
Appeal Decision

Inquiry Held on 13-16 & 20-22 December 2022

Site visit made on 22 December 2022

by Richard McCoy BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 February 2023

Appeal Ref: APP/H1705/W/22/3304561 Minchens Lane, Bramley, Hampshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Bramley Solar Ltd against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 20/03403/FUL, dated 30 November 2020, was refused by notice dated 21 April 2022.
 - The development proposed is the installation of renewable led energy generating station, comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements including a proposed Forest School, associated car parking and Nature Area.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of renewable led energy generating station, comprising ground-mounted photovoltaic solar arrays, battery-based electricity storage containers together with substation, inverter/ transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping biodiversity enhancements and Nature Area at Minchens Lane, Bramley, Hampshire in accordance with the terms of the application, Ref 20/03403/FUL, dated 30 November 2020, subject to the conditions set out in the attached annex.

Procedural matters

2. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2015, the application as made to the local planning authority (LPA) was an Environmental Impact Assessment (EIA) application, accompanied by an Environmental Statement (ES)¹. In accordance with Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMP), the application was publicised by display of a site notice, by way of notice in a newspaper circulating in the locality and by the publication of information on a website maintained by the LPA. The publicity and neighbour notification publicised both the original application submission and the subsequent notifiable amendment to the application (June 2021).

¹ Core Document 28

3. Further amendments to the application received in December 2021 proposed no new significant environmental impacts such that the original ES remained adequate to assess the significant effects of the development on the environment. The full ES, which comprises both the original and the addendums, was subject to formal consultation. The conclusions of the ES are noted and it is considered that the EIA process has been undertaken appropriately.
4. The Bramley Solar Farm Residents Group (BSFRG) was granted Rule 6(6) status under the provisions of the Inquiries Procedure Rules.
5. A virtual Case Management Conference (CMC) was held on 27 October 2022 to discuss arrangements for the Inquiry. The CMC was attended by the appellant, the Council and BSFRG.
6. At the CMC, the appellant confirmed that planning permission was being sought for, *the installation of renewable led energy generating station, comprising ground-mounted photovoltaic solar arrays, battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping biodiversity enhancements and Nature Area*, rather than the scheme as determined by the Council and set out in the Header above. To that end, it was requested that amended plans ref. Landscape and Ecology Enhancement Plan 7520_012_Rev K, Landscape Mitigation Plan 7520_014_Rev G, Planting Schedule (1 of 2) 7520_020 dated July 2022, Planting Schedule (2 of 2) 7520_021 dated July 2022, Landscape and Ecological Management Plan Version 2.3 August 2022 and Proposed Site Plan BF2.0 Revision 20 B, be substituted for the relevant plans originally submitted.
7. The substantive changes introduced by the amendments comprise a small reduction in the number of proposed solar panels to increase offset distances from public rights of way, bolstering of the planting to enhance screening, and re-purposing of the proposed Forest School to an enlarged nature area. The Council did not object to the revisions and advised that it considers that primary consideration should be given to the amended scheme as it has been consulted on and discussed at the Inquiry and is an improvement on the submitted proposal.
8. As noted above, at the time of submission to the LPA, the application proposal was subject to publication under the DMP. With regard to the revised proposal under this appeal, I heard that the appellant carried out a further consultation exercise comprising letters, site notices, a website hosting scheme details along with a copy being placed at the Council offices in August 2022. Comments were invited before 30 September 2022. An amendment to the ES² in respect of the proposed revisions was undertaken, dated August 2022, and its conclusions are noted.
9. Given this further consultation on the revised scheme under this appeal, and as the modifications are minor and go towards addressing the reasons for refusal, I am satisfied that dealing with the appeal on the basis of the amended plans

² Core Document 85

would not prejudice the interests of any party, taking account of the Wheatcroft³ judgment. I have dealt with the appeal on this basis.

10. It was confirmed at the Inquiry, as set out in the Heritage Statement of Common Ground⁴ (HSoCG), that the Council is no longer pursuing a breach of Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029 (LP) in respect of archaeological impact and that it agrees with the appellant that less than substantial harm would be caused to the significance of the Grade II listed buildings at Minchin's Farmhouse, Lower Farm and Old Meadow, and to the Silchester Conservation Area. In addition, the Council confirmed that it considers that no harm would arise to the significance of the Scheduled Late Iron Age oppidum and Roman town of Calleva Atrebatum and associated features from the proposal as a development within their settings, that the known archaeological remains within the appeal site are not demonstrably of equivalent status to a scheduled monument and that potential harm to the significance of any archaeological remains can be mitigated to an acceptable level, secured by means of a suitably worded condition attached to any grant of planning permission.
11. I have dealt with the appeal on this basis although having regard to the concerns raised in representations from the BSFRG and other interested parties, I go on to deal with a number of these issues below under Main Issues and Other Matters.

Main Issues

12. I consider the main issues to be the effect of the proposal on the character and appearance of the surrounding area, and the effect of the development proposed on the significance of nearby heritage assets, including below ground archaeology, the Scheduled *Late Iron Age oppidum and Roman town of Calleva Atrebatum and associated features*, the Grade II Listed Minchens Farmhouse and Buildings at Lower Farm and Old Meadows, and the Silchester Conservation Area.

Reasons

Background

13. The appeal site extends to around 85ha spread across 6 no. irregularly shaped fields. Situated between Bramley and the hamlet of Three Ashes, it stands around 1.5km from both Silchester and Little London to the northwest and west respectively. Currently used as arable farmland, the fields are mainly enclosed by hedgerows, hedgerow trees, woodland, and woodland belts, and are intersected by areas of woodland, treelines and watercourses. In addition, part of the site is traversed by overhead power lines which extend from the nearby Bramley Substation. Also adjacent to the site are Bramley Frith Wood (Ancient Woodland within which is located Bramley substation), Davnag Copse, Withy Copse (Ancient Woodland) and Little Holdens Copse (Ancient Woodland).
14. The site contains undulating land, the highest point being within Field 6. A number of public rights of way (PRoW) cross the site with PRoW 15 (which forms part of the Silchester Trail and the Camino Inglés to Santiago pilgrimage route) extending northwest to southeast through Fields 1 and 2 to connect with

³ Bernard Wheatcroft Ltd v SSE [1982] HC

⁴ Core Document 217

Bridleway No 7 (part of the Brenda Parker Way) which in turn extends along the southern boundary of Field 2. PRoW 16 also traverses the site along the northern perimeter of Field 2 to adjoin Bramley Road. Further to the east is the Mortimer - Bramley railway line.

