

# Dacorum Borough Council Development Management

The Forum  
Marlowes  
Hemel Hempstead  
Herts  
HP1 1DN



## PLANNING CASEWORK DELEGATED REPORT

<b>22/01106/MFA</b>	<b>Installation of ground-mounted solar PV panels, vehicular access, internal access track, landscaping and associated infrastructure including security fencing, CCTV cameras, and grid connection infrastructure including transformers, substation compound buildings and cabling route to the point of connection.</b>	
<b>Site Address:</b>	<b>Solar Array Little Heath Lane Little Heath Berkhamsted Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>Mr Evan Williams</b>	
<b>Case Officer:</b>	<b>Andrew Parrish</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Ashridge</b>

## SITE DESCRIPTION

### Site and surroundings

The site comprises arable land within the Metropolitan Green Belt. It extends to approximately 32 hectares and lies adjacent to the Chilterns AONB. The site lies adjacent to the West Coast mainline railway which marks its southern boundary. Its western boundary is defined by Little Heath Lane beyond which is the AONB. The northern boundary is defined by a Cadent Gas substation and field boundary. The eastern boundary is part defined by a mixed deciduous field hedge but is otherwise undefined on the ground, roughly following a contour line within an open field. The land is undulating and slopes upwards from the railway line northwards. The site is adjacent to the village of Bourne End which lies to the south of the railway line in the valley bottom with a scattering of dwellings within 100 m of the site. The town of Hemel Hempstead lies approximately 600 m to the east, and that of Berkhamsted approximately 1 km to the west. The surrounding land is otherwise open farmland. Access to the site is via Little Heath Lane.

### Proposal

Permission is sought for the installation of a 25 MW solar development comprising an array of PV panels, access tracks, fencing, transformers, substation compound buildings, CCTV cameras and landscaping.

## PLANNING HISTORY

Planning Applications (If Any):

22/01503/AGD - Construction of Agricultural Building  
PNR - 15th June 2022

4/00467/97 - Historic File Check DMS for Documents and Further Details  
*DET - 20th May 1997*

4/01328/13/FUL - Extension to residential garden, construction of garage with first floor storage area, stables and animal feed store to replace existing outbuildings  
*GRA - 4th October 2013*

4/00008/13/FHA - Demolition of existing outbuildings and construction of detached garage with first floor storage area and attached single storey stables and feed store  
*INV - 23rd January 2013*

4/02146/11/DRC - Details of materials as required by condition 2 of planning permission  
4/01198/09 (single storey rear extension and two storey partial re-build (amended scheme))  
*GRA - 18th January 2012*

4/01777/10/LBC - Replacement outbuilding  
*REF - 15th December 2010*

4/01776/10/FHA - Replacement outbuilding  
*REF - 15th December 2010*

4/01357/09/LBC - Single storey rear extension and two storey partial re-build with alterations  
*GRA - 2nd October 2009*

4/01198/09/FHA - Single storey rear extension and two storey partial re-build (amended scheme)  
*GRA - 9th September 2009*

4/00334/09/LBC - Single storey rear extension and two storey partial re-build  
*REF - 22nd April 2009*

4/00332/09/FHA - Single storey rear extension and two storey partial re-build  
*REF - 22nd April 2009*

4/01581/07/DRC - Details of land contamination required by condition 6 of planning permission  
4/02530/06 (change of use of redundant farm buildings 4 and 5 to b8 use)  
*GRA - 16th August 2007*

4/00677/07/DRC - Details of hard and soft landscaping as required by condition 3 of planning permission  
4/02530/06 (change of use of redundant farm buildings 4 & 5 to b8 use)  
*GRA - 25th April 2007*

4/02530/06/FUL - Change of use of redundant farm buildings 4 and 5 to b8 use  
*GRA - 10th January 2007*

4/02556/04/RET - 15m lattice mast with 3 antennae, 2 dishes, radio equipment housing and ancillary development  
*REF - 16th December 2004*

4/02219/04/DRC - Details of drainage required by condition 5 of planning permission 4/02580/03  
(change of use of redundant farm buildings to b1 and b8 with ancillary uses)  
*GRA - 19th October 2004*

4/01219/04/DRC - Details of materials required by condition 2 of planning permission 4/02580/03  
(change of use of redundant farm buildings to b1 and b8 with ancillary uses)

*GRA - 23rd June 2004*

4/01218/04/DRC - Details of hard and soft landscaping required by condition 3 of planning permission 4/02580/03 (change of use of redundant farm buildings to b1 and b8 ancillary uses)

*GRA - 23rd June 2004*

4/01217/04/DRC - Details of external alterations to the converted building required by condition 7 of planning permission 4/02580/03 (change of use of redundant farm buildings to b1 and b8 with ancillary uses)

*WDN - 28th July 2004*

4/02580/03/FUL - Change of use of redundant farm buildings to b1 and b8 with ancillary uses

*GRA - 11th February 2004*

4/01521/03/AGD - New agricultural access road

*PNR - 7th August 2003*

4/01759/01/TEL - Construct 15 metre mock water tower housing 3no antennae with 2no microwave dishes with ground based meter cabinet

*PRQR - 29th November 2001*

4/02096/00/TDM - Erection of one 12 metre pole with antennae and one radio equipment cabin

*PRQR - 17th January 2001*

4/00467/97/FUL - Erection of agricultural building

*GRA - 20th May 1997*

4/00626/93/FUL - General purpose agricultural building

*GRA - 8th June 1993*

21/04395/SCE - Installation of Solar photovoltaic (PV) array.

