

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/21/03420/FPA
FULL APPLICATION DESCRIPTION:	Installation and operation of a ground mounted photovoltaic solar farm, inclusive of solar arrays, transformers, substation, landscaping, fencing, internal access tracks, access, CCTV and other associated works
NAME OF APPLICANT:	Aura Power Developments Ltd
ADDRESS:	Land At Croup Hill South Of Beaconsyde Farm, Broadoaks, Murton, SR7 9SF
ELECTORAL DIVISION:	Murton
CASE OFFICER:	Chris Shields Senior Planning Officer 03000 261394 chris.shields@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site

1. The site of the proposed solar farm occupies an area of 52 hectares (ha) comprised of a series of agricultural fields, with some hedges and vegetation present adjacent to the site boundaries. The site is located to the north of the former Hawthorn Colliery site. To the south are the existing substations and the capped mine shaft. Overhead power lines cross the site in several places.
2. The site would either be accessed from the A182 in South Hetton via an existing access track, or from Jade Business Park using the service road associated with the existing electrical substations.
3. The site does not lie in an area covered by any national or local landscape designations. An Area of Higher Landscape Value (AHLV) is located approximately 900m to the west of the site.
4. Two Sites of Special Scientific Interest (SSSIs) lie in close proximity of the development site with Hesledon Moor East lying approximately 900m to the east and Hesledon Moor West being located approximately 370m to the south. There are Local Wildlife Sites at Coop House Wood approximately 650m to the south, South Murton Marsh is approximately 600m to the east, Hesledon Moor East approximately 847m to the east and Hesledon Moor West approximately 470m to the south. More distant the Durham Coast SSSI and Durham Coast Special Areas of Conservation (SAC) lie some 4.8km to the east. Some 5.25km to the north east is the Northumbrian Coast Special Protection Area. Durham Heritage Coast lies 4.79km at its closest point to the east of the proposed site.

5. The site is located entirely within Flood Zone 1, within Groundwater Protection Zone 3 and within a major Groundwater Vulnerability area. The site is also entirely within a Coalfield Low Risk Development area. Patches of the site are designated as Mineral Safeguarding Areas for glacial sand and gravel.
6. There are no designated heritage assets within the solar farm application boundary. The Grade II Listed East Farmhouse, Grade II Listed Stable and Attached Byres and Grade II Listed Granary and Meal House and Grade II Listed War Memorial are all located approximately 500m to the north in Murton. The Grade II Listed Church of the Holy Trinity is located approximately 550m to the north east, also in Murton. Hawthorn Conservation Area is located approximately 2.8km to the east of the site. Easington Conservation Area is some 3.35km to the south east and Seaham Conservation Area approximately 4.5km to the north east, both containing a number of Grade II listed buildings
7. Within the site are a number of public rights of way. Footpath No. 9 (Murton Parish) passes through the site from west to east where it joins Footpath No. 11 (Murton Parish), which has a broadly north to south alignment with a 'dogleg' where it wraps around field boundaries in the approximate middle of the site. Footpath No. 11 continues south the perimeter of the site where it travels east to join Footpath No.26 (Murton Parish), which continues east and Footpath No.13 (Murton Parish), which heads north towards Murton. To the north of the site is Footpath No. 8 (Murton Parish) which connects Footpath No. 11 with Bridleway No. 7 (Murton Parish) to the west. The proposed access route through South Hetton is shared with Bridleway No. 26 (Murton Parish).
8. The nearest residential properties are located at Windsor Drive in Easington Lane approximately 175m to the south west, and Clarence Gate in South Hetton approximately 190m to the south. To the north in Murton the closest properties would be approximately 260m distant at Winds Lonnen Estate, Melrose Avenue and Beaconsyde Farm.

Proposal

9. The proposed development comprises solar panels arranged into linear arrays facing to the south. The solar panels would be composed of photovoltaic cells designed to maximise the absorbency of the sun's rays and to minimise solar glare. The development would comprise of approximately 93,132 solar panels with a maximum capacity of up to 49.9MW, together with 15 localised transformers and a grid connection will be made by direct connection to the Hawthorn Pit substation which adjoins the site
10. The solar panels would be fitted on metal framework to form arrays with a maximum height of 2.7m with 22 inverters and 22 transformers spaced around the adjoining the internal access roads. Within the southern part of the site, adjacent to the existing Electricity Distribution 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.
11. The solar panels would be set back from the site boundaries to allow for perimeter security fencing, CCTV coverage and maintenance access. A corridor would be created around Footpath No's.9 and 11 (Murton Parish) to ensure that it would remain accessible. 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 2.7 metres above ground level, with the lower edge of the solar panel elevated to 0.7 metres off ground level.

12. 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 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 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.
13. There are currently two options for accessing the site. The first, and preferred option, is to enter the service road associated with electrical substations from Jade Business Park, which in turn connects directly to the A19. However, access through Jade Business Park is restricted and may not be available to the developer. Therefore, the second option is route traffic to the site along a private track from Front Street (A182) in South Hetton at Logan Terrace towards Croup Hill at the Old Station Hotel.
14. The construction phase of the development would create up to 100 full time equivalent (FTE) on site jobs and a further 135 indirect and induced FTE jobs from the supply chain and related services. The construction phase of the development would last for approximately 12 to 18 weeks. Working hours for construction are proposed to be 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays. There would be no work undertaken on Sundays or Bank Holidays.
15. The solar PV installation would result in a reduction in carbon emissions associated with energy generation equating to approximately 15,203 tonnes of CO₂ per annum. The proposed solar PV installation of up to 49.9MW is the equivalent to providing for the energy needs of approximately 17,305 homes within the UK. The development would occupy the site for a temporary period of 35 years, after which the equipment would be removed and the land reinstated.
16. The application is being reported to Planning Committee as it is a major development with a site area greater than 1 hectare

PLANNING HISTORY

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

PLANNING POLICY

NATIONAL POLICY

18. 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.

