

Report to: Planning Applications Committee
Date: 9th November 2022
Application No: LW/22/0254
Location: Land East of Uckfield Road (A26), Ringmer, East Sussex
Proposal: Construction of a renewable led energy generating station comprising ground-mounted photovoltaic solar arrays together with substation, inverter/transformer stations, grid connection infrastructure, grid cable route, battery energy storage, site accesses, access gates, internal access tracks, security measures, other ancillary infrastructure and landscaping and biodiversity enhancements.

Applicant: Ouse Valley and Ringmer Services Company C.I.C

Ward: Ouse Valley and Ringmer

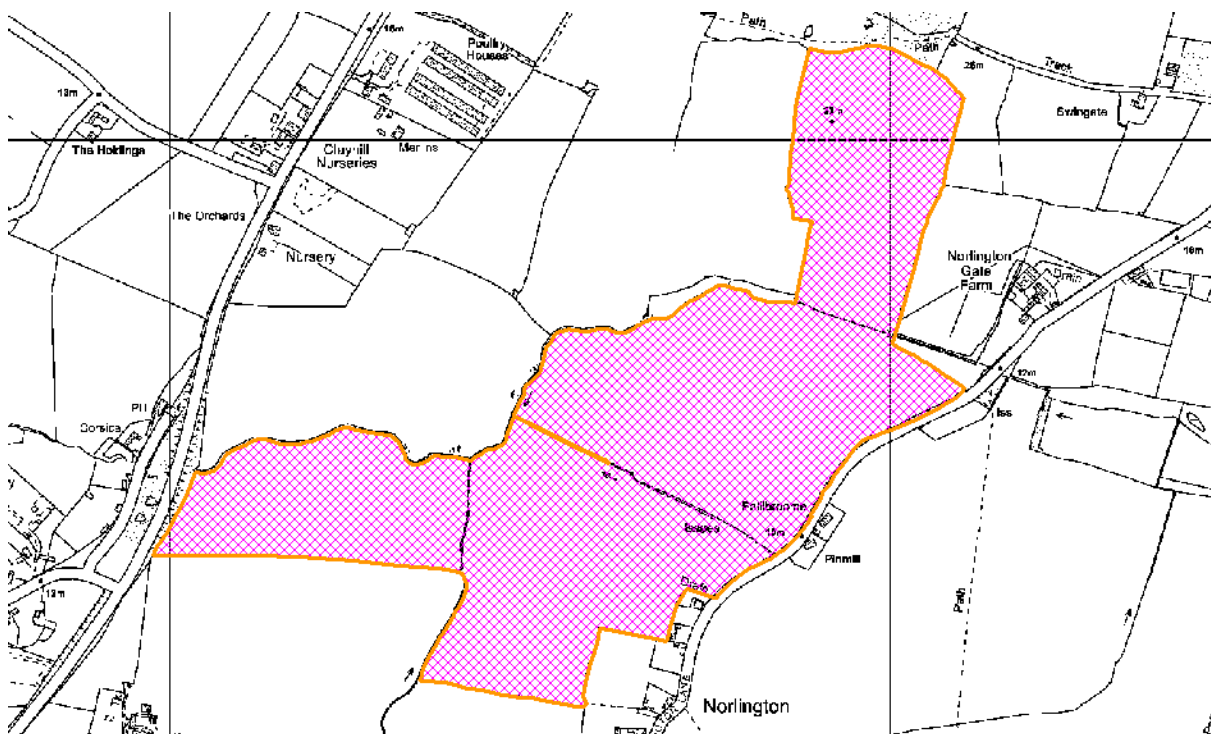
Recommendation: 1/ If the Committee resolve to grant planning permission then the application shall be referred to Secretary of State (SoS).

2/ In the circumstances that the that the SoS does not wish to exercise call in powers The Planning Applications Committee grant the Head of Planning delegated authority to **APPROVE** the permission subject to conditions listed within the addendum report.

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IMPORTANT NOTE: This scheme is CIL Liable.

Site Location Plan



1.	Executive Summary
1.1	The proposal is an application for the construction of a renewable led energy generating station comprising ground-mounted photovoltaic solar arrays together with associate infrastructure as well as landscaping and biodiversity enhancements
1.2	The proposed development is located on agricultural land outside the defined planning boundaries, to the north of Ringmer
1.3	<p>Provision of renewables</p> <p>The proposal would provide up to 19,000MWh of electricity per year, being power from a renewable source. The Framework identifies the provision of renewable energy as being central to the economic, social, and environmental dimensions of sustainable development. Such projects are also recognised as providing a valuable contribution to cutting greenhouse gas emissions and tackling the climate emergency.</p> <p>The provision of renewable energy should be given <u>significant weight</u> in the planning balance.</p>
1.4	<p>Landscape issues</p> <p>At the same time the proposal would have limited impact on local views. These effects would be reversible after 35 years. Paragraph 158 b) of the Framework advises that when determining proposals for renewable energy schemes, authorities should approve such projects if impacts are or can be made acceptable. In this case the proposal would give rise to limited harm to the appearance of the local countryside for the duration of the proposal.</p> <p>Mitigation measure through enhanced landscaping would reduce those impact, which would further reduce over time as the landscaping matures. The Framework recognises the intrinsic character and beauty of the countryside as a core planning principle.</p> <p>Issues relating to the character and beauty of the countryside carries <u>significant weight</u> in the planning balance.</p>
1.5	<p>Noise Issues</p> <p>The batteries have been deleted from the proposal and save for the impacts of during construction which are limited the proposal is considered to be acceptable in noise impact terms.</p> <p>The issues relating to noise impacts should be given <u>moderate weight</u> in the planning balance.</p>
1.6	<p>Biodiversity Net Gain (BNG)</p> <p>The scheme proposes 230% improvement in BNG, this improvement will remain post decommissioning of the development.</p> <p>The issue of BNG should be given <u>significant weight</u> in the planning balance.</p>

1.7	<p>Loss of agricultural land and loss of food production</p> <p>The scheme uses the land for a temporary period (35 years), it does not permanently remove the potential for food production in the future, the same way that a housing estate would.</p> <p>Moving from current farming practices to the scheme proposal would remove the potential of the soil being compacted by the use of heavy agricultural machinery and would therefore let the soil settle and mature over the lifetime of the development.</p> <p>The method of construction is moderately intrusive (spikes rather than strip foundations), so remediation is easily achieved.</p> <p>The scheme proposes layout and height of the arrays to allow for sheep grazing to be utilized.</p> <p>The scheme would temporarily remove from food production approximately 200 tonnes of wheat per year from a national production of 15 million tonnes.</p> <p>Issues relating to the loss of food production and the loss of agricultural land should be given <u>moderate weight</u> in the planning balance.</p>
1.8	<p>Flooding</p> <p>There are no negative impacts in relation to flooding at the site or increased by the development.</p> <p>Issues relating to flooding should be given <u>moderate weight</u> in the planning balance</p>
1.9	<p>Traffic Issues</p> <p>Save for the construction period there are no material traffic issue relating to the development.</p> <p>Issues relating to traffic should be given <u>moderate weight</u> in the planning balance</p>
1.10	<p>Solar Reflection and Glint and Glare</p> <p>The development given the proposed mitigation by way of enhanced and new hedgerow planting would not give rise to any substantial harm with regard to solar reflection or glint and glare.</p> <p>Issues relating to solar reflection and glint and glare should be given <u>significant weight</u> in the planning balance.</p>
1.11	<p>Heritage Assets</p> <p>The proposal is located distant from local heritage assets to the extent that any harm would be less than substantial in heritage terms.</p> <p>Issues relating to heritage impacts should be given <u>significant weight</u> in the planning balance.</p>
1.12	<p>Accordingly, weighing up the planning balance assessing the climate emergency weighed against the 'temporary' visual impact and the loss of</p>

	food production that would result from the development, it is considered that the application can be recommended for approval.
1.13	Notification has been received from the Planning Caseworker Unit that should the committee resolve to approve the application, no decision should be issue until the Secretary of State has considered the application.