*ESNR - 9th December 2021*

4/01546/13/SCO - Solar farm - request for a scoping opinion under regulation 13

*GRA - 24th September 2013*

4/01196/13/SCE - Eia screening request

*ESR - 8th July 2013*

Appeals (If Any):

## **CONSTRAINTS**

Area of Archaeological Significance: 57

BCA Townscape Group

Canal Buffer Zones: Maj

Multiple (Spatial)

Multiple (Spatial)

Green Belt: Policy: CS5

Multiple (Spatial)

Multiple (Spatial)

Railway (100m Buffer): Railway: 100m buffer

Parking Standards: New Zone 3

EA Source Protection Zone: 3

## **REPRESENTATIONS**

### Consultation responses

These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

These are reproduced in full at Appendix B.

## **PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2021)

National Planning Policy Guidance (NPPG) for Renewable and Low Carbon Energy

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 – Green Belt

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS24 - The Chilterns Area of Outstanding Natural Beauty

CS25 - Landscape Character

CS26 – Green Infrastructure

CS27 - Quality of the Historic Environment

CS28 - Renewable Energy

CS29 - Sustainable Design and Construction

CS31 - Water Management

CS32 - Air, Soil and Water Quality

CS35 - : Infrastructure and Developer Contributions

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Policy 13 - Planning Conditions and Planning Obligations

Policy 97 - Chilterns Area of Outstanding Natural Beauty

Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Policy 100 - Tree and Woodland Planting

Supplementary Planning Guidance/Documents and Advice Notes:

Sustainable Development Advice Note (March 2016)

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (September 2011)

Parking Standards SPD (Nov 2020)

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Chilterns Buildings Design Guide (updated February 2010)

Chilterns Area of Outstanding Natural Beauty Management Plan 2019–2024

Chilterns Conservation Board – Position Statement (2011)

Dacorum Borough Landscape sensitivity study (2020)

Landscape Character Assessment for Dacorum (2004)  
Water Conservation  
Energy Efficiency and Conservation  
Sustainable Development Advice Note (Dec 2016)  
Hertfordshire Renewable and Low Carbon Energy Technical Study (2010)

## **CONSIDERATIONS**

### **Background**

Pre-app advice was provided in August 2021 (xxxx) which raised objections, concluding that given the site falls within the Green Belt where new buildings are inappropriate by definition, including explicitly elements of many renewable energy projects, very special circumstances would need to be submitted to outweigh this harm. As a way forward it recommended that further work is required to:

- demonstrate the ecological and biodiversity benefits
- prepare a detailed landscape framework and planting schedule and to explain how this might be considered to mitigate the harm to the landscape, including setting of the AONB
- stressed that it would be important to minimise visibility of the panels and integrate them into the topography / contours of the land rather than cutting across them by eliminating the unsympathetic rectilinear pattern
- Submission of a LVIA will be key
- Technical assessment of the site against other feasible sites to show that this is sequentially the best.

### **Main Issues**

The main issues to consider are:

Policy and Principle  
Impact on the Green Belt by reason of its visibility  
Design and impact on Landscape / AONB  
Impact on residential amenity  
Impact on highway safety  
Sustainable design and construction  
Other material planning considerations  
Very special circumstances  
Precedents  
Planning Balance

### **Policy and Principle**

The site is in the Metropolitan Green Belt in an open countryside location to the west of Hemel Hempstead and the east of Berkhamsted wherein, under Policy CS5 of the Council's adopted Core Strategy (September 2013), there is a presumption against inappropriate development. This reflects the importance the NPPF attaches to keeping Green Belt land free of built development which states that:

*“The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

Exceptions are allowable in accordance with Para. 149 of the NPPF (National Planning Policy Framework) for certain categories of development.

However, building for large scale renewable energy facilities is not one of the types of development noted as appropriate under Policy CS5, nor one of the exceptions under Para. 149 or 150 of the NPPF for building in the Green Belt. Para. 151 goes on to note that elements of many renewable energy projects will comprise inappropriate development when located in the Green Belt and that such projects will need to demonstrate that very special circumstances exist if they are to proceed. Given the scale and nature of the development, comprising the construction of buildings and an array of PV structures, the proposal is considered to amount to inappropriate development which by definition is harmful to the Green Belt.

Openness is generally defined as the absence of built form (Para 137). However, this does not depend on visibility and therefore even if not visible, there will still be harm to the Green Belt from built development within it. However, as discussed below there will also be harm to openness in this case as a result of its visibility.

Para 148 goes on to state that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances to override that harm will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Set against the Green Belt, Policy CS28 of the Core Strategy clearly seeks carbon emissions reductions in the generation and use of energy.

It is also noted that emerging Local Plan policy set out under Policy DM25 supports stand-alone proposals for renewable energy subject to landscape and other caveats, although limited weight can at present be given to this noting the status of the emerging Local Plan following the Regulation 18 consultation.

This is supported by the NPPF that sets out three key broad objectives at Para. 8 to secure sustainable development, including mitigating climate change and moving to a low carbon economy. Para 152 further supports the transition to a low carbon economy including through renewable energy and associated infrastructure.

Para 158 goes on to state that in dealing with renewable development, LPAs should not require applicants to demonstrate the need for renewable or low carbon energy, and should approve the application if its impacts are (or can be made) acceptable.

A key consideration is therefore whether the impacts of the proposed development are, or can be made, acceptable.

### **Impact on the Green Belt by reason of its visibility**

The array of solar panels in this case that would cover a significant area (32 has) of otherwise open agricultural land, and noting the sloping nature of the site whereby the panels would be visible from a number of vantage points in the surrounding landscape, notably from Little Heath Lane, as well as from locations to the south such as Boxmoor Trust land, UCR2, Footpath 23 and other locations, and from private residences and travellers riding the West Coast Mainline Railway, and noting also that the panels are likely to be eye catching in the landscape by virtue of their colour and the potential for high reflectance (notwithstanding any anti-reflective coating) it is considered that the development would have a significant impact on the openness of the Green Belt in this location, thereby harmful not only by definition, but also by being seen to visibly harm that openness.