15. Proposed is a renewable led energy generating station with an operational period of up to forty years, comprising ground mounted photovoltaic solar arrays installed across five of the six fields. It would generate up to 45MW for distribution to the national grid via the nearby Bramley Substation. The south facing Solar Photovoltaic (PV) panels would be ground mounted onto anti-reflective frames made of galvanized steel or aluminium, fixed to the ground by a combination of concrete feet and pile driven posts to below ground depths of around 2 - 2.5m. They would be tilted at between 15-30 degrees, have anti-reflective coatings and would be laid out in rows with gaps of approximately 2-6m between each row and mounted at a height of approximately 0.8m from the ground rising up to 3m at the highest edge and to 3.5m in areas of flood risk. They would cover a site area of around 22 hectares.
16. In addition, a battery storage facility would be created to store energy at times of low demand and release this to the grid when demand is higher or solar irradiance is lower. This would comprise the siting of twenty battery storage containers within a compound of approximately 25m by 26m.
17. There would be associated infrastructure comprising:
 - sixteen inverter/transformer stations distributed evenly about the solar arrays housed within green metal containers measuring 12m x 2.4m and 2.9m high, which would sit on legs above a 300mm deep gravel sub-base,
 - compacted internal crushed stone tracks (between approximately 3.5 - 6m wide) to allow vehicular access between fields,
 - access points from Minchens Lane utilising an existing farm track to enter into Field 6 and to the north from Bramley Road into Fields 1, 2 and 4,
 - 2.0m high security deer type fencing and gates to enclose the site and potentially allow sheep to graze securely within each field,
 - security and monitoring CCTV/infra-red cameras mounted on fence posts 2.4m tall along the perimeter of the Site to provide 24-hour surveillance,
 - a combination of over-ground and underground cabling to connect the panels, inverters/transformer stations and battery storage facility to the proposed on-site substation and control room,
 - a security-fenced enclosed substation and switchgear compound located on land to the south-west of the site, measuring 12.5m x 5.5m and 4.2m high, which would sit on legs above a 300mm deep gravel sub-base, and
 - landscape planting, biodiversity enhancements, surface water attenuation measures, creation of a nature area and a connection to public right of ways by providing a new 600m permissive path providing an off-road route for part of the Brenda Parker Way and linking into PRoW 16 to take pedestrians off of a section of Bramley Road.

Character and appearance

18. The National Planning Policy Framework (NPPF) in recognising the intrinsic character and beauty of the countryside, does not seek to protect all countryside from development, rather focusing on the protection of valued landscapes. However, this term is not precisely defined. The proposal is

located in countryside which has not been given protection through a designation such as Area of Outstanding Natural Beauty (AONB) or National Park status, or through local planning policy. The nearest such designation, the North Wessex Downs AONB is located around 6km to the southwest.

19. While I note the strong feelings expressed both at the Inquiry and in writing by the BSFRG and the interested parties, regarding the esteem within which the local landscape is held, this of itself is not sufficient to elevate it beyond other countryside locations. In this case, the Council and the appellant agree that the appeal site is not a valued landscape for the purposes of paragraph 174 of the (NPPF) and nothing I heard at the Inquiry or observed during my visit would cause me to take a contrary view.
20. Whilst not a designated valued landscape, Natural England's National Character Assessment places the appeal site within the Thames Basin Heath National Character Area (NCA) 129. This large area serves to set the wider landscape context being a patchwork of small to medium sized fields with a legacy of historic hunting forests which include veteran trees, ancient woods and hedgerows, and parklands.
21. The Hampshire Integrated Character Assessment, Hampshire County Council 2012, provides an assessment of regional landscape character. The appeal site lies across two character areas. These are 2b North Hampshire Lowland Mosaic and 2c Loddon Valley and Western Forest of Eversley. The former is characterised by a rounded, organic landscape pattern with pockets of predominantly arable farmland and regular fields defined by a strong structure of hedgerows and shaw woodlands, while the latter has a high proportion of arable land, with woodland (often ancient) being a significant landscape component.
22. At the local level, the Basingstoke and Deane Landscape Assessment (2021) places the site within two local character areas (LCA). Field 1 is located within the North Sherborne Character Area (LCA 4) and the remainder of the site is within the Loddon and Lyde Valley Character Area (LCA 6). Both areas contain patchworks of mixed farmland and woodland within a low lying and gently undulating landform. The character areas also have varying degrees of tranquillity, with the quietness of the North Sherborne Character Area disrupted by settlements, such as Bramley, the main roads and the railway.
23. Turning to the fields which comprise the appeal site, Field 1 consists of a large arable field adjacent to PRoW 15. Field 2 which contains the pylons has views from Bramley Road, PRoW 15 and PRoW 16 Brenda Parker Way. Field 3 is a small, flat area of scrubby grassland not scheduled for any PV panels. Field 4 consists of a large triangular arable field adjacent to Oliver Lane and National Cycle Route (Sustrans) 23. Open views exist across this field to the higher ground. Field 5 is a small, irregular arable field with hedgerows on all sides. Field 6 consists of a large arable field adjacent to PRoW 15. The substation and battery storage facility are proposed to be located on the southern boundary of this field.
24. From the evidence presented to the Inquiry and from what I observed on the extensive site visit, the landscape character around the appeal site is very much defined by a gently undulating landform of arable fields with hedgerow boundaries, framed by a wooded backdrop of Bramley Frith Wood, Davnag Copse, Withy Copse and Little Holdens Copse which are adjacent, and in some

cases, extend into to the site. The appeal site itself is permeated by a row of electricity pylons and criss-crossed by PRowS, including the Brenda Parker Way and Camino Inglés to Santiago long distance footpaths/pilgrimage route. Taking all of these elements together, the appeal site and surrounding landscape is of a medium landscape value and has a corresponding medium sensitivity to change.

25. In this regard, the appellant submitted a Landscape and Visual Impact Assessment, including a Zone of Theoretical Visibility (ZTV) which was supplemented by updated visualisations submitted at the Inquiry. It is clear from the evidence that the proposed development would change the landscape character for the duration of the solar farm. However, this would, in the main, be contained within the appeal site itself during the operational life of the development with the landscape beyond remaining physically unchanged.
26. Furthermore, topography and existing hedgerow and tree cover supplemented by the additional screening to be provided in the proposed Landscape and Ecology Management Plan⁵ (LEMP), would limit the overall effect of the proposal and prevent a change from an agricultural, to an industrial, landscape. The proposed landscaping measures would serve to mitigate the effects of the proposal as the planting matures and would endure after decommissioning. As such there would be no residual adverse landscape effects. These are matters that could be secured through suitably worded planning conditions as suggested by the appellant, were planning permission to be granted.
27. With the exception of infrastructure items such as the substation and battery storage unit, the proposed development would not sit heavily upon the land in terms of any need for deep or extensive foundations. There would be no material change to topography and the majority of the site would be retained in agricultural use as grazing pasture. The proposed arrangement of the arrays, their set back from the field boundaries, the existing trees and hedgerows which limit visibility, the existing presence of detracting influences such as the line of traversing pylons and the scheme of mitigation as set out in the submitted LEMP, would enable the proposal to integrate into this landscape setting.
28. Against this background, adverse effects on landscape character would be very localised (the landscape character of the wider area would prevail and remain rural) and would reduce over the lifetime of the scheme. Character area LCA4 within the immediate vicinity of the proposal would experience a moderate/slight adverse impact while character area LCA6, within the appeal site, would experience a slight adverse impact with the wider character area experiencing a slight/negligible impact.
29. Turning to consider visual impact, notwithstanding the criticism of the number of viewpoints within the LVIA, I consider that it, along with the supplementary views submitted by the appellant at the Inquiry and the viewpoints shown within the evidence of the Council and BSFRG, adequately show the impact of the proposal on a range of visual receptors within the vicinity of the proposal and the wider area. These views include seasonal changes throughout the year and at different timepoints across the lifetime of the proposed development. I took in these viewpoints during my extensive visit (both accompanied and unaccompanied) and I am content, that the ZTV as set out in the LVIA and the

⁵ Core Document 30

viewpoints submitted by the parties, are representative of existing and proposed views both from within and outwith the appeal site.