2.	Relevant Planning Policies
2,1	<u>National Planning Policy Framework</u> 2. Achieving sustainable development 4. Decision making 8. Promoting healthy and safe communities 11. Making effective use of land 12. Achieving well-designed places 14. Meeting the challenge of climate change, flooding, and coastal change 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment
2,2	<u>Lewes District Local Plan:</u> LDLP1: – CP10 – Natural Environment and Landscape. LDLP1: – CP11 – Built and Historic Environment & Design LDLP1: – CP12 – Flood Risk, Coastal Erosion and Drainage LDLP1: – CP14 – Renewable and Low Carbon Energy LDLP2: – DM1 – Planning Boundary LDLP2: - DM9 – Farm Diversification LDLP: - DM19 – Protection of Agricultural Land LDLP2: – DM23 – Noise LDLP2: – DM24 – Protection of Biodiversity and Geodiversity LDLP2: – DM25 – Design LDLP2: – DM27 – Landscape Design LDLP2; - DM33 Heritage Assets LDLP2: - DM35 Footpaths, cycle, and Bridleway Network
2,3	<u>Ringmer Neighbourhood Plan:</u>

	<p>4.5 Community Action - footpaths</p> <p>4.7 Non-designated heritage assets</p> <p>4.9 Green Corridors</p> <p>4.10 Maintaining and enhancing biodiversity</p> <p>4.11 Avoidance of light pollution</p>
3.	Site Description
3.1	The Site comprises a single parcel of land made up of four adjacent fields, between Uckfield Road (A26) and Norlington Lane. The edge of Ringmer lies approximately 0.3 km to the south of the Site with Lewes being located approximately 3km to the south.
3.2	The site, which extends to approximately 26.51 hectares, comprises four fields in agricultural use and underground cable route to the point of connection to the north west of the site on the western side of the A26. The fields are enclosed with mature tree lined hedgerows which provides enclosure.
3.3	This sloping site rises from south at 10m AOD to the north and north-east to approximately 20m AOD, with Ham Lane to the south, the A26 to the west and Norlington Lane to the east. The site is crossed east/west by Footpath number 12, close to the southern boundary of the site, with Footpath number 10 passing east/west on the ridge just to the north of the site, and Footpath 13 to the south west of the site.
3.4	The Site lies outside of any national, statutory, or local / non-statutory landscape designations. The northern boundary of the SDNP at Ham Lane is approximately 0.35 km to the south of the Site at its closest. The northern scarp of the South Downs is approximately 2.5 km to the south. There are four Grade II listed dwellings located along Norlington Lane and which are close to the eastern boundary of the site – Norlington Gate Farmhouse, Lilac Cottage, Holly Tree Cottage and Norlington Farmhouse.

4.	Proposed Development
4.1	<p>Proposal</p> <p>The application seeks planning permission for the construction of a renewable led energy generating station comprising ground-mounted photovoltaic solar arrays together with substation, inverter/transformer stations, grid connection infrastructure, grid cable route, battery energy storage, site accesses, access gates, internal access tracks, security measures, other ancillary infrastructure and landscaping and biodiversity enhancements.</p>

4.2	<p>Supporting Documents</p> <p>The application is accompanied by a range of supporting plans and documents including details and layout plans, Design and Access Statement, Planning Statement, Agricultural Land Classification, Construction Traffic Management Plan, Preliminary Ecological Assessment, Biodiversity Net Gain Statement, Flood Risk Assessment and Preliminary Drainage Strategy, Glint & Glare Assessment, Landscape and Visual Impact Assessment, Noise Assessment, Heritage Assessment, Archaeology – Geophysical Survey, a Statement of Community Involvement/community benefits, Agricultural Land Quality and Management Considerations, and An Alternative Site Assessment.</p> <p>All of these documents have been assessed and have informed the recommendation.</p>
4.3	<p>Layout</p> <p>The solar panels will be orientated south and mounted on an aluminium frame system on driven posts measuring approximately 1.5m in depth. At their lowest edge the arrays would be approximately 0.85m off the ground at the front of the panel and approximately 2.5m at the highest rear edge. The panels would have an approximate gradient of approximately 20 degrees with the rows spaced approximately 3.1m apart.</p> <p>This will facilitate the potential for grazing in and around the arrays.</p>
4.4	<p>Proposed infrastructure</p> <p>There will be six transformers and sub-station. The transformers, which convert the low voltage output from the inverters (which are attached to the underside of the panel mounting structure) to high voltage suitable for feeding into the local electricity distribution network. Each transformer unit would measure approximately 12m, 2.5m and 2.6m (LxWxH).</p>
4.5	<p>National Grid</p> <p>The arrays will be connected via a substation to the National Grid at a point of connection to the north west of the site into the local electricity distribution network using an underground cable. The arrays will be connected by underground cables laid in a trench approximately 450mm wide and 1200mm deep in accordance with best practice. There should be minimal disturbance to the ground through excavations, with typically only 4% of the site surface being disturbed through array frameworks, inverter and transformer stations and underground cabling.</p>
4.6	<p>The site search this is driven by the National Grid who identify where on their network there is capacity in inward connection and once this has been established then the National Grid approve a connection date window.</p>
4.7	<p>In terms of National Grid connectivity capacity then the application site has been identified as suitable and has been assessed alongside 11 other sites within of a number of other sites in proximity to the Grid connection location. These sites have been objectively assessed against a number of criteria including size, habitat designation, planning policy constraints.</p>

4.8	The output from this objectively assessed criteria is that the application site is the most preferred with the least constraints/impediment to development.
4.9	The connection to the grid will be made at a point of connection, located to the north of the Site. The cable would run below ground from the boundary of the Site primarily following the public highway to the point of connection.
4.10	<p>Site Security - Fencing</p> <p>In terms of site security, it is proposed that deer fencing (mesh with wooden posts or similar) to a height of approximately 2m would be installed along the outer edges of the Site in order to restrict access. Internal gates of the same design will allow access between fields. The fence would be fitted with small mammal gates at appropriate locations around the site perimeter.</p>
4.12	This would be sited inside the outermost hedges/trees/vegetation leaving a buffer for the root protection areas, ensuring that the fence is visually obscured but leaving access available for hedge trimming and maintenance. The existing gates would be retained at the highway access points for maintenance access.
4.13	<p>CCTV</p> <p>The perimeter of the Site would be protected by a system of CCTV cameras and/or infra-red cameras, which would provide full 24-hour surveillance around the entire perimeter. An intelligent sensor management system would manage the cameras. The cameras would be on poles of up to approximately 4 m high, spaced at approximately 50m intervals inside the security fence facing internally towards the site. There would be no lighting within the Site at night-time.</p>
4.14	Once operational, the solar farm would require minimal day to day intervention as it would be monitored remotely via the CCTV system. Occasional maintenance of the solar panels and other infrastructure would be required, and it is anticipated that typically no more than 2 maintenance visits would be needed to the Site per month by cars/transit vans.
4.15	<p>Temporary Proposal</p> <p>The proposed development would operate for a temporary time period, 35 years from the commencement of operation, with the potential for low intensity grazing amongst the solar arrays, maintaining an agricultural use of the Site in combination with the delivery of significant biodiversity enhancements.</p>
4.16	<p>Biodiversity Net Gain</p> <p>The scheme as proposed would deliver a 230% improvement in Biodiversity Net Gain.</p>
4.17	<p>Construction</p> <p>Construction would take place over approximately 6 months (around 30 weeks) with construction vehicles accessing the Site via an existing access from the A26. Internal access tracks will then connect construction vehicles to a temporary construction compound and then to all fields that</p>

	form the Site. Other than the delivery of the substation, no HGV traffic will access the site from Norlington Lane
4.18	<p>Decommissioning</p> <p>At the end of the 35 years on decommissioning of the Site, the solar array and its associated infrastructure would be removed from site and the site would continue in agricultural use. All boundary planting and biodiversity enhancements would be retained.</p>
4.18	From the submitted information it is expected that there will be approximately six HGVs accessing the Site each day during the construction phase. There will also be construction workers arriving at the Site in the morning and departing in the evening.
4.20	<p>Public Rights of Way</p> <p>Public Right of Way (Footpath 12) that runs next to the Site Access and then east/west across the southern end of the site will remain open in a wide corridor during the construction and operational phase and does not require diversion. Banksmen will ensure the safety of all PROW users at all times.</p>
4.21	<p>Landscaping & Flooding</p> <p>The application is supported with an extensive soft landscaping scheme and drainage plan. This include enhancements to field boundaries and new hedging and the introduction of swales throughout the development in an attempt to mitigate visual intrusion and localised flooding.</p>