This loss of openness would be harmful to the purposes of the Green Belt in this case due to the proximity of surrounding built up areas and planned development at Local Allocation 3 (LA3), notably in checking the unrestricted sprawl of large built up areas, preventing neighbouring towns merging into one another, and safeguarding the countryside from encroachment.

Para 145 of the NPPF tells us that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity, or to improve damaged and derelict land. The proposed development would be inimical to a number of these aims, notably to retain and enhance landscapes and visual amenity. There would also be harm as a result to the recreational benefits of the landscape.

The above visual harm would add to the harm to the Green Belt by reason of inappropriateness and is therefore contrary to Policy CS5 unless very special circumstances are shown to exist that outweigh that harm.

The visual impacts are considered further below in the context of the impact on the landscape and the Chilterns AONB.

### **Design and impact on Landscape / AONB**

NPPF Para 174 states that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Policy CS10 states that *“At the broad settlement level, development should: (a) respect defined countryside borders and the landscape character surrounding the town or village; (b) reinforce the topography of natural landscapes and the existing soft edges of towns and villages...”*

Policy CS25 states that *“Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition and take full account of the Dacorum Landscape Character Assessment, Historic Landscape Characterisation...”*

Saved Policy 100 states that *“Encouragement will be given to tree, woodland and hedge planting in appropriate locations, particularly as part of development landscaping schemes. All tree planting should, wherever possible, be with appropriate native broad-leaved species...”*

Under Policy CS27, all development should protect, conserve and if appropriate enhance the integrity, setting and distinctiveness of designated and undesignated heritage assets.

The site lies within the designated Chilterns AONB where, under Policy CS24 and saved Policy 97, all proposals should preserve and enhance the natural beauty of the area. This would include their setting.

Immediately adjoining neighbours were notified, a site notice posted and the application advertised in the local press. It is noted that the application has attracted a large number of representations from residents and interested parties in the area. A key point of objection relates to the adverse impact on the landscape and views from private and public receptor points.

Natural England was consulted and advises that the authority should consult the relevant AONB Partnership or Conservation Board.

The Chilterns Conservation Board was consulted and raises objection on grounds that the landscape character setting of the AONB would be materially diminished.

CPRE Hertfordshire and The Chiltern Society were consulted and object strongly to the application. The Berkhamsted Citizens Association also joins with them in their objections.

The Berkhamsted TC was consulted and raised concerns regarding the visual impact on the large, south-facing slope and the impact on the AONB.

Nettleden with Potten End PC was consulted and objected inter alia on grounds of visual impact on homes, footpaths, rail lines and recreational areas.

The Bourne End Village Association was consulted and objected inter alia on grounds of harm to the open character of the landscape.

The Conservation Officer was consulted and raises concerns regarding the impact on the visual character of the area from key points on the southern side of the valley.

The Principal Urban Design Officer was consulted and raises objections with regards to the visual impacts of the proposal on the Green Belt and rural character of the area.

The application is supported by a Landscape Visual Assessment (LVA) which concludes that:

- There would be a **slight** effect on the Lower Bulbourne Valley Landscape Character Area (LCA).
- There would be a **large** residual effect at year 15 to the landscape character of the site and surrounding area (within 500 m) due largely to the change in use and loss of openness.
- All PROW visual receptors to the south would experience a **slight** residual level effect as a result of the development, with the exception of users of PROWS 23 and 24, and users of the Boxmoor Trust land, who would experience **large** residual effects at year 15.
- The Cedars, The Barn and land at Button House would experience **moderate** residual effects.
- The special qualities of the AONB would not be affected by the development. As such there is a no change in the magnitude of effect in the AONB with the level of effect assessed to be **neutral** at completion and year 15.
- The proposed landscape mitigation measures would reinforce visual screening of the development from receptors and increase biodiversity of the site.

It is clear from this analysis that the effect of the development on the landscape wouldn't just be neutral or slight but would result in some large residual effects even at year 15. Therefore it is considered that harm to the natural appearance of the existing landscape would occur.

### Impact on landscape

The proposed solar array would extend over a site of 32 has. This would be a significant tract of land which also adjoins the Chilterns AONB to the west. Moreover, the site is gently undulating but with a clear slope downwards towards the south. Whilst this would generally be beneficial in reducing long distance views over the site from the north, nevertheless from the south it would increase the visibility and impact of the development compared with a flat site, noting that the site forms one side of the Bulbourne Valley with topography rising up again on the southern side where there are a number of rights of way and public vantage points. It is notable in this regard that the siting on prominent sloping ground is contrary to the solar industry's own trade body guidance (Solar Energy UK) which states that "*'solar farms' should be sited on level land, not on sloping, visually prominent land.*" The PPG also states that "The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes." Therefore as a matter of design principal, the choice of site is questionable.



The site adjoins the Hertfordshire Way that runs along Little Heath Lane and would be visible from a number of vantage points along this popular walking route that overlook the site. The disruption to the natural appearance of the landscape from the introduction of an alien and industrial form of development to the countryside would be significantly harmful to the appreciation of the landscape for its own sake and the recreational amenity it affords. Whilst supplementary hedge planting is proposed along Little Heath Lane, this is not likely to fully establish for 15 years, and furthermore as noted by the Principle Urban Design Officer the introduction of a complete screen would itself be detrimental to people's appreciation of the rolling arable land of landscape parcel 80 which the Dacorum Borough Landscape sensitivity study (2020) notes as of significant cultural value as part of the setting of the AONB and of district level interest. The panoramic views from the historic sunken lanes of Little Heath would be considered to form part of this character but the LVA report does not appear to give any weight to this as a consideration.