30. As already stated, a proposal such as a large solar farm would be seen in the landscape and therefore is likely to result in some adverse visual effects. However, the 3m height of the panels would give them a low visual profile within the gently undulating topography. From what I observed, it would be unlikely that the proposal in its entirety would be visible from any one vantage point, given existing topography and tree and hedgerow cover, supplemented by the proposed mitigation planting. The greatest visual impacts therefore, would be within close proximity of the site with any longer distance views likely to take in certain parts of the proposed development, often with the existing power infrastructure of pylons and overhead lines also on view.
31. Concerns were raised regarding the impact of the proposal on the recreational users of the PRowS. In this regard, I note that there have been paths through Bramley and Silchester since at least Roman times and that these paths are an important resource to the local community. It is clear from the evidence before the Inquiry and from my visit that the footpaths in the vicinity of the appeal site are well used and valued by the local community. It was pointed out that footpaths such as the Brenda Parker Way and Silchester Trail would be affected by having panels on one or both sides. It was claimed that screen planting would take a while to become established and would ultimately create a tunnelling effect. This, it is feared, would diminish the experience of being in open countryside by removing views across open fields and could dissuade the use of the PRowS on grounds of personal safety fears.
32. However, the key paths – the Camino St James, Brenda Parker Way, and Silchester Trail – are long distance walking routes and not National Trails. They pass through very varied landscapes along their respective lengths and none appears to single out the appeal site for special mention. It is unlikely that a change in views that would occur as a result of the proposal, over short stretches of these paths would deter their recreational use.
33. All PRowS, with the exception of a short section of the Brenda Parker Way, would have panels on one side which would be set back by around 10m. In the case of the Brenda Parker Way, in the area between Fields 1 and 2, where solar panels would be situated on both sides, the path would be set within a 70m wide planted corridor. While some may perceive this as a tunnelling effect, this would not be too dissimilar to the effect of walking along a rural lane which is lined by high hedgerows or trees. Similar effects may be seen at present where PRowS pass through Bramley Frith Wood. I note in this regard that in their consultation responses neither the Hampshire Countryside Access officer or the British Horse Society raised concerns regarding the green corridors or the mitigation planting.
34. The proposed planting under the mitigation would take a while to mature to the point where the solar panels would be screened. Also, some views across open fields would be foreshortened by this planting, when mature. Nevertheless, views from PRowS within the appeal site to notable landscape features beyond would remain possible and views to the appeal site would continue to take in an arable landscape with hedgerow boundaries.
35. Against this background, I consider that the greatest visual impact from the proposal would be to the Brenda Parker Way resulting in a moderate/slight

adverse impact within the appeal site. In the case of the other PRoWs the visual impact would be slight adverse. I come to this view on the basis that the proposal is of a size and scale that would assimilate into the local landscape given the existing topography, and tree and hedgerow cover, which restricts visibility. This, along with the proposed mitigation planting, would serve to greatly lessen the visual impact of the proposal.

36. To conclude on the character and appearance issue, I have found in landscape character terms that the moderate/slight adverse effects would be very localised to within a small part of the appeal site (LCA4), that the slight adverse impact would occur within the rest of the appeal site (LCA6) and the wider landscape character would experience a slight/negligible impact. In visual impact terms, I have found that the proposal would have a moderate/slight adverse impact on the Brenda Parker Way within the appeal site and a slight adverse impact on the other PRoWs. In wider visual impact terms, for the reasons given above, the effects of the proposal would be negligible. In the case of both landscape character and visual impacts, the adverse effects would be mitigated to a large extent by the proposed planting scheme.
37. LP Policy EM1 states that development will be permitted only where it can be demonstrated that the proposals are sympathetic to the character and visual quality of the area and are supported by a comprehensive landscaping scheme. LP Policy EM8 acknowledges that renewable energy projects need to have regard to the landscape and visual appearance. Similarly, Policy D1 of the Bramley Neighbourhood Plan also seeks to ensure that new development protects, complements or enhances identified character areas.
38. Accordingly, given the moderate/slight adverse effects of the proposal on the character and appearance of the area there would be conflict with LP Policies EM1 and Policy D1 of the Bramley Neighbourhood Development Plan 2011-2029. I return to this matter below under the planning balance.

Heritage

39. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) (the Act) states that special regard should be paid to the desirability of preserving the settings of listed buildings, where those settings would be affected by proposed development.
40. The NPPF defines the setting of a heritage asset (which includes listed buildings and conservation areas) as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
41. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight attaches to the asset's conservation; the more important the asset, the greater that weight should be. Significance can be harmed through development within an asset's setting. Historic England guidance: *The Setting of Heritage Assets*⁶, indicates that setting embraces all of the surroundings from which an asset can be experienced or that can be experienced from or within the asset. Setting does not have a

⁶ Core Document 144

fixed boundary and cannot be defined, in perpetuity, as a spatially bounded area or as lying within a set distance of a heritage asset.

42. The significance of a heritage asset is defined in the NPPF as its value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. Significance may be harmed by a development and it is necessary to determine the degree of harm that may be caused.
43. A HSoCG was agreed between the appellant and the Council which identified several heritage assets that would be affected by the proposal as a development within their settings. These are: the Scheduled Late Iron Age oppidum and Roman town of Calleva Atrebatum and associated features, the potential for below ground archaeology within the appeal site as identified in the HSoCG and addressed by the BSFRG as likely to be affected by the proposal, the Grade II Listed Minchens Farmhouse and Buildings at Lower Farm and Old Meadows, and the Silchester Conservation Area. While other designated and non-designated heritage assets were drawn to my attention, from my assessment, I agree with the list of affected heritage assets as identified in the HSoCG. I deal with each of them below in terms of the effect of the proposed development.
44. As already noted, the Council confirmed that it considers that no harm would arise to the significance of the Scheduled Late Iron Age oppidum and Roman town of Calleva Atrebatum and associated features from the proposal as a development within its setting. The significance of the monument is derived from its archaeological value with the visible character around it not reflective of a prehistoric or Romano-British landscape. Instead, it reflects a mainly post-medieval/modern landscape, with features contemporary with the asset either lost or contained in below ground archaeology. Its setting is therefore very much made up of the immediate agricultural surrounds of the asset and make a limited contribution to its significance.
45. The appeal site, as part of the wider landscape, contributes very little to the setting of the asset given the intervening distance, topography and planting. Accordingly, I consider that the proposal would not harm the significance of this designated heritage asset.
46. In terms of the known archaeological remains within the appeal site, from the evidence, I have no reason to disagree with the Council's assessment that they are not demonstrably of equivalent status to a scheduled monument and that potential harm to significance can be mitigated, to an acceptable level, secured by means of a suitably worded condition attached to any grant of planning permission.
47. I heard further concerns regarding potential archaeology in terms of access being prevented during the lifetime of the proposal and regarding the experience of walking the Silchester Trail, through the appeal site, towards the scheduled monument. Regarding access, the situation would be little changed to the present arrangement in terms of public access to any potential archaeology. Moreover, the suggested condition would have the effect of increasing the understanding of the archaeological potential of the site, through engaging the services of an archaeologist to carry out an investigation.