19. 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.
20. *NPPF - 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.
21. *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.
22. *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.
23. *NPPF - Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
24. *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.
25. *NPPF - 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, site 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.
26. *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>

27. 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>

28. 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)

29. *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.
30. *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.
31. *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.

32. *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.
33. *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.
34. *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.
35. *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.
36. *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.
37. *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.
38. *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.

39. *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.
40. *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.
41. *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.
42. *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.
43. *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.

NEIGHBOURHOOD PLAN:

44. 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)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

45. *Murton Parish Council* – has objected to the development. It is stated that green energy schemes are supported when sited in the appropriate location. The Parish Council has raised issues in respect of the size of the development, risks associated with battery storage, fire risk, impacts to rights of way, development in the greenbelt, impact to agricultural land and food production and a preference for this type of development to be located on brownfield sites.
46. *Highway Authority* – has raised no objections to the proposals. Officers have commented on the condition of the proposed access track and note that the route also serves a bridleway, public footpath and part of National Cycle Network Route 1. Notwithstanding this, the route is considered to be acceptable. Conditions are requested to improve the condition of the proposed access route, for a road condition survey to be carried out on the A182 road between the junction of the access track and the A19 with provisions within the condition survey for road repairs to be carried out if any deterioration in the condition of the highway is due to the development.
47. *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. Officers also provided general advice in respect of protected species, agricultural land and other natural environment issues.
48. *Lead Local Flood Authority (Drainage and Coastal Protection)* – has raised no objections in relation to the proposed solar farm. Officers have provided standard guidance that applications conform with.

INTERNAL CONSULTEE RESPONSES:

49. *Spatial Policy* – has raised no objections to the proposed solar farm. Officers identify 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. Officers consider that the 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.
50. *Landscape* – Officers have not specifically objected to the proposals but have stated that the development would cause some harm to the character, quality and distinctiveness of the local landscape when compared to the existing baseline landscape and to views out from neighbouring settlements and vantage points. It is unlikely that this harm could be reduced other than through design changes. Officers have stated that the proposals would conflict with CDP Policies 10 and 39 unless the benefits of the development are considered to outweigh the harm.
51. *Archaeology* – has raised no objections to the proposals. An initial phase of trial trenching was carried out and showed there to be archaeological remains of probable Regional significance, comprising of enclosures of Iron age and Romano-British date as well as a Roman Road. Other undated features were identified, and their significance is therefore unknown. Officers have agreed that the remaining trial

trenching works could be carried out prior to commencement of the development and conditions are recommended to secure this.

52. *Design and Conservation* – has raised no objections to the proposals. Officers have commented that the submitted heritage statement correctly identifies that there are no known heritage assets within the application site. It accurately identifies those assets beyond the site boundary, the setting of which may be affected. The conclusion that there will be no harmful impacts to built cultural heritage is accepted and reflects the opinion given at the pre application stage.
53. *Ecology* – has raised no objections to the proposals. Officers initially requested that the application be supported by a Biodiversity Management Plan, which was subsequently submitted. Ecology officers were satisfied with the content of the biodiversity management plan, subject to it being secured by legal agreement.
54. *Low Carbon Economy* – has supported the application. Officers have stated that the UK needs to increase its percentage of renewable energy installations and this development will help to achieve the medium term ambitions of a decarbonised electricity grid, helping to reduce reliance on foreign imports of oil and gas.
55. *Environmental, Health and Consumer Protection (Contaminated Land)* – has raised no objections in relation to the proposed solar farm.
56. *Environmental, Health and Consumer Protection (Air Quality)* – has raised no objections to the proposals. Officers have confirmed that the development would not lead to an adverse impact on air quality.
57. *Environment, Health and Consumer Protection (Nuisance Action)* – has raised no objections to the proposals. Officers have considered the submitted information in relation to noise and glint and glare and found this to be acceptable. The submission of a Construction Management Plan is noted, and a request is made that this is secured by condition. Further, a condition is recommended to restrict daytime and night time noise from the development at the nearest residential receptor.
58. *Public Rights of Way* - Officers note that all existing public rights of way would be retained on the current routes and that traffic control and signage would be in place to protect users of footpath 10 during the construction period. However, officers have stated that they are aware of several Bridleway Definitive Map Modification Order applications within the site. They have stated that the applicant may wish to incorporate the alleged bridleway routes within their site design. The applicant has considered this issue and resolved to allow a broad corridor for Footpath No. 11, in the event that it is redesignated as a bridleway in the future.

PUBLIC RESPONSES:

59. 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 507 neighbouring properties. A total of 75 letters of objection and 3 letters of support have been received in response to the consultation.

Objection

60. Nearly all objections to the development raise impact to landscape as the main issue. This is both from views from residential properties and from public rights of way within and around the site. It is also stated that the value of rights of way would be diminished

due to them being enclosed by fences with this impacting on perceived feeling of safety.