5.	Relevant Planning History:
5.1	LW/21/0067 - Screening Opinion under Regulation 6(1) and 15(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 – EIA not required.

6.	Consultations:
6.1	<p><u>ESCC Archaeology:</u></p> <p>No objection - Recommend for approval in principle subject to the imposition of conditions</p> <p>The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions.</p>
6.2	<p><u>ESCC Landscape Officer:</u></p> <p>Recommends approval subject to conditions.</p> <p>It is recommended that the proposed development can be supported as the potential adverse landscape and visual impacts would be localised and</p>

subject to the implementation of the proposed landscape scheme would be mitigated.

Reason for Recommendation

The site and immediate surroundings would not be considered valued landscape in the context of the NPPF. The site is outside the village boundaries and is within the countryside. The site is 0.35km from the boundary of the South Downs National Park (SDNP) which lies adjacent to Ham Lane and it is considered to be within the setting of the SDNP (LVIA page 28). A public footpath (ESCC 12) runs from the A26 to Norlington Lane and passes through the middle of the site.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). The LVIA provides an accurate description of the baseline landscape and visual context for the site and surrounding area.

The application is supported by a Landscape and Ecological Management Plan (LEMP) which sets out proposals for tree and hedgerow planting. The LEMP proposes to retain all existing trees and hedges on the site. The intention is to manage existing hedgerows so that they grow up taller and provide screening for the solar arrays. In the original scheme new hedges with intermittent trees were proposed around the currently open boundaries of the fields 3,4 and 5.

As a response to previous comments the LEMP has been revised to incorporate mitigation measures including additional tree and hedgerow planting.

These additions include:

- a hedge with trees on the southern side of Field 1
- additional mixed groups of trees on the south side of Field 2 and between Fields 1 and 3.
- Additional hedgerow trees between fields 3 and 4, 4 and 5.
- Removal of the battery units.

Rendered photomontages have also been provided as part of the LVIA. These indicate that by year 15, as the planting matures, the panels would be largely screened from close public viewpoints and the local footpath network. The proposed planting would also reduce the overall scale of the proposal from the more distant views on the scarp slope of the downs.

The removal of the battery units would reduce potential effects on users of Norlington Lane and residents.

Subject to the additional mitigation the conclusions of the LVIA are not disputed. The site could have potential for this type of development without having an unacceptable impact on landscape character and views.

6.3

Natural England

No objections

	<p>Based on the plans submitted, NE considers that the proposed development will not have significant adverse impacts on protected landscapes.</p>
6.4	<p><u>SDNP:</u> The site is within the setting of the South Downs National Park and the development has the potential to negatively impact upon the views to and from the SDNP and upon its rural setting.</p> <p>The land has been in agricultural use for hundreds of years and this is what has shaped its character as part of the Western Low Weald. The proposals would change this landscape character from agricultural to more of an industrial character, diminishing the rural setting of the SDNP.</p> <p>Glimpses are possible from high ground within the SDNP and examples have been evidenced within submitted views accompanying the LVIA, such as VP5, VP8 and VP9. There are also views across the site towards the SDNP such as VP7. It is a pity some other viewpoints have not been assessed, such as the route of the public footpath leading through the site from Upper Wellingham to Norlington. This currently passes through an open field which would be subdivided with panels and security fences on either side of the footpath. The SDNPA would recommend an assessment of the impact upon the experience of users as part of the setting of the SNDP and how this can be improved.</p> <p>In terms of the layout shown, this appears to have been informed by exiting constraints rather than being landscape-led (a good approach to site design to ensure a scheme is better integrated into the setting of the National Park). There appear to have been no efforts to minimise negative effects by rationalising the access points and tracks -multiple routes lead into the site and don't follow existing/historic field boundaries. Similarly, the sprawl of buildings could be rationalised and located more discreetly. A landscape-led scheme could inform a more sensitive layout for the landscape that comprises both the site and the setting of the National Park. The applicants could consider additional benefits such as waterbody enhancements and opportunities for grazing on the site.</p> <p>The SDNPA therefore objects to the proposals as submitted but would be happy to take part in any discussions between the applicants and LPA with regard to developing a more rationalised, landscape-led scheme. It may be that a reduction in the extent of the site would be required in order to achieve this.</p>
6.5	<p><u>Environment Agency</u></p> <p>No objection subject to condition requiring the development to be carried out in accordance with the FRA.</p>
6.6	<p>Environmental Health</p> <p>I would advise that once operational, aside from the obvious provision of renewable energy, the site will permit greater biodiversity and better air quality in the vicinity. This would be due to a reduction in single species farming and as I understand, zero pesticide usage therefore greatly</p>

	<p>increasing favourable conditions for local for all wildlife and reducing the impact of soil erosion on local air quality over the winter months.</p> <p>A construction environment management plan should accompany any recommendation to approve.</p> <p>Conditions are also recommended dealing with unexpected contamination.</p>
6.7	<p><u>Sussex Ramblers object to the Application.</u></p> <p>Whilst Ramblers support the use of solar energy, this proposed development is on a sprawling greenfield site in a rural setting close to the South Downs National Park.</p> <p>This is a bad use of agricultural land, whereas provision for solar equipment would be much better as roof-mounted installations on large commercial and public buildings in urban areas.</p> <p>Construction and maintenance of this proposal would require unacceptable large vehicle movements along Norlington Lane.</p> <p>Although the existence of Ringmer footpaths 12 and 13 is acknowledged, but not shown on the location plan, this proposed development should not enclose any part of either public footpath as it would be less convenient for users.</p> <p>Therefore, I strongly urge the Council to refuse this Application. However, if approved with any part of the footpaths enclosed, there should be a condition to provide a minimum 5 metre corridor width for the convenience of users.</p>
6.8	<p><u>British Horse Society</u></p> <p>Objects unless a permissive if not public bridleway is provided around the perimeter of the site boundary, connecting Norlington Lane at its northern and southern extents to provide respite from road work for equestrian locally.</p>
6.9	<p>Ringmer Parish Council</p> <p>RESOLVED: object Parish Council Decision – Objects</p> <p>The proposed solar farm and its high, industrial style, fencing would have a strongly negative impact on the Norlington Lane landscape, which is identified in the Ringmer Neighbourhood Plan as of special importance to residents due to its recreational value to Ringmer’s walkers, cyclists and riders. The experience of users of the well-used public footpath that crosses the site would also be grossly devalued by the high security fencing to be installed on both sides of the footpath. Glare and glint from the solar farm would affect residents living in, or engaged in recreation in, the area.</p> <p>The new solar farm would be prominent in views from neighbouring areas of the South Downs National Park.</p> <p>The site is productive, high quality, agricultural land. Most of Ringmer is on Gault or Weald Clay, and grade 3b or lower, but almost all this land is freely draining Lower Greensand, of significantly higher agricultural value, and selected by the Saxons who founded Norlington as their arable open</p>