48. As for the experience on the Silchester Trail, as stated above, proposal would not harm the significance of the scheduled monument through a change to its setting. The Trail is not itself a heritage asset and the section which passes through the appeal site is not one from which the significance of the monument is appreciated. There is nothing visible from the route within the appeal site that has historic illustrative value which contributes to the heritage significance of the monument.
49. Silchester Conservation Area has two distinct parts. The larger part is centred on the village of Silchester with a much smaller outlying settlement known as The Pound also forming part of the designated heritage asset. The proposal would stand over 1km to the south of the main village and the intervening distance, topography and vegetation would mean there would be no effect on its setting. The Pound however, is situated closer to the proposal at around 140m and the proposal is likely to be visible from the southern edges of the conservation area, as shown in the submitted ZTV. I observed that The Pound is characterised by dwellings dating in the main from the 17th – 19th centuries, standing in spacious plots along a winding, countryside road. Their layout and vernacular appearance very much defines the significance of this small outlier of the conservation area.
50. The Pound is not prominent in the landscape given topography and mature vegetation, and its setting is mostly confined to the immediately surrounding fields. The appeal site lies beyond this in the hinterland of the conservation area and contributes little to its significance. Inter-visibility between the proposal and the asset would be limited as would views across the asset towards the development and vice-versa. Furthermore, mitigation planting would reduce the impact of the proposal over time and the effect of the proposed development would be fully reversed on decommissioning. As such the proposal would have a very minor adverse effect on the significance of this designated heritage asset.
51. Minchins Farmhouse is a Grade II listed building of architectural and historical significance derived from its vernacular 17th century appearance as altered in the 19th century. Its setting is very tightly defined by the narrow Minchins Lane with its tall hedgerow boundary. The wider surroundings, including part of the appeal site, afford restricted views from where it can be appreciated as a vernacular farmhouse thereby making a limited contribution to the asset's significance. The change brought about by the proposal, which would be screened by existing and proposed planting, would be reversed following decommissioning and would have a minor adverse effect on the significance of the designated heritage asset.
52. Lower Farm contains a collection of 7no. Grade II listed buildings comprising the farmhouse and associated agricultural buildings. Their significance is principally derived from their architectural and historic interest as post-medieval vernacular buildings with an agricultural function. They are experienced from the fields which surround them to the north of Bramley Road and this very much forms their setting. It makes a limited contribution to their significance. Topography and vegetation, both existing and proposed, along with the temporary nature of the proposal means that the effect of the proposal on the significance of these designated heritage assets would be very minor.

53. The Grade II listed buildings at Old Meadows comprise the farmhouse, gates, gate piers, garden urn, garden walls, a barn, a former granary and an outbuilding. Most of their significance is derived from their group value as an example of a coherent farm complex of vernacular buildings. The group stands within The Pound, part of the Silchester Conservation Area. Their setting is similar to that described above for The Pound Conservation Area with the formal gardens of the settlement dwellings to the west and south, and the arable fields beyond, providing a means by which the gentrification of the farmhouse can be appreciated. This setting makes a limited contribution to their overall significance. The change brought about by the proposal, would have a very limited effect on the significance of these designated heritage assets within this setting given topography, existing and proposed planting. It would be reversed following decommissioning. This would result in a very minor adverse effect.
54. Accordingly, while the effect of the proposal on the significance of these designated heritage assets as a development within their settings would in all cases be minor, less than substantial harm would be caused to the significance of the Grade II listed buildings at Minchin's Farmhouse, Lower Farm and Old Meadow, and to The Pound (Silchester) Conservation Area. Under NPPF paragraph 202 this harm should be weighed against any public benefits of the proposal, including securing the assets' optimum viable use and this is a matter I return to below.

Other matters

55. Concerns were raised regarding a lack of detail demonstrating that alternative sites, including the use of previously developed land, was considered by the appellant. Reference was made to the advice contained in the 2015 iteration of the Planning Practice Guidance (PPG) regarding the range of factors to be considered for large, ground-mounted, solar developments. In particular, the use of greenfield sites and the preference for utilising poorer quality, ahead of higher quality, land.
56. However, the PPG states that a range of factors should be considered including whether the use of agricultural land is necessary, the temporary and reversible nature of the proposal, and the potential to mitigate landscape impacts through screening. This will involve a range of inputs, from grid connection to land ownership, landscape and visual effects and mitigation. The submitted details set out the reasons for the selection of the appeal site, including connecting to the national grid. LP Policy EM8 requires proposals to demonstrate such connections, and in this case, a connection to the national grid through the nearby Bramley substation has been secured. Given the constraints on the wider distribution network this is a matter which increases the compliance of the proposal with local policy.
57. Since 2015, Parliament has declared a climate emergency⁷ and the Climate Change Act 2008 (2050 Target Amendment) Order 2019 requires the achievement of net zero by 2050⁸. I was not directed to any legal or policy requirements which set out a sequential approach to considering alternative sites with developments such as the appeal proposal. Of particular relevance, LP Policy EM8 does not require the demonstration of any sequential approach

⁷ Core Document 104

⁸ Core Document 102

to site selection as confirmed by the Council. Accordingly, I do not consider that planning permission should be withheld on the basis of a lack of identified alternative sites being considered.

58. With regard to the use of agricultural land, Natural England's Agricultural Land Classification System (ALC) shows the site to be located within an area that contains Grade 2 land within Field 1 and the remainder as Grade 3. The submitted details include an Agricultural Land Quality Assessment. This shows that around 53% of the appeal site is Best and Most Valuable Agricultural Land (BMVAL). However, not all of this land would be covered by PV panels.
59. While the use of higher quality agricultural land is discouraged, the proposal is for a temporary period of forty years which could be secured by a condition attached to any grant of planning permission. The agricultural land would not be permanently or irreversibly lost, particularly as pasture grazing would occur between the solar panels. This would allow the land to recover from intensive use, and the soil condition and structure to improve. The use of the soils for grassland under solar panels should serve to improve soil health and biodiversity and the proposed LEMP, which could be secured by a condition attached to any grant of planning permission, includes measures to improve the biodiversity of the land under and around the panels.
60. Particular concerns were raised regarding compaction during construction and decommissioning. However, the submission of a Soils Management Plan, to be agreed in writing by the LPA, is intended to minimise such impacts. This could be secured by way of a condition, as suggested by the appellant, attached to any grant of planning permission. I note that Natural England as the statutory consultee on agricultural land, raised no comments in its consultation response in this regard. Against this background, I consider that the proposal would not be harmful in respect of BMVAL and would accord with LP Policy EM8 which requires consideration of the impacts of renewable energy developments on high grade agricultural land.
61. Turning to the matter of battery storage, the 20no. proposed battery containers would enable storage of around 40MWh, being slightly less than the amount of electricity the solar farm would generate in one hour of peak operation. This is in line with the British Energy Security Strategy⁹ which encourages "all forms of flexibility" in the energy system and supports solar co-located with storage to maximise efficiency. It also aligns with the strategy for achieving net zero carbon, increasing energy security and reducing energy bills. It is a means of load shifting whereby energy generated during times when demand is at its lowest could be released back to the grid at times of peak demand.
62. I have considered the effect of the proposal on landscape character and in terms of its visual impact, including the proposed battery storage facility, above. In terms of the principle, I consider that the battery storage aspect of the proposal will offer flexibility in operation and maximise energy resources in a balanced and efficient way and does not weigh against the development.
63. In flood risk and drainage terms, the Environment Agency Surface Water mapping shows the majority of the site as lying within an area at 'very low' risk of surface water flooding. There is a low risk of pluvial flooding to the eastern

⁹ Core Document 115

end of Field 2, and within Field 3, given the proximity to Silchester Brook and drainage channels. Solar arrays and all associated infrastructure would be situated outside of the areas of medium to high risk with a small number within the low-risk area. These panels would be positioned so as not to impede any flood water flows with negligible displacement of floodplain storage. This has been considered acceptable by the Environment Agency and the Lead Local Flood Authority.