61. Issues are raised in respect of harm to biodiversity on and around the site, particularly birds with a suggestion that some birds may collide with the panels. It has been suggested that biodiversity value of the site would take many years to recover.
62. The loss of farmland for food production has been raised and objectors have stated that the UK is not self sufficient in terms of food and that this should be prioritised.
63. In respect of residential amenity, it has been stated that the development would be noisy both during construction and in operation and that residents would be exposed to glare once the site is operational. Residents are also concerned about safety risks from electrical equipment and the potential for fire, explosion and toxic fumes. It has been requested that if the development is permitted that noise limits be restricted.
64. Objectors have raised the concerns about the inefficiency of solar panels and have stated that better alternatives are available. It is suggested that coastal sites and brownfield sites would be preferable, along with installing panels on factory roofs. It is also suggested that wind turbines away from the general public and residential areas would be preferable.
65. Concerns have been raised regarding water runoff from the site.
66. Several objectors have raised concerns about the safe operation of battery storage on the site.
67. Impact to house prices has been raised as an issue and queries have been made about compensation if houses devalue as a result of the development.
68. It has been stated by many objectors that the development is to be located in the greenbelt and that alternative sites away from residential properties, or brownfield sites should be used instead.
69. It has been stated that the proposed community fund is insufficient.
70. A concern has been raised about electromagnetic radiation and the potential for 'arc flash' from solar panels.
71. *Murton Residents Action Group* – has objected to the development. Residents have provided a detailed document setting out their objections with key issues being topography of the site, distance to grid connection, impact to landscape and local amenity, loss of agricultural land, ecological impact, water runoff, wind acceleration and wind noise, risks associated with battery storage and risks associated with solar panel 'arc flash'
72. *Cllr Julie Griffiths* – has objected to the development due to the scale, location, proximity to housing and visual impact to landscape and rights of way.
73. *Cllr Robert Adcock-Forster* – has objected to the development due to the scale, landscape impact, proximity to residential properties and impact to wildlife.

Support

74. Given the climate emergency it is considered that the negative effects of a solar farm would have to be immense to outweigh the benefits.

75. The development would boost the generation of low carbon electricity with little or no effect on the area and will bring a number of other positive impacts including increased biodiversity and retention of agricultural use.

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=QLH3JWGDKE00&documentOrdering.orderBy=documentType&documentOrdering.orderDirection=ascending>

APPLICANTS STATEMENT:

76. Hawthorn Pit solar farm will provide extensive local and national benefits; the scheme has been carefully designed and amended in response to local feedback; it complies fully with local and national planning policy and has no outstanding objections from any statutory consultees.
77. The project is located immediately north of Hawthorn Pit substation where it will connect to the National Grid. It will provide enough clean energy to power the equivalent of over 17,000 homes and save 15,000 tonnes of CO₂ annually. Extensive landscaping will protect and enhance the natural environment, with a Biodiversity Net Gain of 119% for habitats and 235% for hedgerows.
78. Following substantial consultation with the community, Aura Power removed 40 acres of panels from the original design, increasing the minimum distance between the panels and the closest property at Murton to 450m. Tree belts were added, including the agreement to provide fast-growing species to improve screening for a more immediate effect.
79. All footpaths in and around the site will be retained with new styles installed to prevent access by illegal motorcycles and improve safety for walkers.
80. The solar farm will not result in the loss of high quality agricultural land. The land is all Grade 3b, the proposed development therefore avoids Best and Most Versatile land, in line with planning guidance. The total area represents a small proportion of the landowner's overall land holding, allowing the family to continue farming and contributing to a successful and sustainable rural economy and diversification of their business. Indeed, the solar farm would use only 0.03% of County Durham's total agricultural land. Furthermore, the land could still be used for agricultural purposes through sheep grazing.
81. The footprint of the solar arrays is relatively small, allowing grassland and wildflowers to be established across the site, with plots for skylarks and lapwings. At the end of the project life, the land will be completely restored to its former agricultural use and the panels reused or recycled.
82. The project provides a number of local economic benefits. Over £90,000 in business rates will go to Durham County Council each year. Jobs will be created during construction, for ongoing maintenance and land management, prioritising local suppliers. Aura is also in discussions with a large local business, regarding a potential electricity supply agreement to directly reduce energy costs.
83. Whilst not a material planning consideration, it should be noted that Aura is proposing a community benefit fund of £17,500 a year, index-linked, for the 35-year life of the solar farm. Over £600,000 will therefore go back into the local community, a proportion

of which is proposed to be spent on funding an education programme, and other community initiatives.

84. Solar energy is subsidy-free and very low cost form of energy production, which helps bring down prices for everyone, contributing to the UK's energy security. The UK Government aims to completely decarbonise the electricity grid by 2035 with a seven-fold increase in solar.
85. Durham County Council has declared a Climate Emergency pledging to reduce carbon emissions by 60% by 2030 and be carbon neutral by 2050. This solar farm will make a significant contribution to these local and national targets. We hope members will approve this application.

PLANNING CONSIDERATIONS AND ASSESSMENT

86. 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, safeguarded areas, other matters and public sector equality duty.

Principle of Development

87. 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) is 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.
88. 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.

89. In light of the adoption of the CDP, the Council now has an up to date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay (Paragraph 11 c). Accordingly, Paragraph 11(d) of the NPPF is not engaged.

Key policies for determination

90. The key policy for the determination of this application 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.
91. 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 54 (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 the development could be allowed for by specific policies in the plan (CDP Policy 33). The development therefore does not have to demonstrate an exception to CDP Policy, but the acceptability criteria are engaged.
92. CDP Policy 10 states that new development in the countryside must not give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for, result in the merging or coalescence of neighbouring settlements, contribute to ribbon development, impact adversely upon the setting, townscape qualities, including important vistas, or form of a settlement which cannot be adequately mitigated or compensated for, be solely reliant upon, or in the case of an existing use, significantly intensify accessibility by unsustainable modes of transport. New development in countryside locations that is not well served by public transport must exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport, be prejudicial to highway, water or railway safety, and impact adversely upon residential or general amenity. Development must also minimise vulnerability and provide resilience to impacts arising from climate change, including but not limited to, flooding; and where applicable, maximise the effective use of previously developed (brownfield) land providing it is not of high environmental value.
93. The potential impacts of the development will be considered in the sections below.
94. 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.

95. It should be noted that the CDP has identified areas suitable for wind turbine development but not for solar.
96. 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.