Whilst much of the Hertfordshire Way adjacent to the site lies in a sunken lane, nevertheless there are gaps from which vistas across the landscape can be appreciated, particularly towards the northern end. Once the supplementary planting establishes, there would be a feeling of being enclosed which would be at odds with the current experience. However, until it does, there would be extensive views across the panels. In either scenario there would be harm caused.

With regards to the Hertfordshire Way, objections have been received from the 'Friends of the Hertfordshire Way' on the grounds of harm to the amenity of leg 7 of the way in the vicinity of Bourne End in particular from the steep section of the Way which ascends/descends on public footpath Bovington 023 across the Little Hay golf course, and thereby contrary to Para. 100 of the NPPF that seeks to protect and enhance public rights of way.

The surrounding countryside is used extensively by walkers, cyclists, horse riders and runners for recreation and the extensive views across open fields and countryside are enjoyed for their intrinsic beauty and uplift in health and wellbeing. Views from public rights of way UCR1, UCR2 and 23 would be notably urbanised and affected by the negative impact of the development on the landscape together with public recreation areas at Boxmoor Trust land as indicated by LVA viewpoints 8, 9 and 10. Viewpoints 11 and 12 would also be clearly affected although not modelled for some reason. Semi-public views from Little Hay Golf Course would also be adversely affected. The loss of this recreational and health benefit to the surrounding resident population would be significantly harmful, and in particular would be likely to degrade the potential quality of the Boxmoor Trust land which is being considered for SANG (strategic alternative natural greenspace) to help offset harm to the Chiltern Beechwoods SAC (Special Area of Conservation). The downgrading of this greenspace through significant harm to its views of rolling hills and natural landscape would mean the Council would find it more difficult to mitigate the impact of recreational pressure on the SAC.

It is also noted that there are a large number of viewpoints which appear not to have been represented, such as from the canal overbridge at Sharpes Lane, the railway overbridge at Little Heath Lane, Westbrook Hay driveway and Boxmoor Trust land nearby, and from Little Heath Lane to the north of the site, looking south. There are also semi-public views experienced by passengers travelling along the West Coast Mainline Railway and a large number of individual private residences which have views over the landscape within which the site resides. Therefore, the impact of the development will be widely felt from both public and private receptor points. Furthermore, it is clear that there are limitations with the LVA in being able to visualise the impact of the development since it only provides a snapshot from representative viewpoints. However, this is rarely how visitors perceive the landscape since they are invariably travelling through it, whether on foot, car, van, train or other means. As such they will build up a picture in their mind through a sequence of joined up views which together is greater than the sum of individual views. Furthermore, it is clear that in serial views the faster one moves through the landscape the more field hedges become visually permeable.

The site forms part of an important green buffer between the settlements of Berkhamsted and Hemel Hempstead and the proposals would be seen in many views to visibly erode the green buffer between these settlements to the detriment of the landscape. Looking at viewpoint 8, there is a significant 'march' of development across open countryside, with the proposals bleeding into the edge of Hemel Hempstead, thereby eroding the green buffer. This erosion would be all the more incongruous as a result of the formal rectilinear pattern of solar panels on an otherwise natural sinuous landscape form and would therefore appear as an alien and industrial feature to the landscape. Whilst noting that the north eastern edge of the site has been designed to approximately follow the 130 m contour line with a view to blending the array into the undulating form of the landscape, given the scale of the development, it is not clear from the visuals that this suitably mitigates the overall harm to the landscape. Furthermore, this incongruity would be exacerbated in terms of its prominence due to the contrast of the blue/black panels with the green surroundings and given also the potential for high reflectance against the background vegetation that would highlight their incongruity within the landscape. Whilst accepting that the extreme effects of glint and glare would be mitigated by the low reflectance design of the solar panels, it is not clear that this would significantly mitigate the overall harm. It is noted that the photomontages in this respect appear to be somewhat disingenuous, rendering the solar panels as a bluey green to green colour on the landscape giving the impression that they will blend in, which from general experience of arrays is not considered to be the case. It is considered that the LVA underestimates the visual impacts of the development on the landscape to some degree.

As well as solar panels, the development would comprise 7 transformer stations positioned across the site, together with 2 m high post and wire fencing around the site, and some 70 CCTV cameras on 4 m high poles, together with a 4 m high communications satellite dish. 2m high fencing and 4m high CCTV cameras and poles are not commonplace in the countryside and would therefore add to the incongruity of the use.

In addition, there would be a substation compound adjacent to the southern boundary that would comprise a DNO within a palisade fence enclosure, client switch-room, control room, storage container and welfare office, together with parking and turning areas. It was noted in pre-application advice that the battery storage facilities no longer formed part of the proposals which therefore reduced the number of support buildings and that subject to landscaping this element would not significantly impact on the landscape. However, whilst noting a reduction in the area of built form, the proposals still include a significant number of disrupting structures. Whilst the use of a moss green finish is noted to all structures, nevertheless the utilitarian design and materials would be an unsympathetic feature to this countryside location in the setting of the AONB. In the absence of significant planting proposals, or improvements to the appearance of the existing Network Rail boundary fencing / gates, or rationalisation of car parking compounds with Network Rail that might have been weighed in the balance, the cumulative impact of the proposals would be materially harmful to the natural appearance of the landscape.