	<p>field. Far more appropriate sites are available elsewhere in Ringmer, including one between Mount Farm and Bentley that was (unlike this site) submitted to the 2022 SHELAA and considered developable.</p> <p>The proposal would have a strongly negative impact on the setting of the four 14th-16th century Historic England listed houses belonging to the shrunken medieval Norlington settlement along Norlington Lane.</p> <p>The proposals for battery storage are inappropriately sited: this would cause nuisance to residents and users of Norlington Lane and create unnecessary security.</p> <p>The pre-application consultation by Ovesco was carried out with bad faith, with false information supplied to the parish council (e.g. the statement that Norlington Lane residents had been consulted and supported the application) and highly relevant information kept hidden (e.g. that the development of the proposal was being bankrolled by Lewes DC).</p> <p>There is a conflict of interest with LDC on more than one point:</p> <p>The lack of communication between LDC and RPC about their involvement and choice of site.</p> <p>The sudden appearance on Facebook of RISE, linked to Ovesco, the Phoenix Quarter development, Transition Town Lewes.</p> <p>A suggestion that the only way a carbon neutral development in Lewes might be achieved was by hard wiring the Norlington Lane site to the development.</p> <p>This proposal contravenes points 5.1 and 6.2 of the Neighbourhood plan.</p> <p>The proposed site sits on good arable land and there is a real need to protect UK food production.</p> <p>Norlington Lane is an important leisure/recreation route for walkers, cyclists, dog, walkers etc.</p> <p>There will be a detrimental impact on local footpaths no 10 and 12.</p>
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<p>7.</p>	<p>Other Representations:</p>
<p>7.1</p>	<p><u>Neighbour Representations:</u> A total of 364 letters of objection had been received at the time of writing this report. A summary of material planning matters raised is provided below.: -</p> <ul style="list-style-type: none"> • Should not be located on greenfield sites • Loss of agricultural land essential for food production • Visual harm to the surrounding countryside • Detrimental to the character and beauty of this part of Ringmer • Noise from the equipment • Ruin tranquillity of the area

- Detrimental to wildlife
- Negative impact on visual amenity, especially from the footpath
- Impact on listed buildings and their setting
- Increased traffic along Norlington Lane
- Impact on the National Park
- Impact on the wider landscape
- Fails to benefit the local community
- A blot on the landscape
- Panels should go on roofs and brownfield land
- Impact from solar reflection/glare
- Result in an eyesore
- Not supported by the community
- Unsightly fences and equipment
- Battery safety
- Industrialisation of the countryside
- Visible and detrimental to the enjoyment of the countryside from the footpaths and lane.
- Destroy the character of Norlington Lane
- Detrimental impact on leisure use of the area
- No assessment of impact from footpaths
- Right idea, wrong location
- Unclear whether other sites across the District have been assessed.
- Land ownership for this scheme developer should not be a barrier to site selection
- Should not be supported as it relates to 75% best and most versatile land
- Scheme should not be seen as rectifying poor historic farming practices
- Wet farmland should not be a driver to the location
- The loss of food production should look at all crops sweetcorn as well as wheat.
- The loss of sweetcorn production may place greater dependency on imported products.
- Grazing animals will contribute to greenhouse gases

	<ul style="list-style-type: none"> • Cannot insist on grazing so a hollow promise <p>A total of 326 letters of support had been received at the time of writing this report. A summary of material planning matters raised is provided below.: -</p> <ul style="list-style-type: none"> • People should be supporting renewable energy initiatives • Reduces the reliance on fossil fuels • Helps the climate emergency • Generates clean reliable electricity • Biodiversity enhancements are welcomed • Less impact than nearby housing developments • Reversible and doesn't result in the permanent loss of agricultural land • Community funded local initiative • Would help to reach net zero target • Biodiversity net gain by allowing the land to remain unused and therefore to regenerate naturally • No luxury of time to save the planet and address the climate emergency • Enhancement to hedgerows and additional planting for wildlife benefit • Inconvenience outweighed by the benefit to environment and wider community • Nearby villages have solar farms • Proposal won't impede view of lessen pleasure of using the lane
7.2	<p><u>Other Representations:</u></p> <p>Save Norlington Lane Residents Association</p> <p>Object to the proposal for the following reasons</p> <ul style="list-style-type: none"> • Impact upon the South Downs National Park (highly visible to from the Park) • Impact upon Heritage Assets (proximity to Listed and locally listed buildings and their setting is affected.) • Impact on amenity and character of Norlington Lane and adjoining footpath network. (rural character/green lane used for walkers, cyclist, and horse riders. Recognised within the Ringmer

	<p>Neighbourhood Plan as a community asset, impacting on views to and from the Norlington Lane)</p> <ul style="list-style-type: none"> • Noise impacts (from the installed equipment) • Impact upon residential amenity (local residents affected by noise and visual intrusion) • Loss of good quality farmland (in active food production)
7.3	<p><u>Maria Caulfield MP</u></p> <p>Objects to the proposals for the following reasons:</p> <ul style="list-style-type: none"> • Overdevelopment • Take farmland out of production • Visual and noise impacts • Glare impacts • Used by local residents for recreational purposes affecting their wellbeing • Impacts upon the South Downs National Park • Those that support the application are primarily from outside of the District/locality
7.4	<p>Councillor O'Brien</p> <p>Maintains an objection to the proposal.</p>
7.5	<p>Councillor Macleod</p> <p>Maintains support for the proposal.</p>

8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>Paragraph 47 of the NPPF states that; 'Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing'.</p> <p>The Courts have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is therefore not necessary to accord with each and every policy contained within the Development Plan. Indeed, it is not at all unusual for Development Plan policies to pull in different directions.</p> <p>The NPPF also holds a presumption in favour of sustainable development set out in paragraph 11 which states that for decision making this means 'approving development proposals that accord with an up to date development plan without delay' and in paragraph 12 reminding decision</p>

	<p>makers that that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.</p> <p>It is considered that the main issues in assessing this application relate to the Policy Context; Principle of Development and Climate Change: Impact on the character and appearance of the Landscape/SDNP; Impact on heritage Assets; Impact on the Use of Agricultural Land; Impact on Residential and wider Amenity/Glint and Glare; Impact on Biodiversity; Highways/Traffic/Access; Flood Risk.</p>
8.2	<p>Policy Context</p> <p>National Planning Policy Framework</p> <p>The National Planning Policy Framework (2021) (NPPF) establishes broad support for energy development of this nature defining the three overarching objectives of sustainable development at paragraph 8 being economic, social, and environmental.</p> <p>The Environmental objective seek to ensure that development make effective use of land, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>Paragraph 12 underlines that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.</p> <p>Paragraph 152 sets out that the planning system should support the transition to a low carbon future in a changing climate and it should help minimise vulnerability and improved resilience.</p> <p>Paragraph 156 directs that local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.</p> <p>Paragraph 157 states that local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply and to take account of landform, layout, building orientation, massing, and landscaping.</p> <p>Paragraph 158 sets out that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.</p> <p>Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air or noise pollution.</p>

Paragraph 179 sets out the principles that local planning authorities should apply with regard to habitats and biodiversity when determining applications including identifying and pursuing opportunities for securing measurable net gains for biodiversity.

Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In addition to the NPPF there is the Planning Practice Guidance (PPG) which has been developed to provide guidance on the implementation of policies contained within the NPPF.

Of particular note is the further guidance it provides in relation to renewable and low carbon energy projects. Paragraph 13 relates to large scale ground-mounted solar.

The guidance document offers the following statements and guidance.

“What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?”