Landscape

97. 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.
98. CDP Policy 10 states that development in the countryside must not give rise to unacceptable harm intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for and must not result in the merging or coalescence of neighbouring settlements.
99. 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.
100. 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.
101. The proposed site is not designated as part of the Area of Higher Landscape Value (AHLV), but comprises attractive rural countryside, which currently separates the settlements of Murton to the north and South Hetton to the south-west. The development would comprise solar array panels and infrastructure. Accommodation of the proposed apparatus and infrastructure would involve removal of sections of hedgerow for gates and the construction of new access tracks, which would remove areas of agricultural field and trees.
102. The development would introduce a mass of panels which would transform the rural character of the landscape to a solar farm landscape, with a 'high-tech' industrial character. Landscape effects would be high during the operational period and given

the size of the development would be significant and adverse at site level and within the surrounding immediate area. It should be noted that improvements to landscape character by the introduction of hedgerow planting and new habitats have the potential to reduce landscape effects during the operational period.

103. However, given that the baseline landscape comprises rural countryside, there would inevitably be a fundamental and transformative change in landscape character which would bring about harm to the local landscape during the operational phase. Following decommissioning after the 35 year long operational period, the landscape within the site would be uncovered to reveal the former rural character of the original site with enhanced hedgerows and reinstated agricultural fields.
104. It is acknowledged that the northern extent of solar array panels has been set further back from residential properties in Murton than shown in earlier design iterations. However, from the higher vantage points such as locations along the edge of Murton to the north and from the high vantage point near Dalton Park to the east of the site, parts of the development would always be visible due to variations in topography. While there are locations in the study area from where the development would not be visible, where visible the proposed development alone would bring about harmful significant and adverse visual effects during the operational period. The addition of the solar farm to the visual presence of existing development already evident in baseline views would also be harmful to visual amenity.
105. Receptors close to the site on rights of way including routes which pass through the site and on a section of National Cycle Route 1 would see the proposed panels and apparatus at close range. Suggested landscape mitigation would take approximately between 7 to 10 years to successfully provide appropriate visual screening and filtering and during this period significant and adverse visual effects would be experienced.
106. The development would be visible from the edge of South Hetton looking east and would also be visible from the street and from residences in Clarence Gate. Visibility of the development from these locations and others on the edge of South Hetton is acknowledged and is likely to have a significant effect on visual amenity for those residents during the first 10 years post completion.
107. Given the undulating nature of this landscape, it would not be possible to hide the entire development from view with landscape mitigation and there would be harm to visual amenity at a local level.
108. Nearly all public objections to the development raise impact to landscape as the main issue. This is both from views from residential properties and from public rights of way within and around the site.
109. The proposals would cause some harm to the intrinsic character and beauty of the countryside. Whilst the proposals incorporate measures which would mitigate the harm to some degree in the medium term there would be short term harm to some residential and recreational users while mitigation planting establishes. The development would remain visible from some viewpoints in the longer term but the impact would be partly mitigated by planting. It is therefore considered that there would be limited but not unacceptable harm to the intrinsic character and beauty of the countryside, in accordance with CDP Policy 10.
110. It is noted that Landscape officers consider the proposals would cause unacceptable harm to the character and quality of the landscape, however, it is considered that this harm would reduce over time. To assist in mitigating this harm the applicant has proposed additional woodland planting and the protection and enhancement of

hedgerows within the development site in accordance with the requirements of CDP Policy 40. Notwithstanding this, it is considered that the proposal would be in conflict with CDP Policy 39 and Part 15 of the NPPF.

Access and Traffic

111. 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.
112. There are currently two options for accessing the site. The first, and preferred option, is to enter the service road associated with electrical substations from Jade Business Park, which in turn connects directly to the A19. However, access through Jade Business Park is restricted and may not be available to the developer. Therefore, the second option is route traffic to the site along a private track from Front Street (A182) in South Hetton at Logan Terrace towards Croup Hill at the Old Station Hotel.
113. An Outline Transport Management Plan has been submitted in support of the solar farm application. The management plan has identified that the construction period for the development would be approximately 12 to 18 weeks with a typical maximum number of HGV deliveries being 92 per day (92 in and 92 out), however, the average number of daily vehicle movements would be significantly less. There would be a total of approximately 1801 deliveries to the site during the 12 – 18 week 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.
114. Highways officers have considered the proposal and find the access arrangements for both the construction and operational periods to be acceptable. Officers have requested conditions to improve the condition of the proposed access route, for a road condition survey to be carried out on the A182 road between the junction of the access track and the A19 with provisions within the condition survey for road repairs to be carried out if any deterioration in the condition of the highway is due to the development. Construction Management Plan be secured by condition.
115. Whilst the proposed solar farm would generate a degree of construction traffic for the 12 – 18 week construction period it would be 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 subject to appropriate conditions. It is considered that the proposals have been appropriately assessed 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 the development would not conflict with CDP Policy 21 and Part 9 of the NPPF.

Residential Amenity

116. 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).

117. 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. CDP Policy 10 states that new development in the countryside must not impact adversely upon residential or general amenity.
118. The nearest residential properties are located at Windsor Drive in Easington Lane approximately 175m to the south west, and Clarence Gate in South Hetton approximately 190m to the south. To the north in Murton the closest properties would be approximately 260m distant at Winds Lonnen Estate, Melrose Avenue and Beaconsyde Farm.
119. Objectors to the proposal have stated that the development would be noisy both during construction and in operation and that residents would be exposed to glare once the site is operational. Residents are also concerned about safety risks from electrical equipment and the potential for fire, explosion and toxic fumes. It has been requested that if the development is permitted that noise limits be restricted.
120. A Glint and Glare Assessment has been submitted in support of the application. This provides background information for the review of legislation, assessment methodology including identification of receptors, baseline conditions and an impact assessment. The assessment identified where there was potentially an impact to 14 residential properties but due to intervening topography and existing screening there would be no requirement for additional mitigation. No significant impacts in respect of glint and glare are predicted in respect of roads and aviation activity from Shotton Airfield.
121. 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. Notwithstanding this, the additional planting to the north of the site would reduce the visual impact for residents of Murton. Whilst the development would have a transformative impact the site would still retain green space and additional planting is proposed to lessen the visual impact. Given the existing and

proposed screening and set back from residential properties it is considered that the visual impact of the site in terms of amenity would not be unacceptable.

