

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	1) DM/20/03722/FPA & 2) DM/21/02333/FPA
FULL APPLICATION DESCRIPTION:	1) Installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure, & 2) Construction of underground electricity cables, and associated infrastructure to connect to the proposed Sheraton Hall Solar Farm
NAME OF APPLICANT:	Lightsource BP
ADDRESS:	Sheraton Hall Farm, Sheraton, Hartlepool, TS27 4RD
ELECTORAL DIVISION:	Blackhalls
CASE OFFICER:	Chris Shields Senior Planning Officer 03000 261394 chris.shields@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site

1. This report seeks to assess a proposed solar farm and the underground electricity cable that would provide the grid connection from the solar farm. The two elements of the project were applied for separately but as they are intrinsically linked, they are being considered together. The proposed solar farm lies entirely within County Durham. The application boundary for the proposed electricity cable straddles the administrative boundaries of Durham County Council and Hartlepool Borough Council hence the need for two planning applications, but the majority of the site lies within Hartlepool Borough.

Proposed solar farm site

2. The site of the proposed solar farm occupies an area of approximately 77 hectares (ha) within an essentially rural landscape, which is predominantly in use for agriculture. The landscape is largely rolling agricultural land, with scattered villages and farmsteads nearby interspersed by areas of plantation woodland or woodland belts. The A19 dual carriageway is located adjacent to the eastern site boundary and a number of roads traverse areas of the site. The A19 trunk road is a major feature in the local area. The settlement of Sheraton is positioned approximately 460m east of the north-eastern site boundary, Hutton Henry lies over 1km to the north-west of the site, with all other settlements including Station Town, Castle Eden/Eden Vale, Hesleden, Hart and Elwick all located beyond 2km of the site. Sheraton Hall Farm is positioned adjacent to the northern site boundary.

3. The northern parcels of land comprising the solar farm are defined by the A19 to the east, the B1280 to the south and an unnamed minor road to the north which links the properties within the western part of Sheraton with the A19 and B1280. To the south of the B1280, two separate arable fields are located adjacent to Roper's Wood, a plantation woodland, with Hurworth Burn Road also providing some physical separation between the individual fields. Public right of way FP7 (Sheraton with Hulam) runs along the western edge of the northern most field of the two. Coal Lane runs along the southernmost boundary of the site.
4. The steading area of Sheraton Hall Farm is situated to the north of the application site and includes the farmhouse which has an open aspect looking both north and south over the adjacent agricultural fields.
5. The northern parcels of land within the solar proposed development would be accessed via the unnamed minor road to the north of these parcels. The two parcels of land to the south of the B1280 would be accessed from two separate points along Hurworth Burn Road.
6. Pike Whin Bog Site of Special Scientific Interest (SSSI) is located approximately 380m west of the southern parcel of land. Hart Bog SSSI is positioned approximately 1.3km north-east of the eastern site boundary. The Teesmouth and Cleveland Coast Special Protection Area (SPA), SSSI and Ramsar are located approximately 5km to the east. The Durham Coast Special Area of Conservation (SAC) is located approximately 5.8km to the north. Castle Eden Walkway Local Nature Reserve (LNR) is positioned approximately 950m west of the southern parcel of land. The southernmost parcel of land is positioned adjacent to the Groundwork North East Community Forest. The site is entirely within Flood Zone 1 as well as within a Groundwater Source Protection Zone 3 and Groundwater Vulnerability Area as defined by the Environment Agency.
7. The Cowpen Bewley to Warden Law High Pressure Gas Pipeline passes through the site on the western boundary
8. There are no designated heritage assets within the solar farm application boundary. The Grade II listed Sheraton Hall and Sheraton Hall Cottage are located within the nearby settlement of Sheraton. A Scheduled Monument (Sheraton medieval settlement and open field system) is positioned to the east of the A19 and approximately 60m east of the site at its closest point.
9. There are public rights of way in the vicinity of the proposed solar farm site, however, following amendments to the application, there are none with the area of the site to be developed. Footpath No. 11 (Sheraton with Hulam Parish) runs east to west approximately 300m to the north of the site; Footpath No. 7 (Sheraton with Hulam Parish) runs north to south on the western boundary of the site; footpath No. 8 (Sheraton with Hulam Parish) runs north to south approximately 20m from the western boundary and footpath No. 53 (Sedgefield Parish) runs north to south approximately 30m from the western boundary. Footpath No's. 4 and 5 (Sheraton with Hulam Parish) are located in excess of 400m to the south and east of the site boundary but these routes potentially have views of the site.
10. The nearest residential properties, to the proposed solar farm, beyond those within the Sheraton Hall farmstead lie in close proximity to the site adjacent to the junction of Hurworth Burn Road with the B1280 (Ivy Cottage and Hawthorn Cottage). The village of Sheraton lies approximately 460m east of the north-eastern site boundary. Residential properties are also positioned approximately 540m to the west at Wood Close Farm, 550m east at Pudding Poke Farm, 570m south-east at Sheraton Grange

Farm, approximately 800m south-east at Sheraton West Grange and approximately 800m north at Fleet Shot Farm.

Proposed underground electricity cables, and associated infrastructure site

11. As stated above the proposed cable route is mainly located within the Hartlepool Local Authority area and only enters County Durham when it crosses beneath the A19 immediately south of the junction with the A179 and B1280 roads. The length of the cable route within County Durham would be approximately 500m. The maximum length of the cable route within Hartlepool would be approximately 3.7km. The are 2 route options included as part of the application; after passing under the A19, route 1 follows the A179 road for approximately 1.3km before terminating at the proposed substation location. Route 2 would follow the same path as route 1 but would continue north and then west for a further 2km before terminating at another potential substation site. Route 2 would pass under Bridleway No.20 (Sheraton with Hulam Parish) at the point at which it would re-enter County Durham.
12. The proposed cable route would be within any ecological designations. Hart Bog SSSI is located approximately 210m to the south, Hesledon Dene LWS and Thrope Bulmer Dene Ancient Woodland is located immediately to the north of the point at which route 2 would re-enter County Durham. The point at which route 2 would re-enter County Durham is also within an Area of Higher Landscape Value.
13. The substation that route 2 would connect to formed part of a separate planning application (DM/21)02336/FPA). The substation has now been removed from that planning application and therefore route 2 is now highly unlikely to progress but it must still be considered as part of this report.

Proposal

Proposed solar farm

14. The proposed development comprises solar panels arranged into linear arrays facing to the south. The solar panels would be composed of photovoltaic cells which are designed to maximise the absorbency of the sun's rays and to minimise solar glare. Since being submitted the scheme has been amended to reduce the size of the development by approximately 20 hectares from the northern and north-western areas to reduce the visual impact.

The development would consist of solar panels fitted on metal framework to form arrays with a maximum height of 3m, 7 switchgear substations spaced around the adjoining the internal access roads, 14 inverters and 14 transformers adjoining the switchgear substations. Within the northern part of the site there would be a compound area including a Distribution Network Operator (DNO) substation, a customer substation, an auxiliary transformer, storage building, monitoring and communications building with associated weather station and communications equipment and a composting toilet. The site would have crushed aggregate internal access tracks.

15. The solar panels would be set back from the site boundaries to allow for perimeter security fencing, CCTV coverage and maintenance access. The solar panels would be mounted on a metal framework supported by pile driven foundations, without the need for concrete foundations. Between each line of solar panels there would be a gap of approximately 3.6m to avoid overshadowing from one solar panel to another. The solar panels would be tilted at 20 degrees from the horizontal axis and orientated south. The height of the solar panels would be to a maximum height of 3 metres above

ground level, with the lower edge of the solar panel elevated to 1.4 metres off ground level.

16. The solar PV installation would require supporting infrastructure including gravel maintenance tracks, transformers, switchgear substations and security systems. The cabling that links the solar panels and inverters to the substation would be connected via a network of shallow trenches which would be backfilled. The arrays would be set within a 2m high timber & post / deer stock fence around the application site. The stock fence is fitted with small mammal gates fitted at appropriate points near the bottom of the fence to enable free access. CCTV cameras will be positioned to cover the site access points in order to provide security to the site and prevent unauthorised access by members of the public. The proposal would also include additional native tree planting and native hedgerows.
17. The solar PV installation would result in a reduction in carbon emissions associated with energy generation equating to approximately 9,771 tonnes of CO₂ per annum which is the equivalent of the removal of approximately 5,338 standard family cars from the road each year. The proposed solar PV installation of 34MW is the equivalent to providing for the energy needs of approximately 9,444 homes within the UK.

Proposed underground electricity cables, and associated infrastructure

18. The underground cable route that would connect the proposed solar farm to the grid would run from the field adjacent to the junction of the A19 with the B1280 and would be tunnelled below the A19 and would then travel through Hartlepool to the designated substation. Two route options have been included as part of the application and both are to be assessed. Only one of the cable routes would be implemented. The route of the cable would be entirely underground.
19. The application for the solar farm is being reported the County Planning Committee at the request of the Local Member. The application for the underground cable is being reported with the solar farm as the projects are intrinsically linked.

PLANNING HISTORY

20. No previous planning applications have been submitted on the application site.

PLANNING POLICY

NATIONAL POLICY

21. A revised National Planning Policy Framework (NPPF) was published in July 2021. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
22. In accordance with Paragraph 219 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.

23. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
24. *NPPF Part 6 Building a Strong, Competitive Economy* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
25. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive and safe communities. Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and community facilities and services should be adopted.
26. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
27. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
28. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
29. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

30. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance

suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; listed air quality; climate change; determining a planning application; flood risk and coastal change; healthy and safe communities; historic environment; light pollution; natural environment; noise; planning obligations; renewable and low carbon energy; travel plans, transport assessments and statements; use of planning conditions; water supply, wastewater and water quality

<https://www.gov.uk/government/collections/planning-practice-guidance>

31. Other material considerations include EN:1 Overarching National Policy Statement for Energy (published in July 2011) and EN-3 National Policy Statement for Renewable Energy Infrastructure (published in July 2011). Both National Policy Statements are currently under review and the Draft Overarching National Policy Statement for Energy (EN-1) (September 2021) and Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (September 2021) are currently out for consultation. Draft EN-3 states that electricity generation from renewable sources of energy is an essential element of the transition to net zero). EN-3 reflects the important role that renewable will play in developing a low carbon economy and meeting the Government's targets of net zero

LOCAL PLAN POLICY:

The County Durham Plan (October 2020)

32. *Policy 10 – Development in the Countryside* – States that development in the countryside will not be permitted unless allowed for by specific policies within the Plan or within an adopted neighbourhood plan relating to the application site or where the proposed development relates to the stated exceptions.
33. *Policy 14 – Best and Most Versatile Agricultural Land and Soil Resources* – States that development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. Development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.
34. *Policy 21 – Delivering Sustainable Transport* – Requires planning applications to address the transport implications of the proposed development. All development shall deliver sustainable transport by delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings.
35. *Policy 25 – Developer Contributions* – States that developers will be required to enter into Planning Obligations which are directly related to the development and fairly and reasonably related in scale and kind to the development, in order to secure the mitigation that is necessary for a development to be acceptable in planning terms
36. *Policy 25 – Developer Contributions* – advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be

permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.

37. *Policy 26 – Green Infrastructure* – States that development will be expected to maintain and protect, and where appropriate improve, the County’s green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
38. *Policy 28 – Safeguarded Areas* – Within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety. The Policy also requires that development would not prejudice the safety of air traffic and air traffic services, that there would be no unacceptable adverse impacts upon the operation of High Moorsley Meteorological Officer radar and the operation of Fishburn Airfield, Shotton Airfield and Peterlee Parachute Drop Zone Safeguarding Areas.
39. *Policy 31 – Amenity and Pollution* - Sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that the development can be effectively integrated with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised to an acceptable level.
40. *Policy 32 – Despoiled, Degraded, Derelict, Contaminated and Unstable Land* – requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
41. *Policy 33 – Renewable and Low Carbon Energy* – States that renewable and low carbon energy development in appropriate locations will be supported. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits. Proposals should include details of associate developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.
42. *Policy 35 – Water Management* – Requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development.
43. *Policy 39 – Landscape* – States that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse landscape and visual impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities of the

landscape, unless the benefits of the development clearly outweigh its impacts. Development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape.

44. *Policy 40 – Trees, Woodlands and Hedges* – States that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges. Where trees are lost, suitable replacement planting, including appropriate provision for maintenance and management, will be required within the site or the locality.
45. *Policy 41 – Biodiversity and Geodiversity* – Restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as well as biodiversity net gains. Proposals are expected to protect geological features and have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity. Development proposals which are likely to result in the loss or deterioration of irreplaceable habitat(s) will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
46. *Policy 43 – Protected Species and Nationally and Locally Protected Sites* – States that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided, or the proposal meets licensing criteria in relation to European protected species.
47. *Policy 44 – Historic Environment* – Requires development proposals to contribute positively to the built and historic environment. Development should seek opportunities to enhance and where appropriate better reveal the significance and understanding of heritage assets.
48. *Policy 56 – Safeguarding Mineral Resources* – states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

49. *Policy CC2 – Reducing and Mitigating Flood Risk* - Confirms that development proposals need to demonstrate how they will minimise flood risk to infrastructure, property and people.
50. *Policy CC5 – Large Scale Photovoltaic Developments* – States that proposals for large scale (over 0.5MW) ground based solar photovoltaic developments which contribute towards the achievement of national renewable energy targets and the reduction of CO2 emissions will be supported subject to consideration of various acceptability criteria. Details should also be provided for the site would be restored at the end of it's operational life.
51. *Policy QP4 – Layout and Design of Development* - Sets out a series of design measures which should be considered in all developments to ensure that proposals are designed to a high quality and positively enhance their setting and location.
52. *Policy RUR1 – Development in the Rural Area* – States that the Borough Council will seek to ensure the rural area is protected and enhanced to ensure that its natural habitat, cultural and built heritage and rural landscape character are not lost. Development outside the development limits will be strictly controlled.
53. *Policy NE1 – Natural Environment* - Confirms that Hartlepool's natural environment will be protected, managed and enhanced
54. *Policy NE4 – Ecological Networks* - Confirms that Hartlepool Borough Council will seek to enhance and maintain the ecological networks identified throughout the Borough. Four priority sections of the ecological network are identified in Policy NE4.
55. *Policy HE1 – Heritage Assets* – States that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. Proposals which will achieve this or better reveal the significance of the asset will be supported.
56. *Policy HE2 – Archaeology* – States that the Borough Council will seek to protect, enhance and promote Hartlepool's archaeological heritage and, where appropriate, encourage improved interpretation and presentation to the public.

NEIGHBOURHOOD PLAN:

57. There is no Neighbourhood Plan for this area.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham> (Adopted County Durham Plan) The Hartlepool Local Plan can be accessed at: https://www.hartlepool.gov.uk/info/20209/local_plan/312/local_plan_planning_policy

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

58. *Sheraton with Hulam Parish* – Raises the following concerns with regard to the proposed solar farm: classification of the proposed land, landscape and visual impact, glare, effects on wildlife, security, access down the West Lane, land drainage and flooding.
59. *Hartlepool Borough Council* – has stated that it has no comments to make on the solar farm application and has not responded to the cable route proposal.

60. *National Highways (formerly Highways England)* – has raised no objections to the proposed solar farm and cable route. In relation to the proposed solar farm conditions have been recommended to require submission of a Construction Traffic Management Plan and mitigation plan to avoid glint and glare prior to the commencement of development. In relation to the proposed cable route it is recommended that conditions be imposed to control routing of vehicles on to the A19.
61. *Highway Authority* – has raised no objections to both proposals. In relation to the solar farm officers have requested amendments to the Construction Traffic Management Plan in relation to site compound access, vehicle holding, routing and accident prevention. Officers have agreed that this can be dealt with by condition. In relation to the proposed cable route officers have stated that the junction of the A19, B1280 & A179 Sheraton Interchange is a busy signalised junction, particularly at peak periods. The peak periods must be avoided to minimise the impact on traffic flows and avoid the possibility of traffic backing onto the A19 which would otherwise create a significant road safety issue.
62. *Natural England* - Has raised no objections to the proposed solar farm. Based on the plans submitted it is stated that the proposed development would not have significant adverse impacts on designated sites or landscapes and has no objection.
63. *Historic England* - Advises it has no comments to make on either of the applications. Suggests views of specialist conservation and archaeological advisers are sought as relevant.
64. *Lead Local Flood Authority (Drainage and Coastal Protection)* – has raised no objections in relation to the proposed solar farm and cable route. Officers have provided standard guidance that applications conform with.
65. *Health and Safety Executive* – As the proposed solar farm site currently lies within the consultation distance at least one major hazard site and/or major accident hazard pipeline (12548_2741 Northern Gas Networks), HSE needs to be consulted on any developments on this site. The HSE does not advise, on safety grounds, against the granting of planning permission in this case. As the proposed development is within the Consultation Distance of a major hazard pipeline the HSE advises that the pipeline operator is contacted before determination.
66. *Northern Gas Networks* – has issued a holding objection to the proposed solar farm application.

INTERNAL CONSULTEE RESPONSES:

67. *Archaeology* – has raised no objections to both proposals subject to investigation works being carried out. Officers initially requested that trial trenching be carried out pre-determination but subsequently agreed that the trial trenching could be carried out prior to commencement and conditions are recommended to secure this for both proposals.
68. *Design and Conservation* – has raised no objections to both proposals. Officers considered the submitted Settings Impact Assessment and found the methodology and conclusions to be acceptable.
69. *Ecology* – has raised no objections to both proposals. Officers initially requested to see a wintering bird survey for the solar farm, which was subsequently submitted and found to be acceptable. Officers noted the biodiversity net gain that would be generated by the proposal and have requested that a biodiversity management plan

is secured by a Section 39 agreement (Wildlife and Countryside Act). In relation to the cable route officers have stated that their preference is for option 1 that would connect to Hart Moor Substation. Officers have stated that trenching should be carried out in accordance with the supplied Arboricultural Impact Assessment.

70. *Environmental, Health and Consumer Protection (Contaminated Land)* – has raised no objections in relation to the proposed solar farm. Officers have stated that there is no requirement for a contaminated land condition but have suggested an informative relating to the potential for ground contamination.
71. *Environmental, Health and Consumer Protection (Air Quality)* – has raised no objections to both proposals. Officers have confirmed that the developments would not lead to an adverse impact on air quality. In relation to the proposed cable route officers have raised the potential issue of cumulative construction traffic arising if both the solar farm and cable route had cumulative peak daily traffic flows of more than 500 LGV's or 100 HGV's. The applicant has confirmed that peak daily traffic flows would be approximately 30 HGV's in total and therefore there is no further action required in terms of air quality assessment.
72. *Environment, Health and Consumer Protection (Nuisance Action)* – has raised no objections to both proposals. In relation to the proposed solar officers have confirmed that given the positioning of relevant receptors and the inverters it is unlikely this noise level would have a significant impact. Following the receipts of comments from local residents, an additional review of the submitted Glint and Glare assessment was commissioned by specialist consultants. Whilst some minor issues were noted in the methodology of the submitted assessment, the overall conclusion was accepted and no further work was requested. In relation to both the solar farm and cable route it is recommended that a condition be imposed to control construction hours to limit noise nuisance.
73. *Landscape* – has raised no objections to both proposals. Officers have commented that changes to the layout and landscaping around the proposed northern area of the solar farm have reduced the visual prominence of the site although it is noted that due to the open character of the area and the time it takes for tree planting to establish the solar arrays would still be a notable feature during development and for several years afterwards. Officers have stated that there are certain parts of the site where the residual landscape harm could not be mitigated and would remain prominent. Officers conclude that the solar array would be prominent, but part of wider panoramic views and whilst some views from these properties would be altered significantly, none of the properties would be dominated by the array to the extent that there would be an unpleasant overbearing impact. Officers have requested that the hedgerow planting specification in the Biodiversity Management Plan be altered to state that all infill gapping up should at 4 plants per linear metre. This can be updated as part of the recommended Section 39 Legal Agreement. In relation to the proposed cable route officers have stated that only a short section of the cable is located in County Durham. Officers have stated that given the temporary nature of the works for the cable route and the impacts only arising during the construction phase of the proposed works, subject to the remedial work on completion, the proposal is unlikely to have significant landscape and visual effects. Officers also raised concern relating to a potential new substation but that is the subject of a different application that would be resolved separately.
74. *Public Rights of Way* - has raised no objections to both proposals. Officers raised some concern in relation to the public rights of way that would be affected by the construction and operation of the solar farm development. A subsequent amendment to the development removed the solar panels away from public rights of way in the

north of the site. A remaining concern was that Footpath No.7 (Sheraton with Hulam Parish) would be impacted by glare from the adjacent array. However, officers were satisfied that there is a sufficient landscape buffer between this path and the site for users to not be adversely impacted. In relation to the proposed cable route officers have stated that Bridleway 20 (Sheraton with Hulam Parish) may be temporarily affected by construction and it may be necessary to apply for a temporary closure of the public right of way.