64. The proposal would encourage infiltration and provide surface water runoff at existing greenfield rates to ensure drainage from the scheme is similar to the existing situation. In respect of flood risk and drainage, the Environment Agency and the Lead Local Flood Authority raised no objections, subject to conditions being attached to any grant of planning permission, and I consider the proposal accords with Policies EM7 and EM8 of the Local Plan and Policy RE1 of the Neighbourhood Plan, in this regard.
65. Dealing with the effect on living conditions, firstly in terms of outlook, I observed that only Brookside Grange has a contiguous boundary with the proposal (Field 1). The dwelling stands around 18.5m from the Field 1 boundary and approximately 250m from the boundary with Field 2, at a lower level. The panels would then be further offset from these boundaries with proposed mitigation planting between the boundaries and the panels.
66. The dwelling is orientated towards Field 2 with a bedroom window facing towards Field 1. Whilst there would be views towards the solar farm particularly in winter, and there would be an awareness of the solar array, in my judgement the intervening distance, difference in levels and proposed planting would prevent a harmful change in living conditions for the occupiers of this dwelling due to any loss of outlook.
67. Reference is made within the representations to outlook effects on the dwellings at St James Park, Clappers Farm Road, Bramley Road, Park Farm, Pound Farm, Pound House, Withy Place, The Annexe, Old Meadows, Lower Farm, and Minchens House. I viewed the proposal from several of these dwellings as part of my visit to the appeal site and surrounding area. It is likely that the proposal would be seen in medium and longer views from these dwellings, varying according to season, orientation, topography and intervening planting.
68. However, I observed that for these dwellings, distance, oblique views and intervening features such as fields and public highways, either individually or in some cases in combination, would mean that the proposal would be unlikely to harmfully change the outlook for their occupiers. In which case, in terms of outlook, the proposal would accord with Policy EM10 which seeks to protect residential amenity.
69. Turning to noise disturbance, the submitted Noise Impact Assessment¹⁰ was considered by the Council's Environmental Health Officers who raised no concerns subject to suitably worded conditions being attached to any grant of planning permission. The conditions would ensure that the solar farm generates noise no greater than the existing prevailing background level at the most sensitive period when the plant will be operated (evening, nights and weekends). From my assessment, I have no reason to disagree.

¹⁰ Core Document 32

70. With regard to highway safety, I note that the Council's Transport Officer and the County Council's Highways Officer raised no objections to the proposal subject to suitably worded conditions being attached to any grant of planning permission. The conditions would include requiring the submission and approval of an amended Construction Traffic Management Plan and against this background the Council considers that the proposal would accord with LP Policies CN9, EN8 and EM10 and Policy T2 of the Neighbourhood Plan. From my assessment, I have no reason to disagree.
71. I heard that the occupiers of Brookside Grange enjoy private rights of access over the access track to the northeast corner of Field 1 which is proposed for access to the proposal. Be that as it may, this would be a private matter for the relevant parties to address and is not determinative to my decision.
72. A number of previous planning and appeal decisions¹¹ were drawn to my attention which it was claimed raised matters that were similar to those before me. However, given the site-specific characteristics of this proposal, the policy/guidance extant at the time compared to the present, the nature of the developments proposed in those other instances and the harms and benefits arising, taking this proposal on its own merits, I do not consider them to be direct comparators.

Benefits

73. The Government has recognised a climate emergency and The Climate Change Act 2008, as amended¹² sets a legally binding target to reduce net greenhouse gas emissions from their 1990 level by 100%, Net Zero, by 2050. The Clean Growth Strategy¹³ anticipates that the 2050, targets require, amongst other things, a diverse electricity system based on the growth of renewable energy sources.
74. National Policy Statements (NPS) in reiterating the urgent need for renewable energy electricity projects to be brought forward for the delivery of major energy infrastructure, recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. Draft updates to NPSs EN-1 and 3¹⁴ identify that solar farms, as part of the strategy for the low-cost decarbonisation of the energy sector, provide a clean, low cost and secure source of electricity.
75. The December 2020 Energy White Paper¹⁵ (WP) sets out that achieving net zero rests on a "decisive shift" away from fossil fuels to clean energy and describes solar as a "key building block" of the future energy generation mix. Moreover, The British Energy Security Strategy¹⁶ anticipates a five-fold increase of solar capacity in the UK from 14GW to 70GW by 2035.
76. In response, the Council has adopted a Climate Emergency Action Plan¹⁷ (2021), which builds on the 2010 Energy Opportunities Plan which recommended at least 166GWh of renewable electricity by 2020 in Basingstoke and Deane. By 2021 only around 56.2GWh of such generation had been

¹¹ 21/00349/FUL, APP/H1705/W/22/3301468, APP/V2635/W/14/3001281, APP/M1005/W/22/3299953

¹² Core Document 102

¹³ Core Document 103

¹⁴ Core Documents 108 and 110

¹⁵ Core Document 105

¹⁶ Core Document 115

¹⁷ Core Document 119

achieved. This proposal would generate 45MW sufficient to power 11,150 homes each year with clean energy (reducing carbon dioxide emissions by around 9,381 tonnes annually).

77. There are no physical constraints limiting early development of this site and a grid connection offer is in place. As such, the scheme could make an early and significant contribution to the objective of achieving the statutory Net target set for 2050 and the commitment to reducing emissions by 78%, compared with 1990 levels, by 2035. The LPA acknowledges that this is a substantial benefit that attracts significant weight¹⁸. Accordingly, I give substantial weight to the generation of renewable energy and contribution to a low carbon economy and significant weight to the provision of low cost and secure energy.
78. Of further benefit is the provision of a biodiversity net gain of 100% from the proposal. This benefit would endure beyond the operational life of the proposal and would be unlikely to be realised in the absence of the proposed development, given the significant resources required. This attracts significant weight in favour of the proposal.
79. In addition, the proposal would contribute to the local economy, through the creation of construction-related jobs and the ongoing contribution to the local and wider economy (including c.£150,000 p.a. in business rates and operational management of landscape and biodiversity), as well as the wider benefits of reducing reliance on imported fossil fuels. Together with environmental benefits to water, runoff, landscape character, and sequestration of carbon in soils achieved through planting and changes in land use across the appeal site, and the provision of a new section of permissive footpath (including around 300m as an off-road alternative for the Brenda Parker Way), these matters attract significant weight in favour of the proposal.

