fact, damaging to the environment and biodiversity. Despite mitigation measures, they are responsible for dangerous levels of pollution, including waterborne pollutants and petroleum hydrocarbons, while reducing biodiversity, with legally protected species, especially red-list ground nesting birds, failing to return to open arable fields where they once nested.
3. A number of species that are included on the Government's list of rarest and most threatened species (England) - Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act - are present on the proposed development site and have been regularly observed. These include skylark, lapwing, song thrush, yellowhammer and dunnoek. Disturbance of nesting birds constitutes an offence under the Wildlife and Countryside Act 1981. The application offers insufficient assurance that disturbance will be avoided.
4. Site clearance and habitat management works are claimed by the applicant to take place outside the breeding season (defined as March 1 to August 31). This is just not possible when a year-long development phase is proposed by the applicant which will involve thousands of vehicle movements! Simply putting up fences around targeted areas will not prevent skylarks and lapwings failing to breed on arable fields which will already have been cleared ahead of construction. Skylarks and Lapwings, in particular, are ground nesting birds which will inevitably be disturbed by the activity proposed. Disturbance will be unavoidable, and development cannot therefore be permitted.
5. In March 2024, The planning inspector rejected an appeal for a 30-MW solar farm near Shrewsbury after it had already been refused permission by Shropshire County Council, due to loss of agricultural land, landscape visual

harm and, specifically, skylark nesting sites. The Planning Resource website reported:

"Effects on skylarks weighs against solar farm: A proposed 30MW solar farm in Shropshire refused against officer recommendation for reasons of loss of best and most versatile agricultural land, landscape visual harm and loss of skylark nesting habitat has been denied permission by a planning inspector." (<https://www.planningresource.co.uk/article/1866832/effects-skylarks-weighs-against-solar-farm>).

6. Lapwings: Post-construction monitoring at the Llanwern Solar Farm by Gwent Wildlife Trust found that no lapwings used the "Lapwing Mitigation Area". The number of breeding lapwings fell from eight pairs pre-construction to two pairs post-construction, with only one nest found on site. Lapwings are a red list species with numbers dropping by more than 50% since 1967. The proposed site for the Staveley Solar Farm includes a large colony/flock of lapwings, which are regularly seen on the fields, verges and roads from Wing Road and Pilton Lane.
7. Bats: The same (Llanwern) study found that diversity of bat species decreased markedly, and for the majority of locations, abundance of species dropped dramatically (95-100%). Bats are an important indicator of biodiversity and their disappearance from constructed solar farm sites is alarming. Biodiversity Net Gain across the whole Staveley site is a dubious claim by the developer. Bird and bat deaths are common in solar farms as they can mistake panels for water. The addition of 15 bird boxes across the site, 15 bat boxes, 10 hedgehog boxes and 10 insect hotels will not compensate for what is likely to be catastrophic damage to the environment and biodiversity.
8. Pollution: The post-construction monitoring report for the Llanwern solar farm also revealed levels of several waterborne pollutants arising from the constructed solar farm had risen hugely since construction. Very high levels of total petroleum hydrocarbons TPHCWG were also recorded inside the solar farm site. The report concluded there had been a, "Catastrophic failure of mitigation measures." There is no mention in the application of the chemicals that will be used to clean the solar panels and the significant effect of runoff. There is also the risk of toxic chemicals leeching out from the panels manufactured in China.
9. Responsibility: Responsibility for the Biodiversity Enhancement and Management Plan (BEMP) is with the developer, according to the Landscape and Ecological Plan (LEMP) submitted as part of this application. However, RSAG understands Total Energies will be appointed operator of the site. Clarification and guarantees of the responsibility, implementation and management of the BEMP is required.
10. We object to the application on the basis of the threats it poses to rare, red list species and other wildlife species as detailed above.