75. *Spatial Policy* – has raised no objections to the proposed solar farm. Officers identified the key planning policies and their current status relevant to the consideration of this proposal. Comments also highlight any policy related material considerations relevant to the consideration of this proposal in terms of national policy, guidance and locally derived evidence bases. Key determining factors will be the renewable energy and economic benefits of the proposals balanced against potential harm to the countryside, and possible surface water issues that could result from the development.

PUBLIC RESPONSES:

Proposed solar farm

76. The solar farm application has been advertised in the local press and by site notice as part of planning procedures. In addition, neighbour notification letters were sent to neighbouring properties.

Objection

77. 19 letters of objection have been received raising the issues of landscape harm, loss of open countryside, visual impacts, impacts on PRow, property values, residential amenity, glint and glare, traffic impacts, scale of development, impacts on the village of Sheraton, green infrastructure, habitat degradation, harm to wildlife, approach to public consultation, cumulative impacts, loss of agricultural land, agricultural land quality, health risks associated with panels and contamination, nearby heritage assets, flood risk and water quality. Some responses also express concerns that there will be no direct benefits to the community directly.

Support

78. 12 letters of support have been received stating the benefits of the development in terms of meeting renewable energy targets and reducing our dependence on fossil fuels. Solar generation is clean energy which will not give rise to noise issues. Benefits of the proposal in respect of biodiversity enhancements (biodiversity net gain), tree planting and non-intrusive grazing. The economic benefits have been noted. A further benefit includes eliminating the more intrusive activities of chemical and fertiliser application that is currently in place on the site growing crops. It is noted that the land on which the proposed development takes place requires pesticides and fertilisers to produce viable crops. One supporter has raised the educational opportunities to provide information about local wildlife as well as the benefits of renewable energy. One supporter has asked the Applicant to consider the fencing proposed, noting that the field to the west of the area is an important area for deer to pass between the woodland to the north and south of this field and has requested contingency plans for a deer passage are submitted. This letter of support has also requested that the Applicant outlines any funding which may be available for local groups.
79. Durham Bird Club has taken a neutral stance on the solar farm application but has raised some concerns. Consideration should be given to Hurworth Burn Reservoir and the areas that birds use for foraging. It has been noted there is no bird survey for the

application site and the Ecological Assessment Report states that a winter survey is ongoing. Considered that this application cannot be determined until this survey has been completed. Functional links between the coast and Hurworth Burn Reservoir should be addressed when coming to a decision on the application. Biodiversity net gain noted, but the needs of the species identified should be considered. The site has the potential to be "functionally linked" to the coast and Hurworth Barn Reservoir. Consider 10 nest boxes for a development of this size as inadequate. If the site is grazed by sheep, the potential impact of this on ground nesting birds needs to be assessed.

80. *The Council for the Protection of Rural England (CPRE)* – object to the solar farm application. The scheme is fragmented over a number of fields, with the most south-westerly field in an Area of Higher Landscape Value (AHLV). CPRE note that the site will be highly visible from a number of locations and views are available into the parts of the site within the AHLV due to topography plus lower hedges and significant gaps. It is noted that gapping up of hedges will take time and the photomontages (after 5 years) are dependent on successful planting which will take time to be established. CPRE sympathise with comments which note that the screening may be oppressive. The minor single track road from the B1280 to the A19 at Sheraton is in a poor state of repair and there are clear signs of flooding. Should the application be approved CPRE request that the access to the eastern parcels is clarified. CPRE are unsure if the footpath to the north will be screened. Concern has been raised regarding the proximity to the Hulam solar farm site and it is considered that the sequential cumulative impact is an important factor. The development will involve the loss, for 40 years, of arable land which is of Grade 3b and is still productive (CPRE recognise that this is not best and most versatile agricultural land). It is considered that sheep grazing is less valuable than arable land. The application is not in an "appropriate location", from a visual point of view, and CPRE consider that it will have a detrimental environmental impact, whatever the social or economic impacts may be. The development does not conserve and does not enhance the AHLV. It is noted that there is no evidence that the locality, as opposed to the general public, will benefit from this development and so represent that any benefit does not outweigh the harm.

Proposed underground electricity cables, and associated infrastructure

81. The cable route application has been advertised in the local press and by site notice as part of planning procedures. In addition, neighbour notification letters were sent to neighbouring properties.
82. 9 letters of objection have been received. Most of the objections reiterate points made in relation to the solar farm and some have stated that they oppose any application related to the solar farm. It has also been stated that the initial publicity for the application was insufficient, however, it should be noted that additional letters were sent to a total of 355 properties.
83. Objectors have stated that whilst it is claimed that the cables would be tunnelled under the highway they believe that it would not be possible and that the development would involve road closures.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QLH3JWGDKZE00&documentOrdering.orderBy=documentType&documentOrdering.orderDirection=ascending>

APPLICANTS STATEMENT:

84. Lightsource bp is a global leader in the development and management of solar energy projects. Lightsource bp work closely with local businesses and communities to supply clean, dependable and competitively priced energy, and are dedicated to securing a low-carbon future, in the UK and worldwide.
85. The proposed solar farm will make a significant positive contribution to increasing renewable energy generation and reducing carbon emissions in the context of a nationally and locally declared Climate Emergency.
86. This project supports the Government's policy for the UK's transition to achieving a low carbon economy and will also assist in meeting the pressing need for the deployment of renewable energy generation in the UK. It will help deliver on the Government's Net Zero commitments and obligations which were set out in October 2021 in the 'Net Zero Strategy: Build Back Greener'. Amongst a number of initiatives, it brings forward a key target so that, by 2035, all our electricity will need to come from low carbon sources.
87. The Sheraton Hall Solar Farm will deliver a significant amount of renewable energy along side a range of other benefits:
 - 9,771 tonnes of carbon emissions avoided every year,
 - enough clean solar energy to power the equivalent of 9,444 homes,
 - the equivalent of taking 5,388 family cars off the road,
 - enabling agricultural co-use of the site with grazing opportunities,
 - contributing to the future and long-term viability of farming at Sheraton Hall Farm,
 - planting of 2,510 linear metres of new hedgerow,
 - infilling of 448 linear metres of fragmented hedgerow,
 - 6,571 square metres of new woodland planting, and
 - securing a range of ecological enhancements including a 22% biodiversity net gain.
88. Solar is a tried and tested passive technology which doesn't produce any harmful by-products and importantly the application seeks planning permission for a temporary period. At the end of the projects operational period the land can be returned to its current agricultural use with panels and associated components removed and recycled.
89. Lightsource bp held an online community information event in November 2020, and met with the Parish Meeting representative, interested local residents and Ward Councillors in May 2021 to talk through the project. Following this feedback from the local community and Council officers the layout has been amended to remove approximately 50 acres of the project.
90. The NPPF is clear that planning has a key role in supporting renewable energy. Paragraph 152 sets out the planning system should support the transition to a low carbon future. This is reflected in the County Durham Local Plan with Policy 33 for renewable energy development, stating that these benefits will be given great weight in the decision-making process.
91. There will remain parts of the site that are visible, within a very localised area. It is considered that the residual landscape changes would be significantly and demonstrably outweighed by the significant benefits of the development in terms of

energy supply and security, support for renewable energy and biodiversity enhancement and accordingly, planning permission should be granted.

PLANNING CONSIDERATIONS AND ASSESSMENT

92. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of development, landscape, access and traffic, residential amenity, flooding and drainage, ecology, recreational amenity, cultural heritage, agricultural land and other matters.

Principle of Development

93. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) and Hartlepool Local Plan (HLP) are the statutory development plan and is the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035. The Hartlepool Local Plan was adopted in 2018.
94. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole.
95. The key policy for the determination of the solar farm and cable route applications is CDP Policy 33 relating to renewable and low carbon energy. This Policy supports renewable and low carbon energy development in appropriate locations, including transmission lines. The Policy advises that significant weight will be given to the achievement of wider social, environmental and economic benefits. The Policy also advises that proposals should include details of associated developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.

Due to the cross-boundary nature of the cable route HLP Policy CC5 relating to large scale photovoltaic developments is also relevant.