Balance

80. NPS for Energy¹⁹ (EN-1) advises that when 'having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.' It further states that a judgement is to be made as to 'whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project' having regard also to whether the project is temporary and/or capable of being reversed. LP Policy EM8 also includes a requirement to consider benefits against impacts of this type of development.
81. As such, both national and development plan policy recognise that large scale solar farms may result in some landscape and visual impact harm. However, these policies indicate that development can be approved where the harm is outweighed by the benefits. I note that the Council's planning and landscape officers who in recommending approval of the proposal at the application stage considered that the limited adverse impacts of the scheme would be mitigated by the proposed extensive planting and reversible nature of the proposal.
82. In my judgement, the combination of topography, existing hedgerow and trees and the enhanced planting set out in the LEMP, particularly as the planting matures, would mean that the adverse effect on landscape character and visual

¹⁸ Council's Closing Submission, paragraph 64, Inquiry Document 20

¹⁹ Core Document 107

impact would be limited and highly localised. Moreover, once decommissioned, there would be no residual adverse landscape effects with the enhanced landscape and biodiversity likely to endure. In which case, whilst there would be some localised moderate/slight harm in terms of landscape character and visual impact, in conflict with the relevant development plan policies, the imperative to tackle climate change, as recognised in legislation and energy policy, and the very significant benefits of the scheme clearly and decisively outweigh the moderate/slight harm, in accordance with LP Policy EM8.

83. Turning to heritage, the proposal would result in less than substantial harm to the significance of several designated heritage assets. The harm would be very minor and would be reversed once the solar farm is decommissioned. Nevertheless, where a proposal results in less than substantial harm, NPPF paragraph 199 requires great weight to be given to the conservation of the designated heritage assets. In addition, NPPF paragraph 202 makes clear that such harm is to be weighed against the public benefits of the proposal. Public benefits in respect of NPPF paragraph 202 will provide benefits that will inure for the wider community and not just for private individuals or corporations. It was not suggested that the proposal is necessary in order to secure the optimum viable use of the designated heritage assets.
84. In my judgement, the public benefits of this proposal which would contribute towards achieving net zero as part of a decisive shift away from fossil fuels, assist with increasing solar capacity in the UK from 14GW to 70GW by 2035, assist with achieving the Council's Climate Emergency Action Plan (2021), reduce carbon dioxide emissions by around 9,381 tonnes annually and provide a biodiversity net gain of 100%, are very significant and outweigh the less than substantial harm to the affected designated heritage assets, giving great weight to the conservation of each of them. The Council confirmed that in its view there was no conflict with LP Policy EM11 which seeks to conserve the Borough's heritage assets, given the outweighing benefits²⁰ and from my assessment I have no reason to disagree.
85. Drawing the above together, I conclude the proposal would make a material and early contribution to the objective of achieving the decarbonisation of energy production and that to allow the proposed solar farm would not conflict with the objectives of relevant development and national planning policy when taken as a whole.

Conditions

86. Before and during the Inquiry the main parties discussed (without prejudice) potential conditions to be considered were planning permission to be granted. The wording of the conditions (including those with pre-commencement requirements) was agreed between appellant and the Council. I have amended the wording where necessary having regard to the tests set out in para 56 of the NPPF and to assist with clarity. The numbers in brackets relate to the condition in the attached annex. In addition to the standard time (1) and plans (2) conditions which are necessary to provide certainty, I shall attach conditions in respect of the positioning of containers on the site (8), implementation of the LEMP (9), management of the permissive footpath (11), hard landscaping details (12), tree protection (13), external lighting (15), carrying out development in accordance with the Flood Risk Strategy (16),

²⁰ Council's Opening Statement, paragraph 2, Inquiry Document 5

surface water drainage (17), archaeology (18), a Construction Worker Travel Plan (19), traffic management measures (20), submission of an amended Construction Management Travel Plan (21), road condition survey (22), provision of wheel cleaning facilities (23), access details (24), noise levels (25), hours of operation (27), delivery times (28), submission of a Construction Environmental Management Plan (29) and submission of a Soils Management Plan(31).

87. The wording for these conditions was agreed with all parties and they are necessary in the interests of protecting landscape character (8, 9, 11, 12), safeguarding trees (13), protecting wildlife (15), avoiding adverse environmental impacts (16, 17), safeguarding the archaeological potential of the site (18), ensuring sustainable development (19), safeguarding highway safety (20, 21, 22, 23, 24) and safeguarding the living conditions of the occupiers of dwellings in the vicinity (25, 27, 29).
88. I shall also attach conditions in respect of the temporary nature of the development (3), the decommissioning of the development (4, 5, 6), materials and finishes (7), soft landscaping details (10), submission of a Wildlife Protection and Mitigation Plan (14), securing a post completion noise assessment (26) and the submission of a Battery Safety Management Plan. (30). These are necessary in the interests of certainty (3), securing the decommissioning of the development and the restoration of the site either at the end of the operational life or before should the use cease (4, 5, 6), protecting landscape character (7, 10, 30), protecting wildlife (14) and safeguarding the living conditions of the occupiers of dwellings in the vicinity (26).
89. However, the wording for these conditions was disputed by the parties. In the case of conditions 3 and 6, I shall refer to the *first export date of the development* rather than the *commencement of development* in line with the advice in the Draft NPS for Renewable Energy Infrastructure (EN-3)²¹. With regard to condition 4, I consider it unnecessary to refer to archaeology and soil restoration as these matters are the subject of separate conditions. Similarly, a reference to recycling and toxic materials is unnecessary both in condition 4 and condition 6 as this is covered by separate regulations²². As for Condition 5, it would be unreasonable to require a decommissioning method statement before the commencement of development as best practices and recycling methods are likely to considerably change during the lifetime of the solar farm. I also find it unnecessary to refer to the cessation period in condition 6 as this is covered in a separate condition.
90. Turning to condition 7, it is not necessary to refer to the position of materials and finishes as that is secured by the plans condition and in the case of condition 10, it is necessary for planting to be carried out in the first season post-completion of the development, rather than following commencement, as construction may impede planting. Furthermore, referring to a fence in condition 14 is unnecessary as the reference to *landscape feature* would cover this matter and in the case of condition 26, I consider it reasonable to ensure that where noise levels set out in other conditions are breached, it will be necessary to identify and install additional noise mitigation measures, within 3 months of an assessment being carried out. Finally, condition 30 in respect of

²¹ Core Document 110

²² Waste Electrical and Electronic Regulations

the Battery Storage facility, I considered requiring submission of details *prior to commencement* rather than *prior to the implementation* to be unreasonable as the developer may not implement the battery storage element at the same time as the solar farm.