In terms of landscape mitigation, it is noted that all existing hedgerows and trees would be retained, the north eastern edge of the solar array would be planted with a new hedgerow, gaps in the hedgerow along Little Heath Lane would be infilled, and species rich grassland provided within the remainder of the site. It is also noted although not clear from the Landscape Masterplan that the temporary access is to be reinstated with a hedge with planting along the inside of the Network Rail palisade fence. These proposals are welcomed. However, it is not considered that these relatively limited landscaping proposals would be sufficient to mitigate the overall harm in longer distance views, noting as mentioned by the Urban Design Officer, the lack of landscape corridors to break up the array and the lack of a comprehensive landscape scheme to improve the setting and biodiversity. Whilst in short distance views from Little Heath Lane, the introduction of screen planting would help prevent views of the solar park, as noted above this mitigation needs to be balanced against the harm that would be caused to views of the rolling arable land which the Dacorum Borough Landscape sensitivity study (2020) notes as of significant cultural value and of district level interest.

Overall, it is considered that there would be significant harm to the landscape and its recreational benefit and appreciation by members of the public who use the byways, highways and open spaces in the local area. The proposed development would therefore be contrary to Policies CS10 and CS25 of the Core Strategy.

### Impact on AONB

The designated Chiltern AONB sits immediately to the west of the site on the western side of Little Heath Lane. Whilst there are no public rights of way on this land from which the site would be visible, Little Heath Lane does form part of the Hertfordshire Way, a 166 mile circular walk described as mainly in open countryside, whilst Little Heath Lane itself is a public highway from which views of the site are readily apparent.

The LVA concludes that there is no inter-visibility between the AONB and the site and none of the special qualities of the AONB would be affected by the development. However, the assessment has not considered the impact on the setting of the AONB with only one passing remark to the effect that there would be some combined views of the AONB from the south of the site on high ground on the other side of the valley; But there is no consideration as to how the development would promote an awareness or consideration of the setting of the AONB in accordance with the Strategy and Guidelines for Managing Change within the Lower Bulbourne Valley Landscape Character Area (area 118).

The Chilterns Conservation Board has raised objections to the application on grounds of harm to the landscape character setting of the AONB. The CCB notes that its Position Statement on Development Affecting the Setting of the Chilterns AONB 2011 states at Para 4:

*“The Board considers that, although it does not have a defined geographical boundary, the setting of the Chilterns AONB is the area within which development and land management proposals, by virtue of their nature, size, scale, siting, materials or design could be considered to have an impact, either positive or negative, on the natural beauty and special qualities of the Chilterns AONB”*

At Para 13 it continues:

*“The Board will expect local authorities, in accordance with their duties under Section 85 of the Countryside and Rights of Way Act 2000 [CROW ACT], to be mindful of both the possible positive and negative impacts of a development within the setting of the AONB on the natural beauty and special qualities of the AONB when determining planning applications.”*

The CROW Act gives legal authority to ‘setting’ because it deals with ‘*matters so as to affect*’ the AONB. The impact on the setting of the AONB from development is therefore a material consideration.

The applicant’s statement that there is no inter-visibility between the site and the AONB is a technicality. The site will clearly be seen in the context of the AONB in both immediate views as one traverses Hertfordshire Way / Little Heath Lane but also in longer distance views from across the valley.

It is relevant to consider the quality of the landscape character within the setting of the AONB. The CCB helpfully summarised this in their comments, noting that the application site sits on the boundary of two landscape character assessment areas (118 and 120) within the Dacorum Landscape Character Assessment. It is stated:

*“When walking the landscape, it is very difficult to decipher any change in the character, either side of Little Heath Lane. Both sides of Little Heath Lane share the same broad character of a gently undulating landscape that flows from the upland plateaus beyond. The setting of the AONB benefits from this relationship and, consequently, the landscape to the immediate southeast of the AONB (i.e., this site and its surroundings), seamlessly blends into the landscape setting of the AONB. Mature hedgerows also serve to unify the two-character areas.”*

Although not within the AONB, the site forms an integral part of the setting of the AONB which as noted above benefits from the seamless blend of its landscape character into the AONB. The introduction of a large scale solar farm would appear in stark contrast to the landscape of the AONB, significantly disrupting its setting and marking a clear change in the context to its detriment and to the visual detriment of walkers, cyclists and motorists who wish to use this route for recreational purposes.

The CCB is of the view that, given the scale of the development, which is significant, it would diminish the landscape character setting of the AONB and materially so. Harm, therefore, would follow to the Chilterns landscape and diminish its special landscape character which is one of the acknowledged special qualities in the AONB Management Plan wherein Policy DP4 states *“In the setting of the AONB, take full account of whether proposals harm the AONB. For example, development of land visible in panoramic views from the Chilterns escarpment...”*

The proposal would in these terms be harmful to the Natural Beauty of the AONB and contrary to Policy CS24. It would also be contrary to national policy that gives great weight to conserving and enhancing landscape and scenic beauty in AONBs and states at Para 176 that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Policy CS25 states that *“Proposals [should] take full account of the Dacorum Landscape Character Assessment, Historic Landscape Characterisation...”* The site falls within the Lower Bulbourne Valley Landscape Character Area of this document which is described as follows:

*“The area occupies a relatively steep sided valley, strongly influenced by the major settlements of Hemel Hempstead and Berkhamsted at either end, which spread up the slopes and onto the adjacent plateau. The narrow congested valley floor combines areas of wet meadow with important corridors for canal, road and rail. At its eastern end the area flows into Hemel Hempstead at Boxmoor where the meadows create a relaxed rural approach to the town. On the valley slopes open large scale arable farming is characteristic while elsewhere there are distinctive chalk landscapes associated with Roughdown and Sheethanger Commons.”*

Under the Strategy and Guidelines for Managing Change within this document, the first bullet point makes clear that when considering development and land use change proposals on sites adjacent to the AONB, an awareness and consideration of the setting of the AONB, and views to and from it should be promoted. In these terms, for the reasons discussed above, it is considered that the development would not be sympathetic to the setting of, or views to, the AONB and is therefore contrary to Policy CS25.