96. The opening paragraph of CDP Policy 10 states that development in the countryside will not be permitted unless allowed for by specific policies in the Plan. These specific policies are set out in footnote 56 (of the CDP) and includes all applicable policies relating to low carbon and renewables. As this is a renewable energy development it is considered that CDP Policy 10 is not a relevant policy for the assessment of this proposal.
97. Paragraph 158 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should:
 - a) 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
 - b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
98. It should be noted that the CDP has identified areas suitable for wind turbine development but not for solar.
99. The purpose of the proposed development is to generate renewable energy on a large scale. The location affords the space requirement without significant constraints that would limit energy generation. CDP Policy 33 is permissive towards solar farm development, and it is therefore considered that the proposal is acceptable in principle. The social, environmental and economic benefits of the proposal are considered in the sections below. The acceptability of the development in relation to the issues set out below will assist in determining if the location of the development is appropriate in the context of CDP Policy 33.
100. Paragraph 45 of the NPPF states that Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them. CDP Policy 28 requires that within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted where it can be demonstrated that it would unacceptably adversely affect public safety, air traffic safety, the operation of High Moorsely Meteorological Officer radar. Of relevance to this development is criteria a) which states that development will be permitted within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety. The Policy goes on to say that when considering relevant planning applications within the defined safeguarded areas the Council will ensure that developers always consider both potential individual and cumulative impacts. Where demonstrated to be necessary mitigation will always be sought to either remove or reduce the potential impact upon each safeguarded area to acceptable levels.
101. A high pressure gas pipeline (Cowpen Bewley to Warden Law) owned by Northern Gas Networks goes through part of the western side of the proposed solar farm. A greater part of the site is covered by the 250m high pressure gas pipeline zones. As the proposed development site currently lies within the consultation distance at least one major hazard site and/or major accident hazard pipeline (12548_2741 Northern Gas Networks), HSE needs to be consulted on any developments on this site. The HSE does not advise, on safety grounds, against the granting of planning permission

in this case. As the proposed development is within the Consultation Distance of a major hazard pipeline the HSE advises that the pipeline operator is contacted before determination. The applicant has advised that consultation has been undertaken with Northern Gas Networks and has amended the scheme to include an easement corridor where no works are permitted. Northern Gas Networks has lodged a holding objection to the proposal. However, it is understood that the applicant has been working with Northern Gas Networks to avoid conflict with the gas pipeline. Subject to avoidance of the gas pipeline, in accordance with the submitted site layout plan, it is considered that there would not be a conflict with CDP Policy 28 or Part 4 of the NPPF. At the time of writing this report confirmation from Northern Gas Networks is awaited.

102. CDP Policy 56 states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan.
103. The central section of the proposed solar farm lies above a mineral safeguarding area for sand and gravel. However, as the solar farm is time limited for a period of 40 years the mineral reserve would not be permanently sterilised and could be extracted at a future date. It is therefore considered that the proposed solar farm would not conflict with CDP Policy 56.

Landscape

104. Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.
105. CDP Policy 39 states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
106. CDP Policy 40 states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Where development would involve the loss of ancient or veteran trees it will be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Proposals for new development will not be permitted that would result in the loss of hedges of high landscape, heritage, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Proposals for new development will not be permitted that would result in the loss of, or damage to, woodland unless the benefits of the proposal clearly outweigh the impact and suitable replacement woodland planting, either within or beyond the site boundary, can be undertaken.

107. HLP Policy QP4 sets out a series of design measures which should be considered in all developments to ensure that proposals are designed to a high quality and positively enhance their setting and location. HLP Policy CC5 states that proposals for large scale (over 0.5MW) ground based solar photovoltaic developments which contribute towards the achievement of national renewable energy targets and the reduction of CO2 emissions will be supported subject to consideration of various acceptability criteria. Details should also be provided for the site would be restored at the end of its operational life.
108. The solar farm site is an existing agricultural holding within the open countryside. It lies in the East Durham Limestone Plateau County Character Area which forms part of the larger East Durham Magnesian Limestone Plateau National Character Area. It lies in the Sheraton Broad Character Area which belongs to the Coastal Limestone Plateau Broad Landscape Type. The surrounding countryside is for the most part gently undulating, though strongly undulating in places, forming discrete low knolls. It is a predominantly arable landscape with old pre-enclosure hedgerow networks, locally heavily fragmented. There are occasional small broadleaved copses with larger tracks of ancient woodlands in the incised denes. Part of the site lies in an Area of Higher Landscape Value.
109. Landscape officers raised initial concerns about the impact of parts of the northern section of the solar farm site, particularly the most northerly field where the development would be elevated and the western section that would be exposed to views from the B1280 road. These concerns were also raised by members of the public objecting to the application.
110. The applicant has sought to address some of the concerns previously raised and this has led to the solar farm scheme being reduced in site with the fields to the north of the lane leading from the B1280 to Sheraton being removed and the scheme been offset from the B1280 in the field to the south of the lane. This would help reduce the visual prominence of the scheme for those travelling along the B1280, particularly those travelling eastwards towards the A19 /Hartlepool, the approach to Sheraton village and the collection of PROWs to the north of the site by creating a landscape buffer between visual receptors and the proposal. Improvements to the landscape planting plan and the long-term management of both established and proposed landscaping would further help reduce the visual prominence and provide better long-term visual enclosure of these areas of the scheme, however at the time of development and for several years afterwards (the length of time depending on the design, quality and performance of the planting), given the current open character of the site, the solar arrays would still be a notable feature.
111. Landscape officers have stated that, given the undulating character of parts of the site and its immediate environs, the solar panels, as notable man-made structures with an industrial appearance, would not readily assimilate into the open countryside context and it is considered that there would still be residual landscape harm to the character, quality and distinctiveness of the landscape as a consequence of the fragmented nature of the development and visual prominence of parts of the site, particularly the central section of the site which cannot be adequately mitigated for.
112. This residual harm from the solar farm would be most evident in views from Footpath No's 4 and 5 (Sheraton with Hulam Parish) to the southeast of the central section of the site (north of Hurworth Burn Road). Due to the undulating topography, the viewers on the Public Rights of Way (PROW) would have direct, open views of this area and the solar arrays would form a homogenous mass of toughened glass surfaces which would appear as a prominent and visually intrusive features in part due to the colour and contrast of these features to their surrounds. These effects however are largely

restricted to the sections of PROW on locally elevated land around Sheraton Grange Farm and are part of wider panoramic views. These PROWs would also afford some views, of the south-western part of the site but due to the visual enclosure by intervening hedgerows this area will be more filtered in these views.

113. Residential properties at Sheraton Grange Farm and Sheraton West Grange would experience similar views of this central section of the solar farm site primarily available from gardens or in oblique views from principal habitable rooms. The solar array would be prominent, but part of wider panoramic views and whilst some views from these properties would be altered significantly, none of the properties would be dominated by the array to the extent that there would be an unpleasant overbearing impact.
114. CPRE has objected to the solar farm proposal on the basis of landscape harm, although it should be noted that this comment was made prior to the scheme being amended and reduced in scale.
115. It is clear from both objectors and the comments of Landscape officers that the solar farm proposal would have a significant impact and cause landscape harm. However, this harm is not considered to be overbearing and would not result in the total loss of green space in the area around Sheraton. Views from the majority of properties in the vicinity of the site would be unaffected by the development and where properties do have a view this would be from a distance in excess of 500m. Whilst there would be an impact it is considered that the proposal would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features and views. The proposal would not negatively impact on the adjacent Area of Higher Landscape Value and the proposals would not lead to the loss of trees, hedgerows or woodland. Additional planting is proposed with the boundaries of the solar farm to assist screening and add biodiversity value. It is considered that the benefits of the proposal in terms of renewable energy production and biodiversity enhancement would outweigh any residual landscape impact and it is therefore considered that proposed solar farm would not conflict with CDP Policies 39 and 40, and Part 15 of the NPPF.
116. The proposed cable route would be underground for the full length. Whilst there may be some visual intrusion during construction this would be for a temporary period and would be remediated as part of the construction works. The limited intrusion into the Area of Higher Landscape Value would be temporary and would not cause permanent harm. The benefits of the scheme in terms of facilitating a renewable energy project would outweigh the temporary harm. It is therefore considered that the proposed cable route would not conflict with CDP Policies 39 and 40, HLP Policies CC5, RUR1 and QP4 and Part 15 of the NPPF.

Access and Traffic

117. Paragraph 110 of the NPPF states that safe and suitable access should be achieved for all users. In addition, Paragraph 111 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe. CDP Policy 21 states that the transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans.
118. The northern parcels of land within the proposed development would be accessed via the unnamed minor road to the north of these parcels. The two parcels of land to the south of the B1280 would be accessed from two separate points along Hurworth Burn Road.

119. A Transport Statement (TS) has been submitted in support of the solar farm application. The TS has identified that the construction period for the development would be approximately 5 to 6 months with a typical maximum number of HGV deliveries being 15 per day (15 in and 15 out). There would be a total of approximately 1240 deliveries to the site during the 5-6 month construction period. This is likely to be similar for the decommissioning of the site. During the operational period the site would only need to be visited 10-20 times per annum by a car or van. The TS advises that a condition would be accepted for a Construction Traffic Management Plan.
120. Concerns have been raised by local residents in respect of the impact to highway safety from the proposed solar farm development with additional traffic making the road through Sheraton dangerous for residents and also that the road itself would be damaged by construction traffic.
121. Highways officers have considered the proposal and find the access arrangements for both the construction and operational periods to be acceptable. Officers note the reference to a construction traffic management plan in the TS and request that this is secured by condition.
122. Whilst the proposed solar farm would generate a degree of construction traffic for the 5-6 month construction period it would not be unacceptable in this location due to good access and existing highway capacity. Following construction, the solar farm would be automated and would only be attended for monitoring and maintenance purposes. A further condition is recommended to ensure that vehicles accessing the site are adequately cleaned before leaving to ensure that debris is not carried onto the public highway. No objection is raised by the Council as Highways Authority or National Highways subject to appropriate conditions. It is considered that the proposals have been appropriately assessed through a Transport Statement and would not result in harm to the safety of the local or strategic highway network and would not cause an unacceptable increase in congestion or air pollution. Subject to the condition set out above both developments would not conflict with CDP Policy 21 and Part 9 of the NPPF.
123. Objectors have raised concerns that the cable route application would require road closures to allow for installation. This is not the case, and the cable can be routed using directional drilling below the carriageway without disturbance. The installation of the cable route would involve minimal vehicle movements during construction and there would be no requirement for regular access or maintenance in the future. No objection is raised by the Council as Highways Authority or National Highways subject to appropriate conditions including a condition to control routing of vehicles onto the A19. It is therefore considered that the proposed cable route would not conflict with CDP Policy 21 or Part 9 of the NPPF.

Residential Amenity

124. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air or noise pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality and water quality. Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely 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. Paragraph 186 of the NPPF advises that planning

decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 187 of the NPPF advises that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs).