Conclusion

91. For the reasons set out above, I conclude that the appeal should be allowed.

Richard McCoy

INSPECTOR

Annex A

Conditions Schedule

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing Site Location Plan - Drawing no BF1.0
Proposed Site Plan - Drawing no BF2.0 Revision 20 B
PV Elevations Pile – Drawing no BF3.0 Revision 01
Inverter/Transformer Stations - Drawing no 4.0 Revision 01
Internal Access Road Detail – Drawing no BF5.0 Revision 02
Fence and Gate Elevations – Drawing no BF6.0 Revision 02
Weather Station Detail – Drawing no BF7.0 Revision 01
Substation Elevations – Drawing no BF8.0 Revision 02
Control Room Elevations – Drawing no BF9.0 Revision 02
Auxiliary Transformer – Drawing no BF10.0 Revision 01
CCTV Elevations – Drawing no BF11.0 Revision 01
Battery Container Elevations 40ft – Drawing No BF12.0 Revision 01
PV Elevations Ballast – Drawing no BF13.0 Revision 02
Minchens Lane Access – Drawing no 2004-046_SK01 Revision A
Olivers Road Vehicle Crossing – Alternative Arrangement (1/2) – drawing no SK02 Revision B
Olivers Road Vehicle Crossing – Alternative Arrangement (2/2) – drawing no SK03 Revision B
Landscape Mitigation Plan – Drawing no 7520_014 Revision G
Landscape and Ecology Enhancement Plan – Drawing no 7520_012 Revision K
Planting Schedule (1 of 2) 7520_020 dated July 2022
Planting Schedule (2 of 2) 7520_021 dated July 2022
Landscape and Ecological Management Plan Version 2.3 August 2022
2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
3. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.
4. If the solar farm hereby permitted ceases to operate for a continuous period of 6 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:
 - the removal of the solar panels and associated above ground works approved under this permission;
 - the management and timing of any works;
 - a traffic management plan to address likely traffic impact issues during the decommissioning period;

- an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- details of site restoration; and
- an implementation timetable.

The decommissioning of the site shall be carried out in accordance with the approved scheme.

5. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted for the written approval of the local Planning Authority (except in the event that Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.
6. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.
7. Notwithstanding condition 1 and prior to the commencement of the development, details of the proposed materials and finish including colour of all foundations, solar panels, frames, ancillary buildings, equipment, and enclosures shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and be maintained as such for the lifetime of the proposed development.
8. All containers on site shall be sited at ground level and no containers shall be stacked.
9. The development shall be carried out in accordance with the details contained within the Landscape and Ecological Management Plan prepared by Aardvark EM Limited dated December 2021 (document reference R009). The development shall be carried out in accordance with the approved details.
10. Notwithstanding the details contained within the Bramley Frith 7520_020 Planting Schedule 1 of 2 and the Bramley Frith 7520_021 Planting Schedule 2 of 2 (both dated July 2022), prior to the commencement of development, final soft landscaping details shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved planting schedules within the first planting and seeding season following the first export of electrical power from the site or in accordance with a timetable to be agreed. Any trees or plants which, within a period of 15 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

11. Prior to the commencement of development, details shall be submitted to and agreed in writing by the Local Planning Authority to deliver and manage the permissive footpath through the Nature Area and Field 2. As a minimum, details shall include:

- all surfacing details;
- any wayfarer markers;
- implementation timetable; and
- details of the long-term responsibilities for management and maintenance to provide for the long term amenity of this path.

All hard landscape works shall be carried out in accordance with the approved details.

12. Prior to the commencement of development, hard landscaping details shall be submitted to the Local Planning Authority for approval in writing. As a minimum, details shall comprise details of:

- the seating and waste bins for the Nature Area;
- any wayfarer markers, site interpretation boards and any other site signage;
- the new bridge to the Nature Area for the off road section of Brenda Parker Way.

In addition, details shall include an implementation timetable and responsibilities for management and maintenance to provide for the long term amenity of the Nature Area. All hard landscape works shall be carried out in accordance with the approved details prior to the first export of electrical power from the site or in accordance with the timetable agreed with the Local Planning Authority.

13. Notwithstanding the details submitted, no development including site preparation, temporary access construction/widening, material storage or construction works shall commence until a final scheme for tree protection, prepared in accordance with BS5837 "Trees in Relation to Design, Demolition and Construction" (or any superseding legislation) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by Arboricultural Impact Assessment (Revision A) prepared by Barton Hyett Associates Ltd dated 2021 (reference R015) and shall include the following as a minimum:

- a tree protection plan comprising a drawing at no less than 1:500 scale showing the position of protection zones, fencing and ground protection measures to be established for retained trees;
- a British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the tree protection plan;
- the specification for protective fencing and a timetable to show when fencing will be erected and dismantled;

- details of mitigation proposals to reduce negative impacts on trees including specifications and method statements for any special engineering solutions required and the provisions to be made for isolating such precautionary areas from general construction activities;
- details of any levels changes within or adjacent to protection zones;
- a drawing to show visibility splays in relation to trees, outlining any works to trees demonstrating how visibility splays will be achieved
- details of the surface treatment to be applied within any tree protection zones, including a full specification and method statement;
- the routing of site cabling with provisions for reducing their impact on trees to an acceptable level;
- a specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme;
- provision for briefing construction personnel on compliance with the plan, including incorporation of tree protection recommendations into a construction method statement;
- provision for signage of protection zones and precautionary areas;
- details of contractor access during the construction phase;
- a tree protection mitigation plan detailing emergency tree protection and remediation measures which shall be implemented in the event that the tree protection measures are contravened.
- provision for the appointment of an arboriculturist to supervise construction activity occurring on the site. The arboriculturist will be responsible for the implementation of temporary protective measures; shall oversee the installation of approved special engineering solutions designed for trees; and shall be responsible for organising a pre-commencement meeting with the Local Planning Authority Tree Officer (contact 01256 844 844) once the temporary tree and ground protection is in place and ready for inspection.

No development or other operations shall take place other than in complete accordance with the approved tree protection scheme.

14. Notwithstanding the submitted information and prior to the commencement of development, a Wildlife Protection and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Wildlife Protection and Mitigation Plan shall be informed by Chapter 6 Mitigation and Enhancements of the Ecological Impact Assessment by BSG Ecology dated December 2021. No development or

other operations shall take place other than in complete accordance with the approved Wildlife Enhancement and Mitigation Plan. If a habitat or other landscape feature is removed or damaged in contravention of the approved plan, a scheme of remedial action, with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the incident. The scheme of remedial action must be approved by the Local Planning Authority before practical completion of the development and implemented in accordance with the approved timetable.

15. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits) shall be erected/used on site. The details of any low level lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and the development shall be carried out in accordance with the approved details.
16. The development shall be carried out in accordance with the Bramley Frith Solar Farm Flood Risk and Drainage Strategy prepared by RMA Environmental dated November 2020 (Document Reference: R010). Any changes to the approved documentation must first be submitted to and approved in writing by Local Planning Authority in consultation with the Environment Agency and the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.
17. Prior to commencement of development, details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
 - Maintenance schedules for each drainage feature type and ownership.
 - Details of protection measures.

The development shall be carried out and thereafter maintained in accordance with the approved details.

18. No development or other operations (including site preparation and any groundworks) shall commence on site until a Written Scheme of Investigation (completed by a named and professionally qualified archaeological contractor) for a programme of archaeological works has been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall detail the methodology and timetable of site investigation including a preliminary archaeological trenched survey (within those areas to be affected by substantive elements of ground works such as access tracks, compounds and cabling trenches) and any subsequent archaeological mitigation (whether preservation or recording). This scheme of works shall recognise, characterise and record any archaeological potential which may exist as well as confirming the reporting process for the results.

A post-investigation assessment and final report must be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication, and dissemination of results. The final report must be submitted to and approved in writing by the Local Planning Authority.