### Summary of Landscape Impacts

Given the open, exposed nature of the site, its significantly sloping topography, the scale of the proposals and the lack of significant screening or landscape elements to break this up, the proposals would have a significant detrimental impact on the landscape character of the area and on the setting of the Chilterns AONB, which would be visible from a wide range of viewpoints. As such there would be overall harm to the character and appearance of the area.

The proposal is considered to be contrary to Policies for the protection of the Chilterns AONB (CS24 and 27 and saved Policy 97) and general landscape (CS25).

### **Impact on residential amenity**

Policy CS12 of the Core Strategy requires that development proposals should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

There are few residential properties that would be directly affected by the development other than properties to the immediate south of the site on the other side of the West Coast Mainline Railway in Bourne End. These have been assessed in the LVA and include The Cedars and The Barn as representative viewpoints, although the viewpoint is from the canal which is somewhat misleading. However, given the intervening vegetation views from upper floor windows would be filtered and the overall effect has been judged as slight. Nevertheless due to the slope of the application site, the solar park would not be an unnoticeable feature, and would represent a clear change in outlook from rolling fields to a more urban / industrial / appearance especially in the winter when the foliage has dropped. Other nearby properties would also be affected such as Meadow Cottage, Pix Farm Cottage and Northfield. New properties at Button House comprising flats and houses would also be affected from upper floor windows in a similar way although given the height of the railway embankment the impact would be less.

The visual impact from properties further away from the site on higher grounds such as properties on the eastern edge of Berkhamsted, the western edge of Hemel Hempstead has also been assessed in the LVA and variously adjudged to be slight to negligible adverse.

Given the scale of possible effects from Very Large to Neutral and from Neutral to Very Large Beneficial, it is clear that the effect is on the negative rather than the positive side of the matrix.

Whilst it is likely that there will be some high contrast reflectance experienced by residential occupiers, this is not likely to occur over a prolonged period. Therefore, the visual impacts aside, there would be no direct impact on the occupants of these properties that would be considered materially harmful to amenity.

The proposal therefore complies with the above policy.

### **Impact on highway safety**

Policy CS12 of the Core Strategy requires a satisfactory means of access and sufficient parking provision for new development.

Saved Policy 51 of the Local Plan (2004) outlines that development should have no significant impact upon the nature, capacity and use of the highway network.

Saved Policy 54 states that new development proposals will be expected to meet current national and local standards for highway design, access and servicing arrangements and circulation space, and that highway design requirements will normally be those employed by the highway authority at the time the development is proposed.

The recently adopted Car Parking SPD (2020) sets out parking standards for various types of development. The use for energy generation would be considered to fall outside any specific use class listed and would therefore be Sui Generis. Car parking should therefore be assessed on its own merits.

For construction purposes, a construction compound is to be provided at the south western corner

of the site with temporary access off Little Heath Lane, which is to be reinstated following completion. Offloading and parking bays have not been indicated. However, the area is considered adequate and details could be the subject of a construction management plan.

During the operation of the site, it is understood that no car parking spaces will be required as there will be infrequent visits to the site for maintenance purposes only. 7 parking spaces are shown together with ample circulation space including a farmer's turning area.

Based on the above there would appear to be adequate car parking and turning space off Little Heath Lane to accommodate the likely limited traffic generated by the proposal and therefore the proposals accord with Policy CS12 and the SPD.

With regards to the access, the existing access off Little Heath Lane that serves the Network Rail compound and over which the farmer has a right of way would be retained during the operational phase.

During the construction phase, a temporary access is to be created alongside this which is to be reinstated and a hedge planted following completion. It is also understood that an existing gated access further to the north of Little Heath Lane will be maintained for ongoing maintenance purposes.

The highway Authority was consulted on the application and has recommended refusal on grounds of an insufficient level of vehicle to vehicle visibility at the location of the proposed access, noting that the levels of visibility to the north are significantly lower than required in both Manual for Streets (MfS) and Design Manual for Roads and Bridges (DMRB), and would result in unacceptable impact on highway safety, particularly taking into consideration the proposed level of use. Whilst acknowledging that the access is temporary and that banksmen are proposed to be used during the construction period, the use of such banksmen should be there to support a suitably designed access not instead of or in the absence of an appropriate level of visibility. Concerns are also raised that the access is not perpendicular to Little Heath Lane as required in Road in Hertfordshire Highway Design Guide.

The proposals are therefore contrary to Policy CS12, and saved Policies 51 and 54 of the Local Plan, as well as the above design guidance.

The applicant is aware of the objections and has requested that determination be delayed. However, even if the objections were resolved, this is unlikely to make any difference to the principal issues of concern in relation to the Green Belt and visual harm to the landscape.

Furthermore, it is not clear that the adjustments to visibility will not require the removal of the bank and hedge, thereby impacting on the character of Little Heath Lane with knock on landscape considerations. If the access is moved south to utilise the existing Network Rail access as suggested by Highways then it would appear that this will not only requires the agreement of Network Rail but also a change to the red line. It is also noted that pre-application advice was sought and these are matters that should have been resolved with the Highway Authority prior to submission of the application.