125. CDP Policy 31 sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for locating of sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
126. Part 15 of the NPPF (Paragraphs 120, 174, 183 and 184) requires the planning system to consider remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate. Noting that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. CDP Policy 32 requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
127. The nearest residential properties beyond those within the Sheraton Hall farmstead lie in close proximity to the proposed solar farm site adjacent to the junction of Hurworth Burn Road with the B1280 (Ivy Cottage and Hawthorn Cottage). The village of Sheraton lies approximately 460m east of the north-eastern site boundary. Residential properties are also positioned approximately 540m to the west at Wood Close Farm, 550m east at Pudding Poke Farm, 570m south-east at Sheraton Grange Farm, approximately 800m south-east at Sheraton West Grange and approximately 800m north at Fleet Shot Farm.
128. Given the low population density of the area surrounding the site, the level of public objection is relatively high. Objectors have raised the issues of landscape harm, loss of open countryside, visual impacts, impacts on public rights of way, a decrease in property values, glint and glare from the panels, traffic impacts and the scale of development being excessive.
129. Landscape impact has been assessed in the section above, but it is acknowledged that those people living near to the site experience landscape harm as a constant rather than passing impact. Objectors have stated that the development would have significant landscape harm and would be harmful to their use of recreational routes along lanes and public rights of way. Whilst traffic impacts during the operational life of the site would be very low there would be a busy period during the 5-6 month construction of the site where objectors believe traffic would be harmful and would cause damage to roads. It has also been stated that the scale of the development would be excessive. An issue relating to glint and glare has been raised by objectors to the south of the site where there has been a concern that the array on the hillside will have a significant impact at certain times of the day.

130. Many of the public comments were received prior to amendments to the solar farm scheme being submitted and whilst none of the objectors have written to withdraw their objections it is considered that the reduction in the scale of the development and removal of much of the northern element has gone some way towards addressing the concerns that have been raised in respect of landscape harm and impact to recreational routes. For clarity, several of the objectors reiterated their earlier objections following the amendments to the scheme and do not want the solar farm at any scale.
131. Following the issue raised in respect of glint and glare some points of clarification were added to the glint and glare assessment provided by the applicant and the Council's Environmental Health and Consumer Protection officers had this scrutinised by specialist consultants. It was considered that whilst the assessment methodology could have been clearer the overall conclusion that the impact would not be significant was accepted. Objectors remain concerned that there would be a residual glint and glare impact that could not be mitigated. In response the applicant has agreed that solar panels to be used on the site would have non-reflective coating to reduce the glare potential. Given the distance of the site from receptors and the use of a non-reflective coating it is considered that glint and glare would have a significantly harmful effect.
132. The proposed solar farm has very limited potential to create any noise, dust or light pollution impacts. The panels themselves would be of the static variety that are silent in operation. Environmental Health and Consumer Protection officers have considered the proposals and raise no objections in respect of potential nuisance, air pollution or land contamination. An informative has been suggested to provide advice in the event that ground contamination is discovered during the construction process. Officers note that the construction phase is the only time where noise may be an issue and have requested that hours of operation be conditioned. In accordance with standard practice it is proposed that through condition a Construction Management Plan is submitted to ensure that dust, noise, access, routeing and community liaison amongst other matters.
133. It is considered that the proposed solar farm and cable route would not create an unacceptable impact on health, living or working conditions or the natural environment. The proposals would not result in unacceptable noise, odour, vibration or light pollution and, subject to the imposition of the conditions recommended above, it is considered that the proposals would provide an acceptable standard of residential amenity in accordance with CDP Policies 31 and 32 and Part 15 of the NPPF.

Flooding and Drainage

134. Part 14 of the NPPF directs Local Planning Authorities to guard against flooding and the damage it causes. Protection of the water environment is a material planning consideration and development proposals, including waste development, should ensure that new development does not harm the water environment. Paragraph 174 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality.
135. CDP Policy 35 requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure

there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.

136. HLP Policy CC2 confirms that development proposals need to demonstrate how they will minimise flood risk to infrastructure, property and people.
137. Both applications are accompanied by a flood risk assessment (FRA) which identifies that the application site is located entirely within Flood Zone 1 and would not increase the risk of flooding. There are no watercourses within, or within the vicinity of the site. A sustainable drainage strategy, involving the implementation of SuDS in the form of swales, is proposed for managing the disposal of surface water runoff from the proposed development on the site. Swales are proposed at the low points of the application site to intercept extreme flows which may already run offsite. It is emphasised that the swales do not form part of a formal drainage scheme for the development but are provided as a form of 'betterment'. The volume of storage provided within the proposed swales (201.3 m³) is greater than the additional runoff generated as a result of the extreme 1 in 100 year storm event, including an allowance for climate change (110.7m³).
138. Drainage and Coastal Protection officers have provided general guidance in relation to flood risk in but have not specifically commented on the information provided in the solar farm and cable route applications. Notwithstanding this, it is considered that submitted FRA and flood mitigation measures would meet with policy requirements. It is therefore considered that the proposed solar farm and cable route development would not lead to increased flood risk, both on and off site, and through the use of SUDs would ensure there is no net increase in surface water runoff for the lifetime of the development. It is therefore considered that the proposals would not conflict with CDP Policy 35, HLP Policy CC2 and Part 14 of the NPPF.

Ecology

139. Paragraph 180 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts and providing net gains where possible and stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. CDP Policy 41 reflects this guidance by stating that proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for. CDP Policy 43 states that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts.
140. HLP Policy NE1 confirms that Hartlepool's natural environment will be protected, managed and enhanced. HLP Policy NE4 states that Hartlepool Borough Council will seek to enhance and maintain the ecological networks identified throughout the Borough.
141. The presence of protected species is a material consideration in planning decisions as they are a protected species under the Wildlife and Countryside Act 1981 and the European Union Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (as amended). The Habitats Directive prohibits the deterioration, destruction or disturbance of breeding sites or resting places of protected species. Natural England has the statutory responsibility under the regulations to deal with any licence applications but there is also a duty on planning authorities when deciding

whether to grant planning permission for a development which could harm a European Protected Species to apply three tests contained in the Regulations. These state that the activity must be for imperative reasons of overriding public interest or for public health and safety, there must be no satisfactory alternative, and that the favourable conservation status of the species must be maintained. Brexit does not change the Council's responsibilities under the law.

142. Pike Whin Bog Site of Special Scientific Interest (SSSI) is located approximately 380m west of the southern parcel of the solar farm. Hart Bog SSSI is positioned approximately 1.3km north-east of the eastern site boundary. The Teesmouth and Cleveland Coast Special Protection Area (SPA), SSSI and Ramsar are located approximately 5km to the east. The Durham Coast Special Area of Conservation (SAC) is located approximately 5.8km to the north. Castle Eden Walkway Local Nature Reserve (LNR) is positioned approximately 950m west of the southern parcel of land. The southernmost parcel of land is positioned adjacent to the Groundwork North East Community Forest.
143. The proposed cable route would be within any ecological designations. Hart Bog SSSI is located approximately 210m to the south, Hesledon Dene LWS and Thrope Bulmer Dene Ancient Woodland is located immediately to the north of the point at which route 2 would re-enter County Durham.
144. An Ecological Assessment Report with overwintering bird survey and Biodiversity Management Plan have been submitted in support of the solar farm application. The Ecological Assessment Report provides a baseline study of the site including the proximity of designated sites, habitats and constraints within the site and includes an extended Phase 1 habitat survey and wintering bird survey. The potential impacts to protected species has been considered, including birds, bats, badger, otter, water vole, amphibians and reptiles. The assessment notes that there are records of brown hare and also the invasive grey squirrel.
145. The site does not contain any buildings or structures and a limited number of trees were identified as being suitable for bats. All trees on the site would be retained as part of the development and bat boxes would be provided. Badger have been recorded in the vicinity of the site and a single tunnel entrance was noted close to the site boundary, however, there were no signs to indicate active badger presence. Perimeter fences would have mammal gaps to allow for access and egress by badger and other mammal species, should they return.
146. The site is considered to have very low suitability for otter and water vole and no evidence of either species was noted during the assessment. The site contains limited habitat potential for reptiles and amphibians, although there are potentially more suitable habitats on adjoining land including the 6 ponds that are within 250m of the site boundary. The assessment survey concluded that the accessible ponds were unlikely to support Great Crested Newts.
147. The Ecological Assessment concludes that proposed solar farm development would have no direct effects on neighbouring waterbodies including ponds with historic confirmed GCN presence. Similarly, with standard good practice pollution prevention and runoff control measures in place during construction and operation, off-site ponds and the species they support would be suitably protected from the risk of adverse effects during the construction phase. As a result of habitat enhancements, including the creation of structurally diverse grasslands under and around the panels and new hedgerow planting, the completed solar farm would provide higher value and better connected terrestrial habitat for amphibians (and reptiles if present) than is currently present. As a result, the proposed development and associated new habitat creation

is considered likely to have a positive effect on the favourable conservation status of the local GCN population and reptiles if present. As there is no anticipated disturbance of a European Protected Species, there is no need to apply the derogation tests which are relevant to whether a licence may be granted.