The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

It goes on to advise that some of the particular factors a local planning authority will need to consider include:

- encouraging the effective use of previously developed land, and if a proposal does involve greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays;

- where a proposal involves greenfield land, whether the proposed use of any agricultural land has been shown to be necessary and poor quality land has been used in preference to higher quality land; and the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays;

- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.

- the effect on landscape of glint and glare and on neighbouring uses and aircraft safety.

- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun.

- the need for, and impact of, security measures such as lights and fencing.

- great care should be taken to ensure 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.

-the potential to mitigate landscape and visual impacts through, for example, screening with native hedges; and

-the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

Local Planning Policy

Lewes Joint Core Strategy 2010-2030: Local Plan Part 1

The Core Strategy is one of the planning policy documents necessary to consider in the assessment of the application. It highlights the issues and challenges facing the District including ensuring that new development is provided in a way that enables the most sustainable means of using natural resources, such as water, energy, and soil, to be utilised. It also addresses the need to tackle climate change, in particular the need to promote and encourage alternative energy sources using decentralised or low carbon technologies.

A District wide vision is 'By 2030 the district and its residents will have made every effort to respond to the challenges of climate change, through a reduction in the district's carbon footprint and by adapting to the consequences of climate change.....and increased production of green energy'.

Core Policy 10 addresses the natural environment and landscape character, stating that 'the natural environment of the district, including landscape assets, biodiversity, geodiversity, priority habitats and species and statutory and locally designated sites, will be conserved and enhanced'.

Core Policy 14 addresses Renewable and Low Carbon Energy and Sustainable Use of Resources with the objective to ensure that the district reduces locally contributing causes of climate change and is proactive regarding climate change initiatives. It states that the local planning authority will 'Support applications for low carbon and renewable energy installations, subject to the following matters being satisfactorily assessed and addressed:

- i. Appropriate contribution to meeting national and local renewable heat and energy targets.
- ii. Protecting the special qualities and setting of the South Downs National Park, in accordance with national park purposes and the duties of regard by relevant authorities.

- iii. Landscape and visual impact.
- iv. Local amenity impact.
- v. Ecology impact; and
- vi. Cultural heritage impact, including the need to preserve and enhance heritage assets.

The Local Plan Part 2: Site Allocations and Development Management Policies supports and seeks to deliver the strategic objectives and spatial strategy of the Local Plan Part 1 by setting out detailed (non-strategic) development management policies to guide development and change, and that the plan as a whole should be read in conjunction with the policies set out in the Local Plan Part 1, the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, and any neighbourhood plans that have been brought into force, including the NPPF.

Policy DM9 Farm Diversification states that 'Development which forms part of a farm diversification scheme or otherwise helps maintain the viability of farm businesses engaged in sustainable land management will be permitted subject to certain criteria.

Policy DM19 Protection of Agricultural Land states that 'development that would result in the irreversible loss of the best and most versatile agricultural land (Grades 1, 2, 3a in the DEFRA Agricultural Land Classification System) will not be permitted unless it can be demonstrated that there are no suitable alternative locations and the proposal would have overriding sustainability benefits that outweigh the loss of land from agricultural use'.

Policy DM23 Noise states that 'Noise-generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing or future users. Where appropriate, proposals will be required to mitigate noise impacts through careful planning, layout, and design.

Policy DM24: Protection of Biodiversity and Geodiversity states that 'Development which would result in damage or loss to a site of biodiversity or geological value of regional or local importance including Local Nature Reserves (LNR), Wildlife Trust Reserves, Local Wildlife Sites, irreplaceable habitats, and habitats and species of principal importance for biodiversity, will only be permitted where the benefits of the development clearly outweigh the damage to the conservation interest of the site and any loss can be mitigated to achieve a net gain in biodiversity and/or geodiversity.

Policy DM25: Design states 'Development which contributes towards local character and distinctiveness through high quality design will be permitted subject to certain criteria :

- 1) Its siting, layout, density, orientation and landscape treatment respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings and, where appropriate, views into, over or out of the site;

- 2) its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines.
- 3) it incorporates high quality, durable and sustainable materials of an appropriate texture, colour, pattern, and appearance that will contribute positively to the character of the area.
- 4) existing individual trees or tree groups that contribute positively to the area are retained.
- 5) adequate consideration has been given to the spaces between and around buildings to ensure that they are appropriate to their function, character, capacity, and local climatic conditions.
- 6) any car parking or other servicing areas are appropriate to the context and sensitively located and designed so as not to dominate the public realm.
- 7) there will be no unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, daylight, sunlight, noise, odour, light intrusion, or activity levels.
- 8) major developments will promote permeable, accessible, and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features.
- 9) residential developments of 10 or more dwellings should demonstrate how the 'Building for Life 12' criteria have been considered and would be delivered by the development.

Development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions will not be permitted'.

Policy DM27: Landscape Design states that 'Where appropriate, development proposals should demonstrate a high quality of landscape design, implementation and management as an integral part of the new development.

Policy DM33: Heritage Assets states that "Development affecting a heritage asset will only be permitted where the proposal would make a positive contribution to conserving or enhancing the significance of the heritage asset, taking account of its character, appearance and setting.

Policy DM35: Footpath, Cycle and Bridleway Network states that 'Development that would have a harmful impact on the convenience, safety or amenity value of the existing or proposed footpath, cycle or bridleway network will only be permitted where this impact can be satisfactorily mitigated or an alternative facility of equivalent or improved

quality would be delivered as part of the development’.

Ringmer Neighbourhood Plan

The Ringmer Neighbourhood Plan was made/adopted in February 2016.

Paragraph 1.5.2 reiterates the presumption in favour of development and that Planning applications proposing sustainable development within Ringmer parish that accord with the policies in the Local Plan and, where relevant, with policies in the Neighbourhood Plan, will be approved without delay, unless material considerations indicate otherwise.

The following policies in the neighbourhood Plan are considered the most relevant to this application are:

Policy 4.1: Proposals for new development outside planning boundaries that are not in accordance with other policies in this Neighbourhood Plan or other material planning policies, and would have an adverse effect on the countryside or the rural landscape, will not be permitted unless it can be demonstrated that the benefits of the development clearly outweigh the adverse impacts and that they cannot be located on an alternative site that would cause less harm.

Community Action 4.5: Ringmer parish council will seek to maintain Ringmer’s public footpath network and if possible, further improve it through the creation of new licensed footpaths. Enhanced access to the SDNP will be particularly encouraged.

Policy 4.7: The following buildings and structures are recognised as non-designated heritage assets. The effect of an application on the significance of these will be considered in determining the application, with regard to the scale of any harm or loss to, and the significance of, the heritage asset. The non-designated assets listed include H5 Two timber framed barns, Norlington Farm, Norlington Lane, BN8 5SH.

Policy 4.9: Where appropriate new green corridors will be included within new development sites. Where a new development site intervenes between open countryside and an existing wildlife habitat in a developed area, new green corridors will be required to allow passage of wildlife.

Policy 4.10: Development proposals should consider their impact on biodiversity and, where appropriate, include provisions to ensure biodiversity is maintained or, where possible, enhanced.

Policy 4.11: New development, especially new development in the countryside, should minimise additional light pollution, through careful design, location, and inclusion of mitigation measures if necessary.