OBJECTION #6: Access and traffic:

1. The developer estimates in excess of 1,200 two-way movements of large goods vehicles and various items of plant and equipment during the construction phase. This will include 1,000 movements of 16.5m, 44 tonne articulated lorries and 200 movements of 10m, 20 tonne “tipper” trucks. This activity for is expected to occur over a period of 12 months at 6 days per week. The developers report that a minimum of 60 workers will be employed for the construction period which will entail transport by private cars, vans or minibuses to the site twice per day which will be in addition to the larger commercial vehicle activity.
2. The proposed access to the site for construction traffic and for operational traffic for the next 40 years is proposed to be from the A47 onto The Cockpit into Morcott village and into Wing Road towards Pilton.
3. The Cockpit is a narrow road with a single, narrow footpath, a blind bend approaching Fydell Row (alms houses occupied by elderly people) and at the T junction with Wing Road there is a blind & difficult turn to the left. There is no safe pedestrian crossing point at the junction of The Cockpit and Wing Road/High Street.
4. The unclassified highway, Wing Road, Morcott, at the point of its junction with The Cockpit is usually obstructed by legally parked cars belonging to residents (some elderly) who have no off-street parking. The proposals will create a dangerous point of conflict between vehicles and pedestrians which will be of high risk.
5. The proposed access for 40ft articulated HGVs around the route proposed is unacceptable. There would be unacceptable danger to pedestrians and adverse effects to the amenity of the village as a designated Conservation Area. The effects of noise, vibration and pollution on the properties and on village life will be unacceptable.
6. The developer has concluded that *“the level of traffic during the temporary 12-month construction phase is not considered to be material and it is considered that this will not have a detrimental impact on the safety or operation of the local or strategic highway network”*. Very easy to say if you are not directly affected.
7. Further, the increase in traffic to the site access points will conflict with the human activities of walkers, dog walkers, horse riders etc who use the roads for leisure and where there are no footpaths along the highways for the safety of pedestrians or dedicated cycling paths.
8. Alternative access from the west, north or elsewhere is equally unacceptable due to the mostly agricultural nature of the road infrastructure and similar amenity constraints.
9. The Traffic Plan is inadequate and unacceptable. It fails to recognise and mitigate many severe risks to people and would have a considerable adverse effect on the population of Morcott, Pilton and Wing during the construction period and thereafter.
10. We disagree with the statements made by the developer about traffic, strongly object to the conclusions of the developer, and find the proposed mitigations unacceptable.

OBJECTION #7: Noise and Light Pollution:

1. We would urge Rutland Council's own Environmental colleagues to question the subjectivity of the Noise Assessment report with the application.
2. It is highly likely that the residents of properties on North Luffenham Road, Morcott and in the villages of Pilton and North Luffenham will be affected by noise from the Inverter/Transformer equipment installed within the site. A recent addition (2nd April 2024) to the application introduces a 250 metre Buffer Zone. This Zone now incorporates **all** of the residential properties in proximity to the site. Surely this indicates that the applicant has concerns that the installation is too close to residential properties. RCC should equally be concerned.
3. The visual impact from the homes of the residents on North Luffenham Road will be significant. Residents currently enjoy a rural aspect that will become an industrialised compound including 4m tall CCTV posts, "shipping containers" and security fencing.
4. None of the above really highlights the effects on the human population who regularly walk and enjoy the benefits of this rural idyll that would be forever damaged by this proposal. Whilst there are no public footpaths within the site boundary, the public use the roads for walking, horse riding, dog walking etc. All of these will be affected by noise emanating from the site.
5. "Quiet enjoyment" is a tenet of English Law and preserves the right to be unaffected by noise and disturbance by neighbouring activity.
6. Security lights and other on-site lighting in the compound will generate light pollution and destroy the sanctity for residents used to a rural outlook and peaceful surroundings. The effects of noise and light pollution will compromise bat habitat and their nocturnal activity.
7. We disagree with the Noise Assessment and object to the proposals in the application on the basis of the adverse effect they will have on noise and light pollution.

OBJECTION #8: Agricultural land classification:

1. According to DEFRA 'Best and Most Versatile' (BMV) agricultural land i.e. that falling within land classifications 1 to 3a accounts for around 20% of the total land available. A similar proportion is estimated for the East Midland region as a whole.
2. NPPF paragraph 112 requires the presence of best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) to be taken into account alongside other sustainability considerations. The NPPF expresses a preference for development to be directed to land outside of this classification (3b, 4 and 5), paragraph 28 also recognises the need to support diversification of agricultural land that helps to sustain an agricultural enterprise.