122. 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 glint and glare. Officers have, however, requested a condition to limit noise levels at the nearest residential receptors both during construction and operation. In accordance with standard practice, it is proposed that through condition a Construction Management Plan is submitted to ensure that dust, noise, access, routing and community liaison amongst other matters.
123. It is considered that the proposed development 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 10 and 31 and Part 15 of the NPPF.

Contamination

124. 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.
125. Environmental Health and Consumer Protection officers have considered the proposals and raise no objections in respect of land contamination. No conditions have been requested but an informative has been recommended to provide advice the applicant in the event that contamination is noted during construction works.
126. It is considered that the proposed development would be suitable for the proposed use and would not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities and it is considered that the proposals would provide an acceptable standard of residential amenity in accordance with CDP Policies 32 and Part 15 of the NPPF.

Flooding and Drainage

127. 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.

128. Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment it can be demonstrated that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate, and any residual risk can be safely managed.
129. 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. CDP Policy 10 states that new development in the countryside must minimise vulnerability and provide resilience to impacts arising from climate change, including but not limited to, flooding.
130. The application is accompanied by a flood risk assessment (FRA) and outline drainage strategy which identifies that the application site is located entirely within Flood Zone 1. There are no watercourses within or adjacent to the site. The drainage strategy recommends that any vegetation removal during the construction phase is replaced on site as soon as possible to promote natural infiltration, in line with the literature surrounding solar farm hydrology. In this case, the solar farm is not anticipated to lead to a significant increase in surface water run-off rates. As a precautionary measure, swales are proposed to store a nominal volume of run-off at key locations. The site has been split into three drainage zones which have been treated separately in terms of runoff volumes and sustainable drainage to reflect the topography of the site. It is proposed to utilise swales within 2 zones of the site to capture some of the surface water volume. Stepped swales should be used where required based upon the ground topography.
131. Objectors to the proposal have raised concerns about additional water run off from the solar panels.
132. 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 application. 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 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 Policies 10 and 35 and Part 14 of the NPPF.

Ecology

133. 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.

134. 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 in order to determine whether a licence is likely to be granted. 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.
135. An Ecological Impact Assessment has been provided with the application. The assessment provides a baseline study of the site including the proximity of designated sites, habitats and constraints within the site and includes a Phase 1 habitat survey. The potential impacts to protected species has been considered, including birds, bats, badger, otter, water vole, amphibians and reptiles.
136. The assessment states that no suitable features for roosting bats were present within the footprint of the proposed solar PV array. Bats were recorded foraging and commuting within the site, utilising linear features and boundaries, which would not be impacted by the development. No badgers were recorded in the vicinity of the site. Perimeter fences would have mammal gaps to allow for access and egress by badger and other mammal species, should they inhabit the site in future. Two hares are expected to be displaced in the short term but long term benefits from the development are expected for this species. No evidence of riparian mammals including water vole and otter was observed during the initial walkover, and they are considered likely absent due to the introduction of American Mink in the area. Despite this, the habitats with potential to support these species would be retained and a minimum 10m buffer zone included to avoid unnecessary disturbance to damage to suitable habitats.
137. The impact to Great Crested Newt is expected to be negligible; eDNA testing of ponds within 500m concluded likely absence in most cases, with some ponds also not holding enough water to sample. Only one pond was unable to be accessed which is approximately 450m from the nearest area of proposed solar arrays.
138. The Ecological Assessment makes recommendations for avoidance of harm, mitigation measures, compensation in the form skylark and lapwing plots and agreement to a 40 year biodiversity management plan that would be secured by legal agreement.
139. The proposed development would deliver significant biodiversity net gains in the form of habitat (124.23% increase) and hedgerow (136.83%), demonstrating accordance with CDP Policy 41 in terms of net gain.
140. Objectors to the proposal have raised concerns in respect of harm to biodiversity on and around the site, particularly in relation to birds with a suggestion that some birds may collide with the panels. It has been suggested that the biodiversity value of the site would take many years to recover if the development was carried out.

141. Ecology officers have considered the proposals and raised no objections subject to appropriate long term management of the site. 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 35 year timescale of the solar farm development and a Section 39 is more suited to ensuring long term management. Natural England has raised no objections to the proposed development.
142. 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 or species and that a protected species licence would not be required. Suitable mitigation would be secured through Section 39 agreement. It is therefore considered that the proposals would not conflict with CDP Policies 25, 41 and 43 and Part 15 of the NPPF in respect of avoiding and mitigating harm to biodiversity.

Recreational Amenity

143. 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.
144. There are a number of public rights of way within the site boundary. Footpath No. 9 (Murton Parish) passes through the site from west to east where it joins Footpath No. 11 (Murton Parish), which has a broadly north to south alignment with a 'dogleg' where it wraps around field boundaries in the approximate middle of the site. Footpath No. 11 continues south the perimeter of the site where it travels east to join Footpath No.26 (Murton Parish), which continues east and Footpath No.13 (Murton Parish), which heads north towards Murton. To the north of the site is Footpath No. 8 (Murton Parish) which connects Footpath No. 11 with Bridleway No. 7 (Murton Parish) to the west. The proposed access route through South Hetton is shared with Bridleway No. 26 (Murton Parish).
145. Objectors have stated that the value of rights of way would be diminished due to them being enclosed by fences with this impacting on perceived feeling of safety.
146. Access and Rights of Way officers note that all existing public rights of way would be retained on the current routes and that traffic control and signage would be in place to protect users of Footpath No. 10 (Murton Parish) during the construction period. During the operational period of the development the site would not routine access by large vehicles and the existing access track can accommodate light vehicles without harm to footpath users. However, officers have stated that they are aware of several Bridleway Definitive Map Modification Order applications within the site. They have stated that the applicant may wish to incorporate the alleged bridleway routes within

their site design. The applicant has considered this issue and resolved to allow a broad corridor for Footpath No. 11 (Murton Parish), in the event that it is redesignated as a bridleway in the future.