8.3

Principle of Development and Climate Change:

The science of climate change is well established:

-Climate change is real and human activities are the main cause. (IPCC)

-The concentration of greenhouse gases in the earth's atmosphere is directly linked to the average global temperature on Earth. (IPCC)

-The concentration has been rising steadily, and mean global temperatures along with it, since the time of the Industrial Revolution. (IPCC)

-The most abundant greenhouse gas, accounting for about two-thirds of greenhouse gases, carbon dioxide (CO₂), is largely the product of burning fossil fuels. (IPCC)

-Impacts of a 1.1-degree increase are here today in the increased frequency and magnitude of extreme weather events from heatwaves, droughts, flooding, winter storms, hurricanes, and wildfires. (IPCC)

Government's policy of achieving its legally binding target of net-zero greenhouse gas emissions by 2050, following a national climate emergency being declared by UK Parliament in May 2019, built upon the previous target to reduce greenhouse gas emissions by at least 80% relative to 1990 levels by 2050. To achieve this the UK needs to alter the way it generates electricity and drastically change many other ways of life (including food production, travel, and business).

As part of the plan to help achieve this net-zero target the Government is rapidly seeking to transition from a traditionally fossil fuel dependent economy to increasing amounts of secure, resilient renewable and low carbon energy, which includes solar power.

There have been many strategies, reports and documents published to support the broad path to achieving net-zero emissions by 2050, including those published by the Government, the IPCC, United Nations, World Meteorological Organization, including many local, town and parish councils initiatives and policies.

From a planning perspective, national policy is strongly supportive of renewable energy as a means of meeting the UK's increasing energy demands, tackling climate change, and transitioning to a prosperous and secure low carbon sustainable economy.

Larger scale solar developments are recognised as being part of the solution.

The applicant has submitted data with the application that suggests that, based on the proposed installed capacity, the array has the potential to generate an estimated 19,000MWh of energy per annum based on the site's average solar irradiation.

The carbon offset over the lifetime of the scheme [using DECC emission factor for the 'Valuation of energy use and greenhouse gas] is estimated to be 6,800tCO₂ per annum when compared with electricity generated from fossil fuel sources.

The proposed development will feed green and low carbon renewable energy into the local electricity distribution network.

The installed capacity of the array will generate the equivalent power to serve over 4,800 homes (3,943 kWh/pa/household).

The Local Plan Part 1 states in para 7.123 that there are approximately 42,000 dwellings in LDC district therefore the contribution of renewable energy from the solar farm would equate to meeting the energy demand of over 11% of the district's homes.

These figures (which are the applicants) are based on the anticipated generational output of the solar array based on the site's solar irradiation and the candidate solar PV modules power curve. However, the benefits would vary depending on the actual solar irradiation harnessed by the array over a year and therefore it is more appropriate to consider the benefits as a range rather than an exact figure.

As already mentioned, whilst it is not expected for applicants of these types of installation to have to justify the need, the NPPF does make it clear that such proposals should only be granted where other impacts are acceptable (NPPF para 154b).

The urgency of the need for substantially greater quantities of renewable energy (including large scale solar) is self-evident in light of the research and published reports, and the need to achieve a 100% reduction in greenhouse gas emissions by 2050 (Net Zero).

As such there is not a fundamental objection to the principle of the proposal of constructing a major new solar farm.

The principle of the development should be given significant weight in the planning balance.

8.4 Impact on the Character and Appearance of the Countryside and SDNP

The NPPF at para 174 sets out that planning policies and decision should contribute to and enhance the natural and local environment, whilst para 179(b) seeks to promote the conservation, restoration and enhancement of priority habitats and ecological networks.

Lewes District Local Plan policy CP10 seeks to conserve and enhance the natural beauty, wildlife, and cultural heritage of an area, as well as the high quality and character of the districts towns, villages, and rural environment.

Policy DM27 seeks to ensure that development proposals should demonstrate high quality landscape design.

The Site lies in the Low Weald National Character Area (NCA) as defined by Natural England in National Character Area Profile:121x which contains the following summary description: '...a broad, low-lying clay vale which largely wraps around the northern, western and southern edges of the High Weald. It is predominantly agricultural, supporting mainly pastoral farming owing to heavy clay soils, with horticulture and some arable on lighter soils in the east, and has many densely wooded areas with a high proportion of ancient woodland.'

The East Sussex Landscape Character Assessment identifies the site as being located within the Western Low Weald. The key characteristics of the Western Low Weald LCA relevant to the site can be summarized amongst other things as:

- A gently undulating, low lying topography.
- Unspoilt and distinctive rural character, few intrusive features, no large urban areas.
- A largely pastoral landscape, mixed and arable farming on higher ground.
- Generally small and irregular field pattern.
- Area appears well wooded.
- Oak and ash predominant mature tree species in woods and hedges.
- Scattered settlement of villages and farmsteads.
- Some larger 20th century villages associated with main road and rail routes.
- Vernacular building materials include timber frame (oak), local brick, white weatherboarding, clay tiles.
- Frequent wide views of the South Downs scarp and 'big skies'

The applicant has submitted a Landscape and Visual Impact Assessment to support the application. Their assessment of the principal visual effects would arise for the following receptors:

- the seven residential properties near the site at Norlington during construction – these effects would reduce through the operational phase and in the long-term as proposed landscape planting matures and management regimes are implemented.
- Footpath 12 crossing the Site during construction and operational phases – no assessed reduction with maturing of landscape mitigation due to the proximity of the proposed development, although the qualitative experience of using the route would improve as the proposed landscape measures mature.
- Footpath 13 and residents Ham Farm (The Ringmer Barn) to the south-west of the Site during construction and operational phases – effects would reduce in the medium-to-long term as landscape mitigation matures and management regimes are implemented on Fields 1 to 5.

The conclusion is that there would be no landscape and visual effects greater than moderate significance would arise on other receptors in the surrounding area including local settlement, PROWs, local roads, and receptors in the SDNP.

The landscape mitigation proposed seeks to enhance the existing landscape character and reduce the visual prominence of the solar arrays in local views by enhancing the condition of several key field boundaries and promoting new ones where they do not currently exist within the

vicinity of the site. The submitted LVIA and LEMP identifies areas which may require additional planting for biodiversity and screening.

Mitigation will be undertaken to assist with assimilation into the natural setting and will include ensuring construction operations do not conflict with conservation interests such as the seasonal requirements of flora and fauna; to reinforce any gaps in existing hedgerows with native species. This will enhance screening of the development and create a visual foil the long term; Fences and other ancillary items to be commensurate with the setting.

The proposed woodland/hedgerow planting and landscape management would produce trees and hedgerows of the specified height and provide effective screening towards the development within 10 years (medium-term). The proposed hedge/trees planting would enhance the local landscape character and provide additional screening towards the development after 15 years (long-term).

The County landscape officer is content that subject to the proposed landscape mitigation being implemented then the proposal would not give rise to substantial harm in terms of landscape impact.

Issues relating to landscape character and appearance should be given significant weight in the planning balance.

8.5

Impact Upon Heritage Assets

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council with respects to Conservation Areas in exercising its planning functions. In considering whether to grant planning permission for development within a Conservation Area, the LPA shall have special regard to the desirability of preserving or enhancing the character or appearance of that area. As such, officers have to give considerable importance and weight to the desirability to preserve the setting of heritage assets, including taking account of archaeological heritage.

Paragraph 185 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The wider social, cultural, economic, and environmental benefits that conservation of the historic environment can bring.
- The desirability of new development making a positive contribution to local character and distinctiveness.
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and

any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 201 further states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site.
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

There are heritage assets near to the site. NPPF paragraph 194 sets out that heritage assets should be preserved in a manner appropriate with their significance. The assets in question are located at Norlington Lane and which are close to the eastern boundary of the site – Norlington Gate Farmhouse (solar array located approx. 170m west and 120m south of the property), Lilac Cottage (solar array approx. 120m to the west), Holly Tree Cottage (solar array approx. 120m to the west) and Norlington Farmhouse (solar array approx. 80m to the west). All are grade II listed buildings.

It is considered, following discussion with the Councils Design and Conservation officer, that the impact upon the significance of the heritage assets is likely to result in less than substantial harm, (taking account of the fact the proposed enhanced landscaping, the layout of the site and the location of the array in relation to the assets). In accordance with paragraph 202 of the NPPF this has been considered against the public

benefits arising from the proposal, which when weighing the planning balance would suggest support for the proposal.