### **Sustainable design and construction**

The commitment to providing a renewable energy generating facility in itself clearly accords with sustainability principles of reducing carbon dioxide emissions in the generation of electricity. However, any development nevertheless should also be consistent with the principles of sustainable design and construction as set out in Policies CS29, CS30 and CS31 of the Core Strategy and saved Policy 129 of the Borough Plan, together with Supplementary Planning Documents for Energy Efficiency and Conservation, and Water Conservation.

Para 18.22 of the Core Strategy and Policy CS29 require that applications should be accompanied by a Sustainability Statement. In addition, the criteria within Policy CS29 should be met and should be demonstrated via a Sustainable Design and Construction Statement, in accordance with the template checklist on the DBC website.

The application is supported by a comprehensive Sustainable Development Checklist.

In summary, this indicates that:

- a) The solar panels would pay back the energy cost needed to manufacture them by 30 times during their lifetime and use of timber is restricted to timber posts.
- b) Water consumption will be limited to the site compound, concrete foundations, wheel washing and dry type toilet.
- c) Construction waste to follow the principles of the waste hierarchy and all waste removed using a registered carrier.
- d) Residential indoor water consumption - NA
- e) Offsite fabrication of solar panel modules for installation on site, use of min-piling rigs.
- f) Generation of renewable energy that does not create CO<sub>2</sub> and export of 20MW of power to the grid, thereby offsetting 5700 tonnes of CO<sub>2</sub> per year.
- g) Energy efficiency performance of buildings - NA
- h) The provision of 3200 trees as required would be extremely high and the main thrust of the policy is aimed at residential and commercial floorspace. However, the proposals do include hedge planting which would lock up CO<sub>2</sub>. The proposals would also include biodiversity net gains although this in itself would not significantly sequester CO<sub>2</sub> so limited weight.
- i) Creation of green corridors and biodiversity net gain of 77% in area units and 34% in linear units.
- j) Backfilled trenches and swales for the inverter stations to intercept and attenuate runoff.
- k) Use of dark blue panels to of high transparency providing anti-reflective properties to minimise glare and glint, and absorb sunlight. Lighter coloured surfaces would be visually prominent and not specified.
- l) No waste produced during operation.
- m) No significant trips generated.
- n) Site receives high levels of sunshine compared with the country as a whole. Would be orientated south to make best use of sunlight.
- o) Limited noise, little impact on soil, some dust during construction, no impact on water quality, and wheel wash will be contained.
- p) Average lifespan of 30-40 years.

With the exception that no indication has been given as to whether materials are from verified sustainable sources, it is accepted that there are payback benefits from solar panels. Set against this there are considerable human costs in third world countries involved in the extraction of the cobalt in particular. However, on balance, the statement demonstrates that the proposals would adhere to the principles of sustainable design and construction.

Subject to a compliance condition, the proposals accord with Policy CS29.

### **Other material planning considerations**

#### Impact on trees and landscaping

Policies CS12 and 13, saved Policies 99 and 100 and section 3 of the Environmental Guidelines SPG give a high priority to retaining important trees and the provision of appropriate landscaping on development sites which should be with appropriate native broad-leaved species.

The application is accompanied by a full Tree Survey and Arboricultural Report. There is a dearth of trees on the site, although the north, west and southern boundaries are defined by native deciduous hedgerows and sporadic trees. There are no TPOs affecting the site. The Tree Survey identifies a total of 29 arboricultural features, consisting of 19 individual trees, four groups of trees and six hedgerows which have the potential to be impacted by the development proposals. Of these arboricultural features, 13 were awarded a moderate B grade and 16 were awarded a low C grade. None are proposed to be removed apart from a 5 m section of hedge to form the temporary access. Tree protection measures are proposed as set out at section 6 of the Arboricultural Report.

The Trees and Woodlands Officer was consulted but no comments have been received. However, the details of tree protection fencing and cellweb ground protection are considered to be satisfactory.

A compliance condition would be recommended if permission is granted.

Proposals for landscaping of the site have been considered above in the context of the overall impact on the landscape. Whilst the application is supported by a Landscape Masterplan (Drg. No. 1051144-ADAS-XX-XX-DR-P-8001) this is very high level, and does not provide any planting details such as layout, species, size, spacing, staking, pest control, aftercare programme, replacement in the event of failure, etc. Whilst the Trees and Woodlands Officer has not commented, there is nothing for him to consider despite pre-application advice that this should be provided.

Should permission be granted, details of landscaping would need to be secured by condition.

#### Built Heritage Impact

Policy CS27 states that all development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.

Saved Policies 119 and 120 relate to the preservation of listed buildings and / or enhancement of conservation areas, including their setting.

There are a number of listed buildings within 300 m of the site in Bourne End, within the hamlet of Little Heath to the north-west, and with Pouchen End to the east. The Winkwell Conservation Area is also in close proximity to the eastern end of Bourne End opposite the site. The eastern extent of the Berkhamsted Conservation Area is further away at some 1.2 km to the west.

The application is supported by a comprehensive Built Heritage Statement in accordance with the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990. This concludes that the site does not contribute to the significance of any of the built heritage assets and therefore that solar development at the site will not harm such built assets through any change to their setting.

The Conservation team were consulted on the application and agree with the findings of the heritage statement.

As there has been found to be no harm to the significance of these heritage assets through any adverse impact on their setting, the proposals accord with Policy CS27 of the Core Strategy and Saved Policies 119 and 120.

#### Archaeology



The southern part of the proposed development is located partly within an Area of Archaeological Significance 57, Pouchen End, wherein features of known or potential archaeological interest will be surveyed, recorded and wherever possible retained in accordance with saved Policy 118 and Policy CS27. Area 57 shows evidence of cropmarks of occupation and finds of Roman and Medieval date.