19. The development shall be carried out in accordance with the Construction Worker Travel Plan (reference 2004-046/TN/07) dated April 2021.
20. No development or other operations (including site preparation and any groundworks) shall commence until full details of the permitted traffic management measures, the hours of operation and clauses to execute traffic management at the junction of Minchens Lane/The Street, including non-excavatory traffic controls have been submitted to and approved in writing by the Local Planning Authority, pursuant to an Agreement to be made under Section 278 of the Highways Act 1980 between the Developer and the Local Highway Authority.
21. Notwithstanding the submitted Construction Traffic Management Plan, prior to the commencement of development an amended Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The amended Construction Traffic Management Plan will cover the following aspects:
 - Site access;
 - Construction traffic routing including a prohibition of construction vehicles using Minchens Lane north of the main site access shown on drawing titled 'Minchens Lane Access (dwg no 2004-046_SK01 Revision A) and save for arrangements to access Field 4 Oliver's Lane Vehicle Crossing drawings (Dwg no SK02 Revision B and SK03 Revision B)
 - Site compound and internal routing including details of the access between Field 1 and Field 2; the temporary bridges, extent of works to routes and proposed durations of each element;
 - Construction vehicle dimensions, number and frequency, and
 - Proposed mitigation measures.
22. No development shall take place until the scope of a road condition survey of Minchens Lane from the site access up to and including its junction with The Street has been submitted to and agreed in writing by the Local Planning Authority. The survey shall be carried out in accordance with the approved scheme prior to any works commencing on site and the findings of the condition survey shall be monitored and reported to the Local Planning Authority at least every 6 months throughout the construction period of the development and any defects or damage attributable to construction activity to be rectified by the developer at their expense within 3 months of the defect being identified.
23. No development or other operations (including site preparation) shall take place until a scheme has been submitted to and approved in writing

by the Local Planning Authority detailing the method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site preparation and construction and for the routine inspection of vehicles before departing the site to ensure cleanliness. The scheme shall be implemented in accordance with the approved details and shall be installed and operational before any development commences and shall be retained in working order throughout the duration of the construction process.

24. Prior to commencement of any other development, the means of vehicular access to the site must be constructed in accordance with the approved plans comprising:

- Minchens Lane Access – Drawing no 2004-046_SK01 Revision A
- Olivers Road Vehicle Crossing – Alternative Arrangement (1/2) – drawing no SK02 Revision B
- Olivers Road Vehicle Crossing – Alternative Arrangement (2/2) – drawing no SK03 Revision B

No structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans. There shall be no construction traffic accessing the site via the field access to the north east corner of Field 1 from Bramley Road.

25. The cumulative rating sound level of the operational plant and equipment hereby approved as part of this development shall have an operational noise level no greater than the existing background sound level during the operational hours of the scheme hereby approved at the closest noise-sensitive receptors to the site existing at the time of approval when assessed in accordance with the methodology and guidance set out within BS4142:2014+A1:2019 (or superseding legislation).

26. Within 3 months of the first export date, a post completion noise assessment shall be carried out and submitted for approval in writing to the Local Planning Authority to verify that the cumulative rated noise level from the plant is no greater than the prevailing background sound level (as set out in Condition 25) at the most sensitive period when the plant will be operated (e.g. evening, nights and weekends). A method statement shall be submitted to and approved by the Local Planning Authority prior to the survey being undertaken. The noise assessment shall be carried out by a suitably qualified acoustic consultant/ engineer and be undertaken in accordance with BS4142: 2014-"Methods for rating and assessing industrial and commercial sound". Where the above criteria has not been met it will be necessary to identify and install additional noise mitigation measures, within 3 months of the assessment.

27. No work relating to the construction of the development hereby approved, including preparation prior to operations, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the

hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

28.No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays

29.No development or other operations (including site preparation and any groundworks) shall commence on site until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Environmental Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 0730 Hours and 1800 Hours on Mondays to Fridays and 0800 and 1300 Hours on Saturdays and; at no time on Sundays and Bank or Public Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The development shall be carried out in accordance with the approved details.

30.Prior to the implementation of the Battery Storage System a detailed Battery Safety Management Plan (BSMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated only in accordance with the approved Battery Safety Management Plan.

31.No development or other operations (including site preparation and any groundworks) shall commence until a Soils Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan should set out the means to be used to protect soils

during construction, operation, maintenance and decommissioning of the solar farm and battery storage such that the objectives of the Landscape and Ecological Management Plan required by Condition 9 are not compromised and crop growing agricultural operations may resume following the operational life of the solar farm and battery storage.

End of conditions

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ben Du Feu of Counsel

Instructed By: The Council Solicitor

He called:

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MA, MRTPI

Senior Associate, Bell Cornwell LLP

Nigel Wakefield BA
(Hons)

Managing Director, Node Urban Design Ltd

BTP/DIP LA DIP/MA UD
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FOR THE APPELLANT:

Thea Osmund-Smith of Counsel

Instructed by: Robert Asquith

Assisted by: Odette Chalaby

She called:

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Heritage Executive Director at Pegasus Planning
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FOR THE BRAMLEY SOLAR FARM RESIDENTS GROUP:

Richard Anstis

Instructed by: Steve Spillane, Secretary, BSFRG

He called:

Dr Ian G Bridges BSc,
PhD

Retired Chief Scientific Officer for Advanta Seeds

Paul Machin BA
(Combined Hons)
Dip LD

Chartered Landscape Architect (retired)

Professor Michael
Fulford CBE
FBA FSA

Professor of Archaeology at the University of
Reading

Simon Bailey BSc(Eng),
CEng, MICE

Chartered Engineer (CEng)

Richard Anstis

Chartered Surveyor, Richard Anstis Consultants

INTERESTED PERSONS:

Simon Mahaffey	Local resident
Graham Wright	Silchester Parish Council
Antony Durrant	Chair, Bramley Parish Council and Ward Councillor
Chris Tomblin	Local resident
Marshall Hall	Local resident

INQUIRY DOCUMENTS

- 1 Notification Letters
- 2 Appendix 7 – Mr Wakefield Landscape Methodology
- 3 Silchester Trail – Guide to the Route
- 4 Opening Statement on behalf of the Appellant
- 5 Opening Statement on behalf of the Council
- 6 Opening Statement on behalf of the Rule 6 Party (BSFRG)
- 7 Mr Mahaffey – Speech to the Inquiry
- 8 Mr Wright – Silchester Parish Council – Speech to the Inquiry
- 9 Draft Conditions
- 10 Draft Conditions – table illustrating differences between the parties
- 11 Mr Mahaffey – Winter Photomontages comments.
- 12 Cllr Tomblin – Speech to the Inquiry
- 13 Appeal Decision Oakdown Farm PINS ref 3301468
- 14 Silchester Conservation Area Appraisal
- 15 Mr M Hall – Speech to the Inquiry
- 16 Commentary by Rule 6 on Construction Traffic Management Plan
- 17 Site Visit Itinerary
- 18 Appellant Response on Construction Management Plan.
- 19 Appellant draft condition 22
- 20 Council Closings
- 21 R6 Closings
- 22 Appellant Closings
- 23 Final Conditions Document

PLANS

- A Updated Figure 10 and 11 and Cross Sections of Mr Kratt evidence
- B Winter Photomontages
- C Appendix 10 and 11 Kratt – Big Version
- D New photomontage VPH – winter view Y15 v3 Middle Frame.
- E New photomontage VPH – Y15 Middle Frame (big version)