Issues relating to impacts upon heritage assets should be given significant weight in the planning balance

8.6 Impact on Agricultural Land & Food Production

Both the NPPF and Local Plan Policy support diversification and development provided the site is of a lower agricultural land grade (i.e. Grade 3b, 4, 5 or non-agricultural); and there is a reliable prospect that the land will be restored to at least its original quality seeking to resist the permanent loss of Best and Most Versatile (BMV) land, meaning grades 1, 2 and 3a as defined in the MAFF 1988 guidance for grading the quality of agricultural land. Guidance requires the proposed use of any agricultural land to be necessary and for poorer quality land to be used in preference to higher quality agricultural land.

The applicant has submitted an amended Agricultural Land Classification (ALC) following detailed surveys which took place on 27 and 28 June 2022. The findings were as follows for the site as a whole:

Grade 1 – 43.1%

Grade 2 – 17.7%

Grade 3a – 13.7%

Grade 3b - 25.5%

The proposed solar farm is reversible, and the land can be returned to its former agricultural productivity once the generation of renewable electricity has ceased, and the solar panels and associated infrastructure are removed. Whilst this is likely to be at least 35 years' time, the land is not lost to agriculture permanently.

Taking the land out of production for this period of time will also help to improve soil biodiversity and fertility for future use, increase the diversity of soil flora, fauna, and microbes, and improve soil structure.

Therefore, although the proposal would allow the land to be grazed when the panels are in place, the loss of the land from full time agricultural use for this extensive but temporary period is considered acceptable, and would not significantly harm national agricultural interests in accordance with paragraph 171 of the NPPF.

There is support in National and Local Plan policy for farm diversification projects that meet sustainable development objectives and help sustain the rural economy and encourage agricultural enterprise, subject to development proposals being well designed and of a use and scale appropriate to the location when considering landscape, heritage and environmental impacts and safe and acceptable site access and highway impacts.

The Proposed Development will be an important stream of farm diversification income whilst allow underpinning the continuation of the overall farming businesses.

Renewable energy is an important form of farm diversification, recognised by the National Farmers Union (NFU) as an important step towards making British agriculture carbon neutral within two decades. As farming is responsible for around a tenth of UK greenhouse gas emissions, supporting renewable energy farm diversification projects will be a vital step to reaching net zero.

The amended soil survey indicated that most of the site is graded as Best and Most Versatile. The report does highlight how variable the land quality is, often with three variants within the same field.

The applicant has supplemented their application with an independent supplementary document 'land quality and management considerations' which concludes

- The Proposed Development is a solar farm across about 25.5 ha of agricultural land, which forms parts of four fields. 19 ha of this is of BMV quality.
- Those fields have been farmed intensively for arable cropping since the dairy farm pasture was ploughed up in the 1970s. The production of cereals and sweetcorn is dependent upon large machinery and inorganic fertiliser.
- A detailed Agricultural Land Classification has found that the site is a really complex mixture of grades, with in places four different ALC grades within the same part of the field. In practical terms this means that each field has to be treated as a single unit, and the cropping is across the whole field, save for missing wet corners for example.
- The Grade 1 and 2 patterns are not capable of separate exploitation to any meaningful degree in modern farming terms.
- The land grades will not, however, be adversely affected. The installation of legs does not alter the soils or the land quality, and there will be no sealing-over or diminution in agricultural land quality. The resource is not affected adversely.
- There will be benefits for the soils from a longer period of being in pasture. Organic matter levels and micro bacterial activity levels will improve.
- The land will not be subject to heavy machinery operating into the autumn, as at present. Soils will benefit overall.
- The contribution of the site to the nationwide food production at present is negligible.
- Food production from the land will, however continue. The Land will be used for sheep production for the 35-year duration of the scheme.

In conclusion it recognised that given the temporary nature of the proposal, the method of construction, the grazing potential of the fields that there is a likelihood that taking the land out of cultivation for a period of time would help improve the soil quality which should be considered to have significant weight in the Planning balance.

It is acknowledged that the land is in active food production across the majority of the fields despite the mosaic of soil qualities this plays positively in the planning balance.

Using Governments food production criteria for wheat it recognises that a yield of 8 tonnes per hectare should be deliverable from the most versatile of soils. This is similar to the tonnage currently cultivated at the site. If this production quantum were to temporarily be lost due the construction of solar farm it would result in the loss of 200 tonnes per annum from a national total of 15 million tonnes.

This loss, on a temporary basis is considered to acceptable and the loss should be given moderate weight in the Planning Balance.

8.7

Flooding and Drainage:

The requirements for Flood Risk Assessment are set out within the NPPF and its associated Planning Practice Guidance, together with the Local Development Plan and Environment Agency's Guidance Notes.

The EA's flood map for planning indicates that the majority of the Site is located within Flood Zone 1 (low risk), although areas associated with Norlington Stream, Holford Brook and Ham Brook are located within Flood Zones 2 and 3 (medium and high risk respectively).

The majority of the 1% and 0.1% AEP (Annual Exceedance Probability) flood depths are less than 0.6 m with limited areas with depths greater than 0.6 m in the vicinity of Norlington Stream. It is noted that the depths are shallow in the location of the proposed panels (i.e. less than 600 mm).

The EA's risk of flooding from surface water mapping identifies that the majority of the site has a very low risk of flooding from surface water but that some areas have up to a high surface water flood risk.

The maximum low surface water flood depth is over 1200 mm in the north-western corner of the Site in the vicinity of the Norlington Stream; however, the majority of the low risk depths are less than 600 mm. It is noted that the areas with depths greater than 600 mm are in the vicinity of the Norlington Stream, Holford Brook and Ham Brook and that the depths are shallow in the location of the proposed panels (i.e. less than 600 mm).

The Strategic Flood Risk Assessment does not state that Norlington is at risk of groundwater flooding. There are no records of groundwater flooding in the vicinity of the Site and the development does not propose any ground lowering; therefore, the likelihood of groundwater flooding impacting the Proposed Development is considered to be low.

A sequential approach has been taken in the layout whereby the most vulnerable parts of the development will be located in the areas at lowest risk of flooding. In particular, the substations, DNO equipment, storage containers, spare parts containers and customer cabin will be located outside of the 0.1% AEP fluvial flood extents and low surface water flood extents.

The solar panels will be raised above the 0.1% AEP fluvial flood depths and maximum surface water flood depths. To achieve this, the solar panels would be elevated 0.85 m above ground level. Therefore, flow

	<p>would not be impeded, and the displacement of floodplain storage would be negligible.</p> <p>In terms of water runoff solar panels do not have a significant effect on runoff volumes if grass cover is well maintained underneath panels and between rows. Therefore, the developer is proposing to implement a planting framework and maintain the grass cover to prevent areas of bare ground and erosion occurring.</p> <p>The storage containers, customer cabin, spare parts container, substations, and other equipment will be located on a 550 mm deep sub-bases formed of an aggregate.</p> <p>All proposed roads and tracks will be constructed of a permeable material; therefore, there would be no increased runoff from these areas.</p> <p>The NPPF requires that developments in areas at risk of flooding (Flood Zones 2 and 3) carry out the sequential test. The Flood Risk Assessment (FRA) includes details of how flood risk would be managed and has demonstrated that the proposed development will be safe and that it would not increase flood risk elsewhere. The proposed development is classified as 'essential infrastructure' and is considered appropriate in relation to the flood risk vulnerability classifications set out in Annex 3 of the NPPF.</p> <p>The solar farm needs to be in its proposed location due to the available capacity in the national grid in the area, owing to its proximity to the electricity distribution station. Given the large site area and the absence of any other suitable sites in the vicinity of the electricity distribution station that are both available and which have a lower risk of flooding, it is considered that the Sequential Test is acceptable.</p> <p>The FRA has demonstrated that the proposed development does not increase flood risk to the site or elsewhere and will remain safe for its operational lifetime, therefore, passing the Exception Test. The proposal is not objected to by the Environment Agency, who recommend that the development is carried out in accordance with the FRA. It is therefore considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding. The development is therefore considered to comply with policy CP12 of LPP1 and paras. 161 and 162 of the NPPF.</p> <p>Issues relating to flooding and drainage are given <u>moderate weight</u> in the planning balance.</p>
8.8	<p><u>Ecology and Biodiversity:</u></p> <p>The application is accompanied by an Ecological Assessment which includes a biodiversity net gain (BNG) assessment.</p> <p>The ecological assessment provides the results of surveys carried out in 2021. This included a UK habitat and condition assessment, assessment of the potential for protected species, breeding bird surveys, a GCN survey, badger, dormouse habitat suitability, reptile presence/likely absence surveys of the proposed area of the proposed development. It also includes an assessment of habitats and their potential to support protected species along the cabling routes.</p>