148. A Biodiversity Management Plan has been submitted setting out the ecological baseline for the site, provides mitigation measures and ecological enhancement and also includes a monitoring and management schedule. The plan states that no designated sites would be affected by the development and measures would be put in place, including perimeter fencing, to prevent encroachment of works beyond the site boundary.
149. Biodiversity enhancement for the site would include approximately 1475m of new, mixed native species hedgerows and 0.66ha of new woodland planting. There would also be the creation of species rich grassland on land occupied by the solar arrays and installation of at least 10 bird boxes and 10 bat boxes of different varieties to suit different species. These enhancements are all set out in the Biodiversity Management Plan.
150. Durham Bird Club has commented on the solar farm proposal and, whilst not objecting, have advised that the wintering bird survey should be taken into account in the determination of the application. It is also advised that given the functional link that has been previously established between the coast (particularly Teesmouth) and Hurworth Burn Reservoir itself, birds may be confused, particularly at night or in poor visibility, by arrays of solar panels situated on intervening land, such as this site and that this should be addressed.
151. The wintering bird survey shows that no target species were recorded in the site and very limited numbers were noted in the wider study area. It is therefore considered that the impact of the development on the application site and wider area on target bird species is low. The limited bird populations flying over the solar farm site would significantly reduce the risk of birds being confused by the solar panels.
152. Objectors to the scheme have stated the proposal would harm wildlife on the site and would particularly restrict movement of deer across the site. The site is split into 4 distinct sections that would be separately fenced with deer fencing. Deer fencing is used to prevent damage to the panels from deer, however, mammal gates would be installed to allow smaller mammals such as badger and hare to move freely. Smaller mammals such as hedgehog and rabbit would not be able to move freely through any part of the fencing. Whilst deer would not be able to move through the solar arrays, they would still be able to move around the separate sections.
153. The proposals offer a significant net increase in biodiversity value to the site without direct or indirect harm to any ecological designation. Natural England has raised no objections. Ecology officers have considered the proposals and comments and raised no objections subject Biodiversity Management Plan being secured by legal agreement. Officers have requested the installation of additional bird and bat boxes, which can be negotiated as part of the proposed legal agreement. It is considered that the comments from Durham Bird Club have been addressed where possible, with the scheme amended to improve the offering in respect of nest boxes. Whilst the additional surveys requested have not been carried out, the proposal has been assessed on the basis that there are populations of ground nesting birds using the site and compensatory areas would be left undeveloped in appropriate locations where birds would not be at risk from predatory species.

154. It is recommended that the biodiversity enhancement would be secured through a Section 39 Agreement under the Wildlife and Countryside Act 1981. Section 39 of the Wildlife and Countryside Act 1981 enables local authorities to enter into management agreements with the owner of land for its conservation (and for other related purposes) and is regarded as a suitable mechanism for securing long term land management in relation to biodiversity net gain. A condition is not regarded as a suitable mechanism due to the 40 year timescale of the solar farm development and a Section 39 is more suited to ensuring long term management.
155. The proposed solar farm would provide biodiversity enhancement to the site and, whilst there may be temporary displacement of wildlife during the construction process, the net increase in biodiversity value would adequately mitigate any residual harm. It is considered that the proposed solar farm would not impact upon any nationally or locally protected sites. Suitable mitigation would be secured through Section 39 agreement. The proposed cable route would have minimal impact to biodiversity provided that works are carried out outside of tree root protection areas. It is therefore considered that both proposals would not conflict with CDP Policies 25, 41 and 43, HLP Policies NE1 and NE4 and Part 15 of the NPPF in respect of avoiding and mitigating harm to biodiversity.

Recreational Amenity

156. Part 8 of the NPPF seeks to promote healthy communities with a key reference being towards the protection and enhancement of public rights of way and access. CDP Policy 26 states that development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient and attractive, and must not have a detrimental impact on environmental or heritage assets.
157. There are public rights of way in the vicinity of the solar farm site, however, following amendments to the application, there are none with the area of the site to be developed. Footpath No. 11 (Sheraton with Hulam Parish) runs east to west approximately 300m to the north of the site; Footpath No. 7 (Sheraton with Hulam Parish) runs north to south on the western boundary of the site; footpath No. 8 (Sheraton with Hulam Parish) runs north to south approximately 20m from the western boundary and footpath No. 53 (Sedgefield Parish) runs north to south approximately 30m from the western boundary. Footpath No's. 4 and 5 are located in excess of 400m to the south and east of the site boundary but these routes potentially have views of the site.
158. There are no public rights of way that would be physically impacted by the solar farm development following the revision to the site layout that removed solar panels from the northern area. Footpath No. 7 would be the closest to any of the solar panels but due to the existing hedgerow that would be retained it is unlikely that there would be an adverse impact to users of this route. Objectors to the proposals have stated that views from recreational routes (not specifically public rights of way) would be harmed by the development. It is accepted that users of the public rights of way in the vicinity of the site would have views of solar panels, but it is considered that this would not be overbearing and would not have a significant adverse effect.
159. In relation to the proposed cable route officers have stated that Bridleway 20 (Sheraton with Hulam Parish) may be temporarily affected by construction and it may be

necessary to apply for a temporary closure of the public right of way during the construction period.

160. Access and Rights of Way officers have raised no objections to the solar farm and cable route proposals. Initial concerns raised by officers in relation to the effect of the development to rights of way in the northern part of the solar farm site were eliminated when that part of the site was removed and the concern about potential glare for users of Footpath No.7 (Sheraton with Hulam Parish) were addressed by the hedgerow planting that would be retained. Temporary impacts to Bridleway No. 20 (Sheraton with Hulam Parish) can be mitigated through a diversion of temporary closure of the right of way. It is therefore considered that both the proposals would not conflict with CDP Policy 26 and Part 8 of the NPPF.

Cultural Heritage

161. In assessing the proposed development regard must be had to the statutory duty imposed on the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area. In addition, the Planning (Listed Buildings and Conservation Areas) Act 1990 also imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. If harm is found this gives rise to a strong (but rebuttable) statutory presumption against the grant of planning permission. Any such harm must be given considerable importance and weight by the decision-maker.
162. Part 16 of the NPPF requires clear and convincing justification if development proposals would lead to any harm to, or loss of, the significance of a designated heritage asset. CDP Policy 44 seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets.
163. HLP Policy HE1 states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. Proposals which will achieve this or better reveal the significance of the asset will be supported. HLP Policy HE2 states that the Borough Council will seek to protect, enhance and promote Hartlepool's archaeological heritage and, where appropriate, encourage improved interpretation and presentation to the public.
164. There are no designated heritage assets within the redline boundaries of the solar farm or cable route. The Grade II Sheraton Hall and Sheraton Hall Cottage are located within the nearby settlement of Sheraton. A Scheduled Monument (Sheraton medieval settlement and open field system) is positioned to the east of the A19 and approximately 60m east of the solar farm at its closest point. There are no Conservation Areas in the vicinity of the proposed solar farm or cable route.
165. A Settings Impact Assessment has been submitted in support of the application. This assessment identifies the significance of heritage assets within and close to the application site. The assessment concludes that that due to the presence of considerable screening, distance and the nature of the local topography, the proposed development would not harm the significance of the heritage assets in the wider area. Design and Conservation officers have advised that the scope and methodology of the setting impact assessment are considered acceptable. Five Grade II* and Grade I

assets have been identified at some distance from the application site and the assessment has concluded that there is no intervisibility between them and as such there is no impact. This conclusion is considered reasonable. Grade II listed buildings have been assessed at a radius of 2km. Having reviewed this conclusion and taking into consideration the experience of the setting this is considered to be a reasonable statement. Overall, setting, impact and magnitude are well considered from a range of points which in totality address these assets. The setting of Sheraton Medieval Settlement is identified as potentially being affected. The setting assessment rightly concludes that especially during construction and the early years of operation there would be an impact, but this is appreciated in the context of the activity and noise of the adjacent A19 trunk road.

166. An Archaeological Desk Based Assessment has also been submitted in support of both applications. This assessment shows that based on available evidence the study site is considered to have low potential for significant archaeological remains of all periods. However, fragmentary evidence of prehistoric to Roman date and of Local Significance cannot be ruled out entirely. There is also potential for sub-surface evidence associated with medieval and post-medieval agricultural practices and 19th century structure in the north of the study site. The assessment goes on to state that significant effects to archaeology are not expected due to the likely significance of the archaeological resource, the limited physical impact of the proposed development and the solar array's capacity to include mitigation measures, such as concrete foundations, in the event of unexpected archaeological remains being present. The assessment recommends a programme of recording and targeted trial trenching as a post determination condition.
167. Following discussions with the Council's Archaeology officers it has been agreed that the geophysical survey and trial trenching can be carried out post determination of the application as a pre-commencement planning condition.
168. Design & Conservation and Archaeology officers have raised no objections either proposal subject to conditions to secure archaeological fieldwork. It is considered that the proposal would not cause harm to the Sheraton Medieval Settlement or any designated heritage assets and controls would be in place to record and protect any archaeological remains. Historic England have stated that they do not wish to comment on either of the applications. It is therefore considered that the proposed solar farm and cable route would not conflict with CDP Policy 44 and HLP Policies HE1 and HE2 and would cause no harm to heritage assets in accordance with Part 16 of the NPPF.

Agricultural Land

169. Paragraph 174 of the NPPF seeks to protect best and most versatile land. CDP Policy 14 states that development of the best and most versatile agricultural land will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits.
170. The proposed solar farm development would occupy approximately 77 hectares of agricultural land. An Agricultural Land Classification (ALC) assessment has been carried out for the site. The assessment includes a desktop study and fieldwork analysis with the conclusion that all of the soils on the site are Grade 3b. The site is therefore not comprised of best and most versatile land. Although the development would temporarily remove a significant portion of land from arable use it would still be available for low intensity grazing. The proposed cable route would be underground following roads and field boundaries and would therefore not result in a loss of

agricultural land. The proposed solar farm and cable route would not conflict with CDP Policy 14 or Part 15 of the NPPF in this respect.

Cumulative Impact

171. Paragraph 185 of the NPPF advises that planning 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. CDP Policy 31 sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment.
172. The proposed solar farm development is split into 3 distinctly separate sections with sufficient distance between them to appear as if they 3 separate sites. In addition, planning permission has been previously granted for a large solar development at Hulam Farm approximately 1.5km to the north east and a similarly sized solar farm at Worset Lane approximately 2km to the east. Objectors have raised the issue of cumulative impact and that the area around the proposed solar farm has already accepted enough.
173. The proposed solar farm, and those that have been previously approved cover very large areas and the only way to see them in conjunction would be from the air. Due to the solar arrays being no more than 3m tall the separate sites would not be intervisible and, at a human scale, are quite significant distances apart.
174. Residents of properties to the south east of the proposed solar farm would potentially have views of each separate section and would see it as such. However, these views would be part of a wider panorama and would be broken up by undeveloped countryside. It is therefore considered that whilst there would be a cumulative impact, this would not be unacceptable or overbearing. It is therefore considered that the solar farm proposal would not conflict with CDP Policy 31 and Part 15 of the NPPF.