3. As for the 85-hectare site identified for the Staveley Solar Farm, the site comprises:

Grade	Area Ha:	Comments:
Grade 2	3.6	
Grade 3a	17.7	
Sub-Total	21.3	BMV total 21.3 Ha
Grade 3b	7.1	
Sub-Total	28.4	Grades 2/3a/3b
Grade 4	51.9	

- 4. In excess of 25% of the site is classified as BMV (Best and Most Versatile) land. BMV land should not be considered suitable for development.
- 5. Furthermore, if the 3b classified land was included, then 28.4 Ha is considered to fall within acceptable limits of high quality, medium or satisfactory farm land (reference to BMV) with the remaining 51.9 Ha to be considered poorer. However, even Grade 4 land (the 51.9Ha) is suited to pasture as can be seen as it is currently used for sheep grazing.
- 6. RCC has a duty to follow the national guidance which has been issued to local planning authorities in this regard. This guidance states: “Ideally ground mounted large scale PV arrays should utilise previously developed land, brownfield land, contaminated land, industrial land or agricultural land preferably of classification 3b, 4 or 5. Whilst there is no ban prohibiting ground mounted large scale PV arrays on sites classified as agricultural 1, 2 and 3a or designated for their natural beauty or acknowledged/recognised ecological/archaeological importance/ interest it is unlikely that planning permission will be granted where there is significant impact on these designations”. (Source: BRE: Planning Guidance for the development of large-scale ground mounted solar PV systems)
- 7. For this proposal there is insufficient evidence provided that would support the removal of this BMV land from agricultural production.
- 8. We object to the unnecessary loss of prime BMV agricultural land to a development such as that proposed by the Applicant.

OBJECTION #9: Recent Precedent by the Planning Inspector.

- 1. We draw your attention to the result of this recent (March 2024) Appeal by the Planning Inspector:
(Ref APP/L3245/W/23/3332543, Land west of Berrington, Shrewsbury, Shropshire).
 - 1.1. The Inspector upheld the decision of Shropshire Council to refuse (against Officers recommendation for approval) permission for a 30MW Solar Farm on the following grounds:
 - 1.1.1. Loss of BMV land

- 1.1.2. Adverse visual Impact
- 1.1.3. Adverse Ecological Impact

1.2. In an extensive rationale occupying some 26 pages the Inspector included within his decision:

- 1.2.1. The adverse effects on landscape and visual effects of the proposal.
- 1.2.2. The implications of the BMV Agricultural Land.
- 1.2.3. That the proposed mitigations would not provide a safe and undisturbed environment for skylark nesting.
- 1.2.4. The adverse effects of the proposals on the historical and cultural assets.
- 1.2.5. The extent of the benefits of the proposal and whether they would outweigh any harm arising from the issues above.

1.3. The Inspector concluded that: “the nature and benefits of the proposal do not outweigh the harm that I have identified and the proposal would be in conflict with the Development Plan”.

2. This decision is directly relevant to this application (2024/0300/MAF) and it is significant. It creates a precedent in the weight given to the arguments we have made concerning:

- 2.1. The value of BMV land,
- 2.2. The adverse effects of landscape and the visual effects of the proposals,
- 2.3. The sensitivity and grounds for protection which must be considered in relation to rare species habitats,
- 2.4. The adverse effects on historical and cultural assets,
- 2.5. The harm arising from the proposals and whether the benefits would outweigh these.

3. We object to the application on the basis that the decision by the Planning Inspector in APP/L3245/W/23/3332543 is directly relevant to the issues raised by this application and creates precedents which must be considered significant & material planning issues.

CONCLUSION:

- 1. Taking all of this into consideration, the application stands contrary to established policy.
- 2. There is quite simply insufficient evidence to demonstrate that the proposal would not be harmful or that the benefits would outweigh the harms resulting from the proposal.
- 3. There is little consideration given to the current quality of the landscape and how highly it is valued.
- 4. These are fundamental characteristics to be considered when judging the impact of this project on the Rutland landscape.

5. The proposed mitigations of Environmental, Biodiversity, or Ecological measures are insufficient.
6. The threat to rare species is significant and the mitigations proposed unsatisfactory.
7. BMV agricultural land and supporting land should be preserved for food production.
8. The recent decision by the Planning Inspector to refuse an appeal (APP/L3245/W/23/3332543) is significant and directly relevant to this application.
9. We object to the proposed application on the reasons included in this document and urge Rutland County Council to refuse the application.

Morcott Parish Council.