147. Subject to the submitted landscaping plan being implemented it is considered that the proposed development would not result in the loss of deterioration in quality of existing public rights of way in accordance with CDP Policy 26 and Part 8 of the NPPF.

Cultural Heritage

148. 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.
149. 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.
150. A Heritage Statement has been submitted in support of the application. This assessment provides baseline information including a description of the site and development, methodology and consideration of potential archaeological remains and designated heritage assets. The assessment concludes that there are no recorded heritage assets within the site boundary and, due to the location of the development, topography and screening it is considered that the development would not result in any harm to the significance of any designated heritage assets.
151. The Heritage Statement does state however, that the site is likely to have a high potential for archaeological remains of prehistoric and Roman date of medium (regional) importance in the western half of the PDA. There is also a high potential for archaeological remains of Post-medieval date in the immediate vicinity of the site of Murton Moor East Farm farmstead of low (local) importance. Elsewhere the archaeological potential of the PDA is considered negligible for all periods. A subsequent geophysical survey and targeted trial trenching have confirmed these assertions.
152. Design and Conservation officers have considered the proposal and heritage assessments and agree with the conclusions that the development would have no harm to the significance of designated heritage assets. Officers have commented that the submitted heritage statement correctly identifies that there are no known heritage assets within the application site. It accurately identifies those assets beyond the site boundary, the setting of which may be affected. The conclusion that there will be no harmful impacts to built cultural heritage is accepted.

153. Archaeology officers have raised no objections to the proposals. An initial phase of trial trenching was carried out and showed there to be archaeological remains of probable Regional significance, comprising of enclosures of Iron age and Romano-British date as well as a Roman Road. Other undated features were identified, and their significance is therefore unknown. Officers have agreed that the remaining trial trenching works could be carried out prior to commencement of the development and conditions are recommended to secure this.
154. Subject to the imposition of conditions requiring further trial trenching and evaluation it is considered that the proposed solar farm would not conflict with CDP Policy 44 and would cause no harm to heritage assets in accordance with Part 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Agricultural Land

155. 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 (BMV) 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.
156. The proposed solar farm development would occupy approximately 52 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. It is noted that the study area included land that has been classified as being Grade 2 but the development has avoided using any of this land. The site is therefore not comprised of best and most versatile land.
157. Objectors to the proposal have raised concerns regarding the loss of farmland for food production and have stated that the UK is not self sufficient in terms of food and that this should be prioritised to avoid requiring additional importation.
158. Natural England have considered the application and raised no objections. Officers raised some queries regarding the methodology but considered that it would not be necessary to request further survey work as the conclusions were accurate. Notwithstanding this, the applicant has addressed Natural England's concerns through the submission of a revised document with corrected climatic data, appendices and textural analysis.
159. Natural England has commented that the proposed development is unlikely to lead to significant permanent loss of BMV agricultural land as a resource for future generations. This is because a) the land comprises ALC Subgrade 3b and b) the solar panels would be secured to the ground by posts with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. Conditions have been recommended to ensure that soils resources are protected during construction and restoration. This would be encapsulated within the Construction Management Plan and post-development restoration conditions.
160. Although the development would temporarily remove a significant portion of land from arable use it would still be available for low intensity grazing. The development would also be fully reversible if the land were to be required for food production during the operational period. The proposed solar farm would not conflict with CDP Policy 14 or Part 15 of the NPPF in this respect.

Cumulative Impact

161. 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.
162. The application site is currently comprised of agricultural fields, interspersed with public rights of way. On the periphery of the site are electrical substations and in the wider context there are the settlements of Murton and South Hetton. To the south east of the site is an area of land that was formerly occupied by Hawthorn Colliery, although all that remains is the capped mine shaft. The colliery site was reclaimed and designated for employment uses. Significant development has occurred in recent years with the development of Phase 1 of the Jade Business Park. Phase 2 of the Jade Business Park is currently being considered (DM/21/02901/OUT). In addition, applications are also being considered from National Grid for a replacement substation and converter station as part of the Scotland England Green Link (SEGL1) (DM/22/01663/OUT) and for a separate battery storage development (DM/22/00747/FPA).
163. The proposed solar development would cumulatively add to the amount of energy infrastructure in the surrounding area which could lead to potentially significant cumulative effects arising from the existing substations, but also current application for battery storage units and SEGL1. The level of cumulative impact and overall perceptions of the change in the character of the landscape has the potential to be notable especially in the short-medium term until any landscape proposals became established, although there is likely to be residual harm. These effects are likely to be most noticeable from residential properties on the south western edge of Murton and users of public rights of way within and to the north of the application site where would be some inter-visibility and/or sequential views of these developments. Notwithstanding this, the planning applications for the three developments noted in the paragraph above have not yet been determined.
164. As described above, the proposed development would be viewed in the context of other energy developments and large scale commercial developments. However, the proposed solar panels would be of a modest height themselves and the associated screening would bring benefits to the site, as well as limiting intervisibility between developments. 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

165. 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.