Other Matters

175. Objectors have raised concerns that the proposed solar panels would potentially have health risks to local residents from the production of direct current electricity and subsequent conversion to alternating current electricity. There is no evidence to indicate that solar energy is dangerous to health and many homes and other buildings have solar panels installed on their roofs to no ill effect.
176. Objectors have raised the issue of impact to house values as a result of the solar farm proposal. This is not a material planning consideration and cannot be taken into account in the determination of either application.
177. It has been stated that the development would not benefit the local community. There are no direct benefits, however, the proposal would bring significant biodiversity enhancement to the site, which also benefits the wider area.

CONCLUSION

178. The proposed solar farm development would provide a significant renewable energy source using solar power sufficient to provide clean energy for approximately 9,444 homes whilst also reducing dependence on fossil fuel power stations. Further benefits

of the scheme include significant biodiversity and landscape improvements to the site and direct employment to the construction industry. The proposed cable route development would provide an underground connection between the proposed solar farm and the nearest available substation for connection to the grid. The proposed solar farm and cable route would not cause unacceptable harm to the site or wider environment and would therefore be appropriately located in accordance with CDP Policy 33.

179. Although changes have been made to the solar farm during the course of consideration of the application, proposal would still constitute development in the countryside resulting in a degree of landscape harm. Efforts have been made to screen the solar arrays and from many public viewpoints the arrays would be obscured by vegetation or topography. In more open views the solar arrays would be seen as a developed feature within a semi-rural landscape that could not be mitigated by screening but it is considered that they would not be overbearing. All other material considerations have been taken into account in the determination of the solar farm application and found to be acceptable.
180. Whilst it is accepted that the proposed solar farm would have an impact to the landscape, and the Area of Higher Landscape Value, it is considered that the harm would not be unacceptable and that the benefits of the development in terms of energy supply and security, support for renewable energy and biodiversity enhancement would outweigh that harm, planning permission should be granted.
181. The proposed cable route, once constructed, would have negligible environmental impact as it would be entirely underground. The temporary impact to the Area of Higher Landscape Value during the construction phase would be time limited and any potential amenity and highway safety impacts would be controlled by conditions. The proposed cable route would have the benefit of facilitating the generation of renewable energy from the proposed solar farm.
182. The proposed solar farm and cable route have generated some public interest, with letters of objection and support having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, economic and public benefits.
183. The solar farm proposal is considered to broadly accord with the relevant policies of the County Durham Plan, Hartlepool Local Plan and relevant sections of the NPPF.
184. The cable route application is considered to broadly accord with the relevant policies of the County Durham Plan, Hartlepool Local Plan and relevant sections of the NPPF.

RECOMMENDATION

DM/20/03722/FPA - Installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure.

185. That application no. DM/20/03722/FPA for the installation and operation of a solar farm together with all associated works, equipment and necessary infrastructure be **APPROVED** subject to the following conditions and completion of a planning obligation under Section 39 of The Wildlife and Countryside Act 1981:
 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- The Local Planning Authority shall be given at least seven days prior written notification of the date of commencement of the development

Reason: To ensure the development is carried out in accordance with the approved documents.

- This consent is granted for a period of 40 years from the date of this permission when the buildings, structures and infrastructure works hereby approved shall be removed and the land restored to its former condition in accordance with details to be submitted to and approved by the Local Planning Authority. The approved details shall then be implemented in full within 6 months of approval of those details.

Reason: In the interests of visual amenity, pollution prevention and reinstatement of agricultural land in accordance with County Durham Plan Policies 14, 31 and 39 and Part 15 of the National Planning Policy Framework.

- The development hereby approved shall be carried out in strict accordance with the following approved plans:

LANDSCAPE PROPOSALS SHEET 1 OF 2	P20-2238.005C	10/08/21
LANDSCAPE PROPOSALS SHEET 2 OF 2	P20-2238.006C	10/08/21
PANEL ELEVATION 3 LANDSCAPE 20/20	PNL_3L_20/20	17/12/20
SHERATON HALL FARM LAYOUT	SRT_01	10/08/21
UK EPD AUXILIARY TRANSFORMER 00	UK_EPD_AUX	17/12/20
UK EPD CCTV CAMERA 00	UK_EPD_CAM	17/12/20
UK EPD CUSTOMER SUBSTATION 00	UK_EPD_CSS	17/12/20
UK EPD DNO SUBSTATION 00	UK_EPD_DNO	17/12/20
UK EPD FENCE 00	UK_EPD_FNC	17/12/20
UK EPD GATE 00	UK_EPD_GNC	17/12/20
UK EPD INVERTER 00	UK_EPD_INV	17/12/20
UK EPD MONITORING HOUSE/COMMUNICATION BUILDING 00	UK_EPD_MH/CB	17/12/20
UK EPD GRP CABINET-DNO METER 00	UK_EPD_MTR	17/12/20
UK EPD ROAD CROSS SECTION 00	UK_EPD_RCS	17/12/20
UK EPD STORAGE 40 CONTAINER 00	UK_EPD_S40	17/12/20
UK EPD SWITCHGEAR 00	UK_EPD_SWG	17/12/20
UK EPD TRANSFORMER 00	UK_EPD_TFM	17/12/20
UK EPD TOILET	UK_EPD_TLT	17/12/20
	SRT_SLP_00	17/12/20

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 21, 31, 33, 39 and 41 of the County Durham Plan and Parts 9, 14 and 15 of the National Planning Policy Framework.

- No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

-A Dust Action Plan including measures to control the emission of dust and dirt during construction taking into account relevant guidance such as the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014;

- Details of methods and means of noise reduction;
- Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration;
- Details of whether there will be any crushing/screening of materials on site using a mobile crusher/screen and the measures that will be taken to minimise any environmental impact.
- Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- Designation, layout and design of construction access and egress points;
- Details for the provision of directional signage (on and off site);
- Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
- Details of provision for all site operations for the loading and unloading of plant, machinery and materials;
- Details of provision for all site operations, including visitors and construction vehicles for parking and turning within the site during the construction period;
- Routing agreements for construction traffic;
- Details of the erection and maintenance of security hoarding;
- Details of construction and decommissioning working hours;
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works; and
- Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The Construction Management Plan shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development having regards to Policies 21 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition and the details of the construction management statement must be agreed before works on site commence.

6. Construction operations shall only take place within the following hours:
 - 07.30 to 19.00 Monday to Friday
 - 07.30 to 12.00 Saturday

No operations including the maintenance of vehicles and plant shall take place outside of these hours or at any time on Bank, or other Public Holidays, save in cases of emergency when life, limb, or property are in danger. The Local Planning Authority shall be notified as soon as is practicable after the occurrence of any such operations or working.

Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Plan Policy 21 and Part 15 of the National Planning Policy Framework.

7. The development shall be carried out in accordance with the submitted flood risk assessment (L491-DOC03 FRA: December 2020) The mitigation measures detailed

with the flood risk assessment shall be fully implemented prior to development being brought into use. These measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy 35 of the County Durham Plan and Part 14 of the National Planning Policy Framework.

8. All vehicles leaving the site shall be sufficiently cleaned in order to ensure that mud, dirt, and treated or untreated waste is not transferred onto the public highway.

Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Plan Policy 21 and Part 15 of the National Planning Policy Framework.

9. Prior to the commencement of development, Construction Traffic Management Plan shall be submitted to the Local Planning Authority for approval in writing in consultation with Highways England.

Reason: In the interests of highway safety in accordance with County Durham Plan Policy 21 and Part 9 of the National Planning Policy Framework. Required to be pre-commencement to agree traffic movements ahead of any development.

10. Prior to the commencement of development, a mitigation plan to avoid 'Glint and Glare' shall be submitted to the Local Planning Authority for approval in writing in consultation with Highways England.

Reason: In the interests of highway safety in accordance with County Durham Plan Policy 21 and Part 9 of the National Planning Policy Framework. Required to be pre-commencement to agree traffic movements ahead of any development.

11. Prior to the commencement of development precise details of the colours and finishes for all buildings, fixed plant and machinery shall be agreed in writing with the Local Planning Authority and the development carried out in accordance with agreed details.

Reason: To ensure the development is carried out in accordance with the approved documents and in the interests of visual amenity in accordance with Easington District Local Plan Policy and Part 15 of the National Planning Policy Framework. Required to be pre-commencement in order to assess the appearance of the development.

12. Prior to the commencement of development, a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' shall be submitted to the Local Planning Authority for approval in writing. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site in accordance with County Durham Plan Policy 44 and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

13. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive

deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To safeguard any Archaeological Interest in the site in accordance with County Durham Plan Policy 44 and Part 16 of the National Planning Policy Framework.

14. In the event that the solar farm is inoperative for a period of 6 months or longer, a scheme for the restoration of the site, including the buildings, structures and infrastructure works, dismantling and removal of all elements, shall be submitted to and be approved in writing by the Local Planning Authority not later than 12 months following the last export of electricity from the site. The approved scheme shall be carried out and completed within 6 months of approval of the scheme.

Reason: In the interests of visual amenity, pollution prevention and reinstatement of agricultural land in accordance with County Durham Plan Policies 14, 31 and 39 and Part 15 of the National Planning Policy Framework.

DM/21/02333/FPA - Construction of underground electricity cables, and associated infrastructure to connect to the proposed Sheraton Hall Solar Farm (DM/20/03722/FPA) to the primary proposed substation.

186. That application no. DM/21/02333/FPA for the construction of underground electricity cables, and associated infrastructure to connect to the proposed Sheraton Hall Solar Farm be **Approved** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The Local Planning Authority shall be given at least seven days prior written notification of the date of commencement of the development

Reason: To ensure the development is carried out in accordance with the approved documents.

3. This consent is granted for a period of 40 years from the date of this permission when the buildings, structures and infrastructure works hereby approved shall be removed and the land restored to its former condition in accordance with details to be submitted to and approved by the Local Planning Authority. The approved details shall then be implemented in full within 6 months of approval of those details.