Ecological surveys have confirmed the use of boundary habitats by breeding birds and have identified the potential for bats, dormice, badgers, and hedgehogs to be using the habitats on site. In addition, nesting skylark are present off site to the south west. The submitted ecological report outlines mitigation measures that would be required to ensure that the conservation status of the species present on and around the site will be maintained, while measures to enhance the habitats present on the site itself are also recommended.

The survey supporting the report found suitable habitat for protected species along the proposed cable route, with the report setting out mitigation measures to minimise harm to the species present and ensure that the conservation status of any protected species present will be maintained. These mitigation measures will be conditioned to ensure the development will not contravene any legislation or planning policy pertaining to protected species.

In terms of biodiversity net gain, an increase of 234.08% or 115.03 habitat units and 104.56% or 14.57 linear units will be achieved across the Application Site, by the planting of grasses and meadow species for ground nesting birds, in particular skylark, with new and enhanced hedgerows and improvements to the Norlington Stream. This level of enhancement is substantially over and above the minimum 10% net gain expected by Lewes District Council and expected by the Environment Act and would deliver a significant improvement to the biodiversity on site, albeit in a temporarily changed landscape.

Further measures will be taken to ensure all retained trees and hedgerow are protected during construction of any access point and during cable routing.

Overall, the proposal seeks adequate mitigation and would result in significant biodiversity enhancement measures. ESCC Ecology Officer has confirmed that they have no objection to the proposal and therefore, the ecological impact of the proposal is acceptable.

Issues relating to ecology and BNG should be given significant weight in the planning balance

8.9

Traffic and Access

All construction vehicles will enter the Site via an existing agricultural access on the A26. The access will be widened slightly to accommodate a 16.5m articulated vehicle. This is the largest vehicle that will visit the site. Banksmen will be provided at the Site access junction to ensure the safe movement of all construction vehicles. The applicant has stated that no HGV traffic will access the site from Norlington Lane during the construction period without the prior approval of the local planning authority. This can be conditioned

The applicant's information suggests that there will be approximately six HGVs per day (twelve two-way movements) on average accessing the site throughout the construction period. There will also be construction workers arriving at the site in the morning and departing in the evening, also

accessing off the A26. It is considered that with access for construction being restricted to coming directly off the A26 that there will not be a material effect on the safety or operation of the local highway network.

Mitigation measures have also been proposed to further minimise impact from resulting construction activities on the local road network. A Construction Traffic Management Plan (CTMP) has been prepared and sets out the proposed site access points, vehicle movements and the construction vehicle route from the strategic highway network to the Site.

The access has been assessed by ESCC who are satisfied that safe access can be provided.

Three further maintenance access points will be used, these are existing field access points from Norlington Lane, two at the northern end of the site and one to the south. The existing accesses shown to be utilised for this proposal are existing agricultural field access only. Therefore as these accesses are currently limited to seasonal farming activity, on the basis that the maintenance will only be 2 visits a month the movements are unlikely to cause a significant issue for other users of Norlington Lane, especially as the authorised use is likely to be larger agricultural vehicles rather than the cars and vans proposed for maintenance.

The existing PRoW that crosses the southern end of the site (Ringmer 12) is not proposed to be diverted or closed and will remain open to users during the temporary construction period and during operations.

Overall, the proposed development is considered to be acceptable in terms of traffic and access issues.

Issues relating to traffic should be given moderate weight in the planning balance.

8.10 Impact on wider amenity

Glint and Glare

PV panels can result in glint and glare. Glare is a continuous source of excessive brightness off a surface relative to the ambient lighting. It could be experienced by a stationary observer located in the path of reflected sunlight from the face of the panel. Glint is a momentary flash of light. This may be produced as a direct reflection of the sun in the solar panel. Glint could be experienced by an observer passing a solar panel at speed, such as a motorist.

An assessment has been submitted that has undertaken an assessment in following best practise. This resulted in looking at all receptors (residential and road) within 1KM of the site and all aerodromes within 30KMs of the site.

This analysis identified that there were 40 individual residential receptors, 33 road receptors and two runways required more detailed analysis.

The assessment concluded that:

- Solar reflections are possible at 33 of the 40 residential receptors assessed within the 1km study area. The initial bald-earth scenario identified potential impacts as High at 14 receptors, Medium at six receptors, Low at 12 receptors, and None at the remaining seven receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts remain High for two receptors and reduce to None for all remaining receptors. Once mitigation measures were considered, all impacts reduce to None. Therefore, overall impacts are None.
- Solar reflections are possible at 23 of the 33 road receptors assessed within the 1km study area. Initial impacts were High at 23 receptors and None at 10 receptors. Upon reviewing the actual visibility of the receptors, glint and glare impacts remain High for two receptors and reduce to None at all remaining receptors. Once mitigation measures were considered, all impacts reduce to None. Therefore, overall impacts are None.
- Glint and Glare Assessment.
- Only Green Glare was predicted for Runway 24 at Ringmer Airfield, which is an acceptable impact in accordance with the Federal Aviation Authority (FAA). Therefore, the overall aviation impacts are Low and Not Significant.
- Mitigation measures are required to be put in place due to the High impact found at Residential Receptors 35 and 38 and Road Receptors 22 and 23. These measures include hedgerow planting, gapping up and maintaining to a height of 3m along the eastern boundary of the Proposed Development. This will ensure views are screened from all receptors.
- The effects of glint and glare and their impact on local receptors has been analysed in detail and the impact on all receptors is predicted to be None for ground-based receptors and Low for aviation receptors, and therefore Not significant.

It is concluded based on the evidence provided that the development would not give rise to any substantial harm with regard to solar reflection or glint and glare.

Issues relating to solar reflection and glint and glare should be given significant weight in the planning balance.

8.12

Conclusions:

The overriding material consideration is the significant public benefits in terms of the provision of a renewable energy scheme.

For the reasons outlined in this report the negative impacts of the proposals can be adequately mitigated and controlled via planning considerations resulting in an acceptable landscape impact and less than substantial harm to the Grade II Listed Buildings.

	Officers are recommending the scheme for approval subject to referral to the Government Office and suggested conditions.
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9.	Recommendations
9.1	<p>1/ If the Committee resolve to grant planning permission then the application shall be referred to Secretary of State (SoS)</p> <p>2/ In the circumstances that the that the SoS does not wish to exercise call in powers The Planning Applications Committee grant the Head of Planning delegated authority to APPROVE the permission subject to conditions listed within the addendum report.</p>

10.	Conditions:
10.1	As listed in the addendum report

11.	Plans:
11.1	As listed in the addendum report.

12.	Appendices
12.1	None.

13.	Background Papers
13.1	None.