166. Small sections of the site are located on areas that have been designated as Mineral Safeguarding Areas for sand and gravel. However, as the solar farm is time limited for a period of 35 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.
167. Objectors have suggested that the site is in the Green Belt but this is not the case and the nearest part of the Green Belt is located approximately 800m to the north of the site. It is suggested that coastal sites and brownfield sites would be preferable, along with installing panels on factory roofs. It is also suggested that wind turbines away from the general public and residential areas would be also be preferable. Applicants are welcome to select previously developed land for solar development but there is no policy requirement to do so.
168. Objectors have raised the concerns about the inefficiency of solar panels and have stated that better alternatives are available. Solar is an established part of renewable energy production and whilst there are recognised limitations (day length / light intensity) this is no different from any other type of energy generation.
169. Objectors have stated that the proposal would have a negative impact on property values. Property values are affected by many factors and cannot be taken into account as a material consideration in the determination of a planning application.
170. Concerns have been raised regarding the safety of battery storage on the site and the potential risks of fire and explosion associated. There is no battery storage element to this scheme and therefore there is no associated risk to be considered.
171. Objectors have noted that a community fund has been offered as part of the development and have stated that this is insufficient. The proposed community fund does not form part of the planning application and is not a material consideration.
172. The potential impact of electromagnetic radiation has been raised as a concern and also the safety risks associated with 'arc flash' from the solar panels. Electromagnetic radiation naturally exists within everyday life. The risk is not increased by the development of an electricity generating plant such as the proposed solar farm. Notwithstanding this, the proposed development would be constructed in complete accordance with British Standards. Furthermore, the entirety of the solar farm and grid connection would be in private operation with no access to members of the public. On this basis, it can be concluded that the proposed development would not cause any dangers or concerns to the public in relation to Electromagnetic Radiation.
173. In respect of 'arc flash' the proposed solar farm would have modern, enclosed, high fault rated electrical components. It would be a new, electrically robust installation designed to meet and exceed current Electrical Safety Standards, Regulations, and the Distribution Network Operator's safety standards. It is therefore considered that the risks of electromagnetic radiation are controlled and not likely to cause harm to members of the public.

Public Sector Equality Duty

174. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of

opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.

175. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

CONCLUSION

176. Although there would be unacceptable landscape harm in conflict with CDP Policies 10 and 39 it is considered that the benefits of the proposal outweigh this harm. The proposed solar farm development would provide a significant renewable energy source using solar power sufficient to provide clean energy for up to 17,305 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. Officers consider that the proposed solar farm would accord with CDP Policy 33.
177. Although changes have been made to the proposed solar farm during the course of consideration of the application, it would still constitute development in the countryside resulting in landscape harm sufficient to conflict with CDP Policy 39. 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, and distant views the solar arrays would be seen as a developed feature within a semi-rural landscape that could not be mitigated by screening. All other material considerations have been taken into account in the determination of the solar farm application and found to be acceptable.
178. Whilst it is accepted that the proposed solar farm would have an impact to the landscape it is considered that the benefits of the development in terms of energy supply and security, support for renewable energy, biodiversity enhancement and job creation would outweigh that harm and planning permission should be granted.
179. The proposed development has generated some public interest, with letters of objection having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, environmental and economic benefits.
180. The solar farm proposal is considered to broadly accord with the relevant policies of the County Durham Plan and relevant sections of the NPPF.

RECOMMENDATION

181. That application no. DM/21/03420/FPA for the installation and operation of a ground mounted photovoltaic solar farm, inclusive of solar arrays, transformers, substation, landscaping, fencing, internal access tracks, access, CCTV and other associated works be **APPROVED** subject to the following conditions and completion of an agreement under Section 39 of The Wildlife and Countryside Act 1981 to secure biodiversity management for the life of the development:
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 35 years from the date of energisation of the Solar Farm to 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:

Site Location Plan (Drawing No. Figure 1);
Site Layout Plan (Drawing No. 0016.M4.001.0.Q);
Indicative Transformer (Drawing No. 0016.M4.014.1.A);
Customer Substation-Compound Layout Plan (Drawing No. Figure 5A);
Customer Substation-Compound Layout Elevation (Drawing No. Figure 5B);
Spare Parts Container (Drawing No. 0016.M4.021.3.A);
Typical Cable Trench Cross Section (Drawing No. 0016.E4.017.3.A);
Indicative CCTV (Drawing No. 0016.M4.018.4.B);
Maintenance Road – Cross Section (Drawing No. 0016.M4.018.4.B);
Site Entrance and Visibility Splays Overview (Drawing No. 2296.M4.038.0.0);
Indicative Hedge Gate (Drawing No. 9400.M2.037.1.0);
Gate and Deer Fence (Drawing No. 2259.M4.016.3.0); and
Indicative Footpath Measures (Drawing No. AP.13).

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, or controlling noise impacts during construction;

-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. Prior to the commencement of development a scheme shall be submitted to the Local Planning Authority for the improvement of the access track between South Hetton and the site, as shown on Drawing TMP Figure 1 'Indicative Route to Site' for approval in writing, unless an alternative access route is secured. The improvements to the access track shall be carried out prior to the first delivery of photovoltaic panels to the site.

Reason: In the interests of recreational amenity and highway safety in accordance with the County Durham Plan Policy 21 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.

7. Prior to the commencement of development a scheme for surveying the pre-commencement and post-completion condition of the route to the site shown on Drawing TMP Figure 1 'Indicative Route to Site' shall be submitted to the Local Planning Authority for approval in writing. Any remediation works required to repair damage caused by vehicles associated with the approved development shall be carried out within 12 months of the development being brought into use.

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

Framework. Required to be a pre-commencement condition and the details of the construction management statement must be agreed before works on site commence

8. 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 construction 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.

9. The development shall be carried out in accordance with the submitted flood risk assessment. The mitigation measures detailed with the flood risk assessment (i.e. implementation of swales) shall be fully implemented prior to commencement of operations of the 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.