Reason: In the interests of visual amenity, pollution prevention and reinstatement of agricultural land in accordance with County Durham Plan Policies 14, 31 and 39 and Part 15 of the National Planning Policy Framework.

4. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Block Plan	P20-2110_08	05/08/21
Site Location Plan	P20-2110_05	05/08/21
Tree Survey and Constraints Plan	BHA_1073_01	29/06/21
Tree Survey and Constraints Plan 2	BHA_1073_01	29/06/21
Tree Survey and Constraints Plan 3	BHA_1073_01	29/06/21
Tree Survey and Constraints Plan 4	BHA_1073_01	29/06/21
Tree Survey and Constraints Plan 5	BHA_1073_01	29/06/21
Tree Retention, Removal and Protection Plan	BHA_1073_05	29/06/21
Site Location Plan	P20-2110_06	29/06/21
Cable Route	PR0027_38	29/06/21
Cable Route	PR0027_39	29/06/21
Cable Route	PR0027_40	29/06/21
Cable Route	PR0027_41	29/06/21
Cable Route	PR0027_42	29/06/21
Cable Route	PR0027_43	29/06/21
Cable Route	PR0027_44	29/06/21
Cable Route	PR0027_45	29/06/21
Cable Route	PR0027_46	29/06/21
Cable Route	PR0027_47	29/06/21
Cable Route	PR0027_48	29/06/21
Cable Route	PR0027_49	29/06/21
Cable Route	PR0027_50	29/06/21
Cable Route	PR0027_51	29/06/21
Initial Design Layout	UK_SRT-CR_LP1-IDL	29/06/21

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 21, 31, 33, 39 and 41 of the County Durham Plan and Parts 9, 14 and 15 of the National Planning Policy Framework.

5. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

-A Dust Action Plan including measures to control the emission of dust and dirt during construction taking into account relevant guidance such as the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014;

-Details of methods and means of noise reduction;

-Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration;

-Details of whether there will be any crushing/screening of materials on site using a mobile crusher/screen and the measures that will be taken to minimise any environmental impact.

-Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

-Designation, layout and design of construction access and egress points;

-Details for the provision of directional signage (on and off site);

-Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;

-Details of provision for all site operations for the loading and unloading of plant, machinery and materials;

- Details of provision for all site operations, including visitors and construction vehicles for parking and turning within the site during the construction period;
- Routing agreements for construction traffic;
- Details of the erection and maintenance of security hoarding;
- Details of construction and decommissioning working hours;
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works; and
- Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The Construction Management Plan shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development having regards to Policies 21 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition and the details of the construction management statement must be agreed before works on site commence.

6. Construction operations shall only take place within the following hours:
 - 07.30 to 19.00 Monday to Friday
 - 07.30 to 12.00 Saturday

No operations including the maintenance of vehicles and plant shall take place outside of these hours or at any time on Bank, or other Public Holidays, save in cases of emergency when life, limb, or property are in danger. The Local Planning Authority shall be notified as soon as is practicable after the occurrence of any such operations or working.

Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Plan Policy 21 and Part 15 of the National Planning Policy Framework.

7. The development shall be carried out in accordance with the submitted flood risk assessment (L474-DOC04 FRA: December 2020) The mitigation measures detailed with the flood risk assessment shall be fully implemented prior to development being brought into use. These measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy 35 of the County Durham Plan, Policy CC2 of the Hartlepool Local Plan and Part 14 of the National Planning Policy Framework.

8. All vehicles leaving the site shall be sufficiently cleaned in order to ensure that mud, dirt, and treated or untreated waste is not transferred onto the public highway.

Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Plan Policy 21 and Part 15 of the National Planning Policy Framework.

9. All HGV movements accessing the site from Bellows Burn Lane from the south are to utilize the A19/B1281 interchange and return on the A19 South for further exit onto Bellows Burn Lane. All HGV movements leaving Hulam Farm at the A19/Bellows Burn Lane junction are required to turn left and head south to further turn on to the A19/A171-B1280 interchange in order to head north and eliminate the need to use gaps in the central reservation.

Reason: In the interests of highway safety in accordance with County Durham Plan Policy 21 and Part 9 of the National Planning Policy Framework. Required to be pre-commencement to agree traffic movements ahead of any development.

10. Prior to the commencement of development, a written scheme of investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' shall be submitted to the Local Planning Authority for approval in writing. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site in accordance with County Durham Plan Policy 44, Policy HE2 of the Hartlepool Local Plan and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

11. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To safeguard any Archaeological Interest in the site in accordance with County Durham Plan Policy 44, Policy HE2 of the Hartlepool Local Plan and Part 16 of the National Planning Policy Framework.

12. A scheme for the restoration of the site, including the dismantling and removal of all elements, shall be submitted to and be approved in writing by the Local Planning Authority not later than 40 years from the date of this permission. The approved scheme shall be carried out and completed within 6 months from the date that the planning permission hereby granted expires.

Reason: In the interests of visual amenity, pollution prevention and reinstatement of agricultural land in accordance with County Durham Plan Policies 14, 31 and 39, Policy CC5 of the Hartlepool Local Plan and Part 15 of the National Planning Policy Framework.

13. In the event that the solar farm is inoperative for a period of 6 months or longer, a scheme for the restoration of the site, including the buildings, structures and infrastructure works, dismantling and removal of all elements, shall be submitted to and be approved in writing by the Local Planning Authority not later than 12 months following the last export of electricity from the site. The approved scheme shall be carried out and completed within 6 months of approval of the scheme.

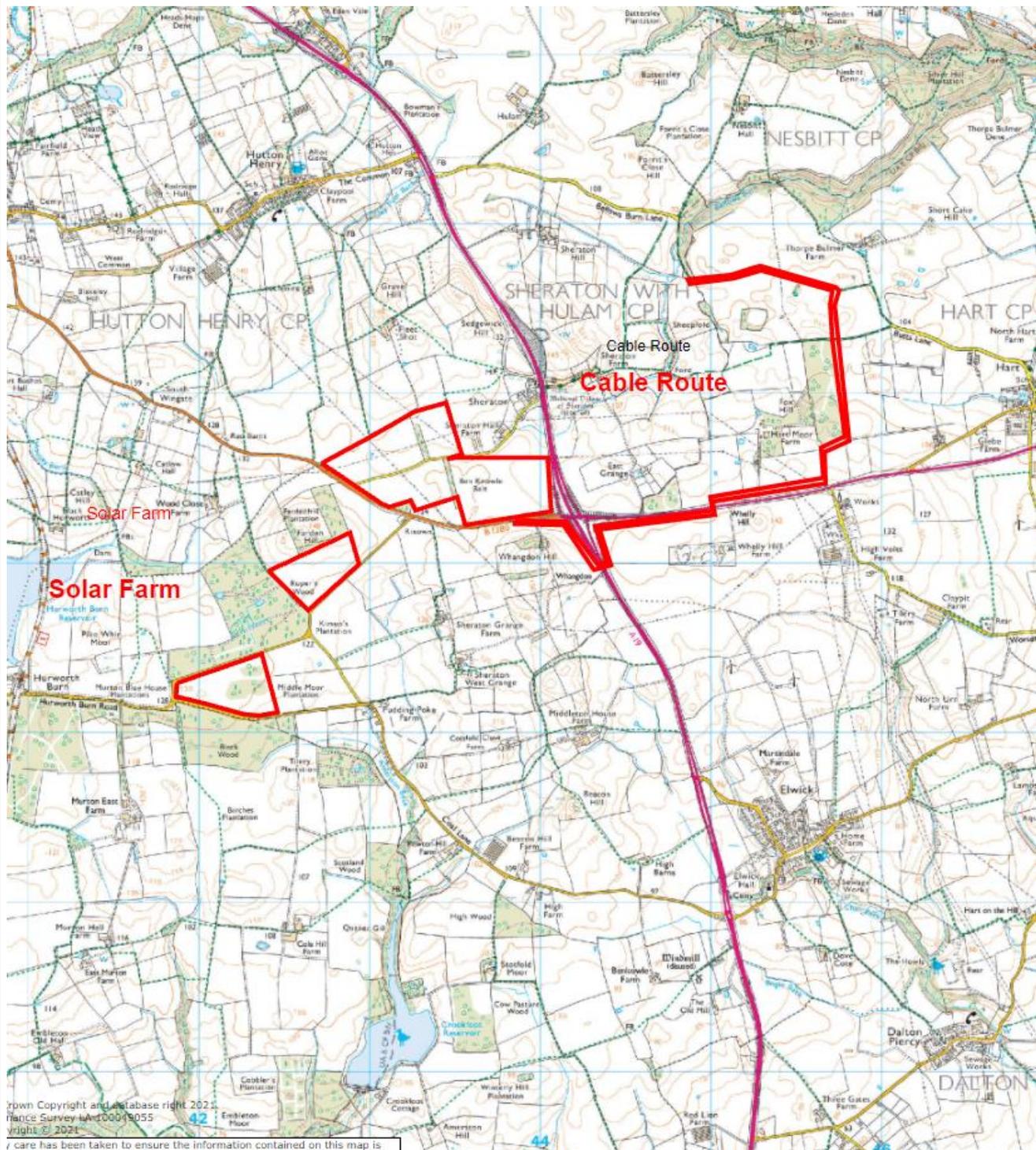
Reason: In the interests of visual amenity, pollution prevention and reinstatement of agricultural land in accordance with County Durham Plan Policies 14, 31 and 39, Policy

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2021)
- National Planning Policy for Waste
- National Planning Practice Guidance notes
- County Durham Plan
- EN:1 Overarching National Policy Statement for Energy (published in July 2011)
- EN-3 National Policy Statement for Renewable Energy Infrastructure (published in July 2011)
- Draft Overarching National Policy Statement for Energy (EN-1) (September 2021)
- Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (September 2021)
- Statutory, internal and public consultation response



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Planning Services

DM/20/03722/FPA - Installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure.

DM/21/02333/FPA - Construction of underground electricity cables, and associated infrastructure to connect to the proposed Sheraton Hall Solar Farm (DM/20/03722/FPA) to the primary proposed substation.

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Comments

Date November 2021

Scale Not to Scale