10. 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.

11. The rating level of noise emitted from the solar farm on the site shall not exceed the modelled noise levels confirmed within the Ion Acoustics Noise Assessment for Planning, dated 27 September 2021. On written request by the planning authority the operator shall, within 28 days, produce a report to demonstrate adherence with the above rating level.

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.

12. 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 County Durham Plan Policy 39 and Part 15 of the National Planning Policy Framework. Required to be pre-commencement in order to assess the appearance of the development.

13. Prior to the commencement of development, a landscaping scheme shall be submitted for approval in writing. This scheme shall include provision for long term management

for trees within the site boundary. The approved landscaping scheme shall be implemented on site in the first planting season following the development being brought into use. Any tree or shrub which may die, be removed or become seriously damaged within a period of 5 years from the first implementation of the approved landscaping scheme shall be replaced in the first available planting season thereafter.

Reason: In order to provide landscape enhancement and screening for the development in accordance with Policy 39 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement in order to assess the appearance of the development.

14. 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 Written Scheme of Investigation.

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.

15. 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.

16. 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.

17. Prior to the operation of the development, designs of footpath infrastructure measures in accordance with the Indicative Footpath Measures (Drawing No. AP.13) drawing shall be submitted to and agreed in writing with the LPA. Within six months of the first operation of the solar farm, the agreed footpath measures will be implemented and retained for the lifetime of the development.

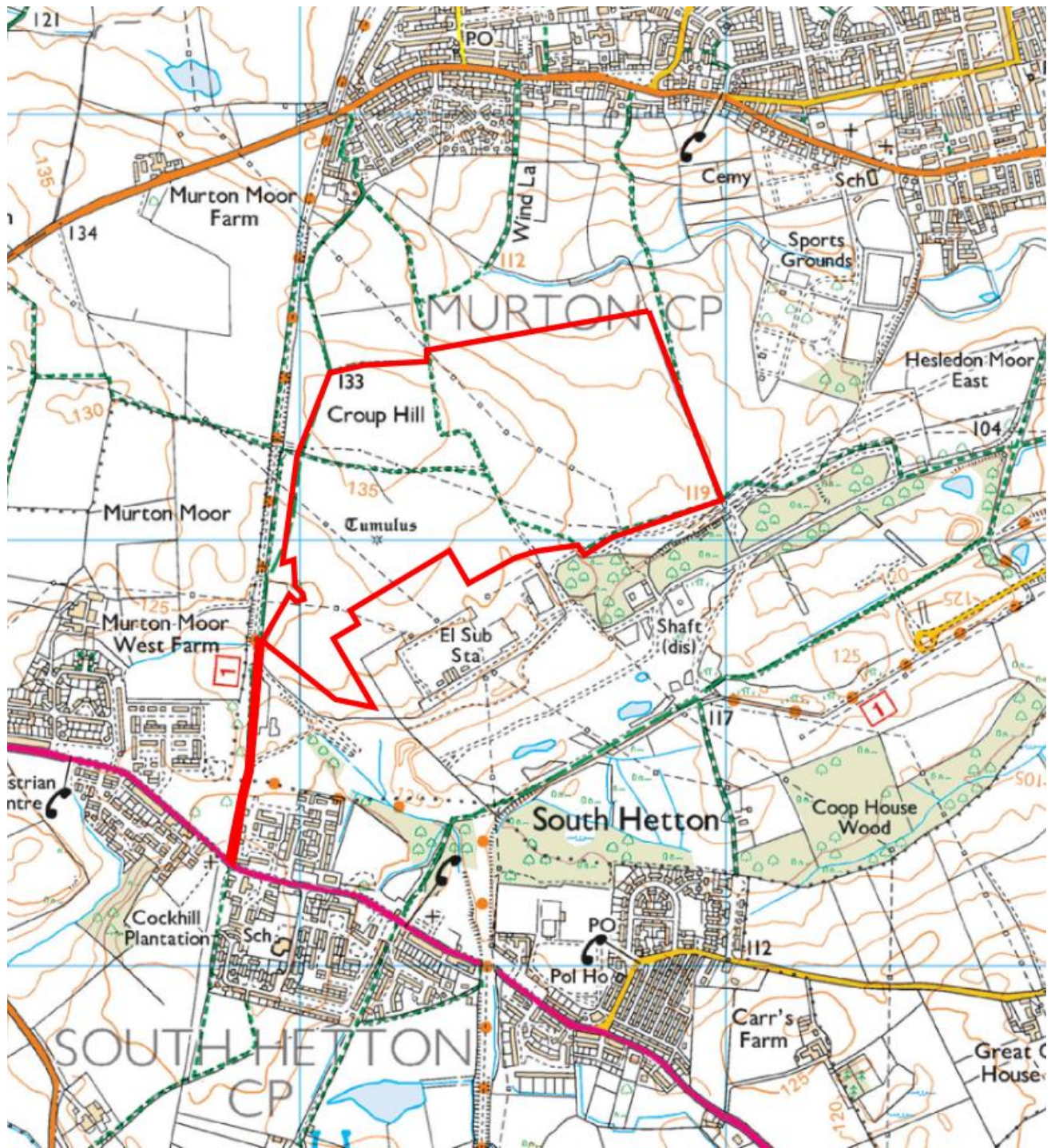
Reason: In order to provide landscape enhancement and screening for the development in accordance with Policies 35 and 39 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

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



Planning Services

DM/21/03420/FPA

Installation and operation of a ground mounted photovoltaic solar farm, inclusive of solar arrays, transformers, substation, landscaping, fencing, internal access tracks, access, CCTV and other associated works

Land At Croup Hill South Of Beaconsyde Farm, Broadoaks, Murton, SR7 9SF

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Comments

Date June 2022

Scale Not to Scale