The Historic Environment Officer was consulted on the application but no comments were received. However, she advised in pre-application comments that the proposed development should be regarded as having the potential to contain heritage assets with archaeological interest, and that an archaeological field evaluation of the site should be undertaken before submission of any planning application. This should be based on the results of an archaeological desk-based assessment (to include consideration of the wider area). The evaluation is likely to comprise geophysical survey and archaeological trial trenching. It is also recommended that any archaeological investigations are carried out in line with a WSI that has been approved by HCC Senior Historic Environment Advisor so that the information submitted will be sufficient to inform any planning decision.

A report of an Archaeological Desk Based Study has been submitted in support of the application. This indicates low potential for Palaeolithic remains within the site area, negligible potential for Mesolithic remains, low potential for Neolithic – modern remains and medium potential for palaeo-environmental remains with the site area. Potential heritage assets are likely to be early Medieval – Modern date and to take the form of findspots or discrete archaeological features such as ditches and pits but are deemed of negligible or low (local) importance.

There is potential for the development to directly impact known and unknown heritage assets. Given the above, it is considered that site investigations will be required by condition such as trial trenching to confirm presence / absence / condition of buried archaeological remains, and depending on the results, mitigation measures such as adjustments to the scheme siting, all in accordance with a WSI. In the circumstances, the standard archaeological condition would be recommended should permission be granted.

Subject to the above, the development would accord with Policy 118 and CS27.

### Ecology and Protected Species

The NPPF Para 174 emphasises the need to contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity. Policy CS29 states that new development should minimise impacts on biodiversity and incorporate positive measures to support wildlife.

Policy CS26 expects new development to contribute towards the conservation and restoration of habitats and species, the strengthening of biodiversity corridors and the creation of better public access and links through green space.

HCC Ecology, HMWT and HMBG were consulted. The HMWT recommend a condition seeking a LEMP.

The application is supported by a Preliminary Ecological Appraisal (PEA), Badger Survey and Ecological Impact Assessment.

The PEA found the site to be of negligible value arable land but with higher value habitats around the site edges comprising hedgerows, woodlands and semi-improved grassland. These are to be retained and the semi-improved grassland partially retained under the panels and supplemented with wildflower seed mix to ensure no overall net loss of biodiversity.

The Badger Survey found evidence of setts around the borders of the site, mainly along the northern boundary. Within the 30 m buffer zone, the array structures will be mounted on non-penetrative concrete feet with surface laid cabled covered with earth, fencing post holes as shallow as possible with additional bracing and badger gates installed within the fencing.

Breeding bird surveys and bat surveys are deemed not required as no trees will be removed.

The Biodiversity Net Gain Assessment and LEMP demonstrate that the development would deliver net gains in biodiversity of 77% in area units and 34% in linear units, equivalent to 54 area units and 6.2 linear units of biodiversity.

The proposals would accord with Policy CS26 and CS29 and would result in a net biodiversity gain in accordance with the NPPF.

### Flood Risk

The site falls within Flood Zone 1, an area considered to be at the lowest risk of flooding from all sources.

The application is supported by a Flood Risk Assessment (FRA) and an Online Drainage Strategy. The proposed development will only increase the impermeable area by a negligible amount and the FRA identifies mitigation in the form of backfilled trenches / swale features for the transformer stations which will intercept and attenuate surface water runoff.

The details are considered acceptable and will not increase the risk of flooding and accord with Policy CS31 of the CS.

### Agricultural Land

Para 174 of the NPPF states that policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.

Saved Policy 108 seeks to protect the best and most versatile agricultural land (classified by the Department for Environment, Food and Rural Affairs as being of Grades 1, 2 and 3a).

The application is supported by an Agricultural Land Classification assessment which found that the site is Grade 3b agricultural land wherein agricultural yields are poorer than higher grades. As such, there is no policy objection to the loss of this land on agricultural grounds, and it is noted that the land could be reclaimed for agricultural use after 40 years.

### Contamination

The Council's Scientific Officer has confirmed that there are no objections on contamination grounds.

### Noise, Odour and Air Quality

The Council's Environmental Health Officer has confirmed that there are no objections of noise, odour or air quality grounds subject to informatives for waste management and construction working hours with Best Practical Means for dust.

### Grand Union Canal

The Canal and River Trust has been consulted and has raised particular concerns regarding the impact on Bridge 145 from construction traffic, potentially placing its integrity at risk. The Trust notes that the TA and TMP do not appear to reference size and weight restrictions, nor provide any assessment of the bridge or mitigation measures. The Trust has requested that these details be provided prior to determination although has not ruled out a condition should permission be granted. Given the potential for damage and the lack of alternative routing, this should be provided pre-commencement. Traffic routing should also be controlled which a CMP could deal with.

### Gas Infrastructure

A Cadent Gas facility with high pressure pipelines through the site lies adjacent to the site at its northwestern corner. Cadent Gas was consulted and has advised that it has no objection to the development. The site layout allows for the pipelines. There are not considered to be any hazardous risk for this development.

### Air Traffic

National Air Traffic Services (NATS) was consulted and raised no objections to the application.

### Rail Infrastructure

Network Rail was consulted but no response was received.

## **Very Special Circumstances**

As advised by the NPPF, very special circumstances would need to be shown to exist that clearly outweigh the harm to the Green Belt, and any other harm caused by the development.

In the applicant's Design and Access Statement, a number of points are raised in support of the application as very special circumstances (VSC). In addition, the applicant's rebuttal note references a number of VSCs. These are considered below under the following key headings:

- Sequentially preferred site
- The site's contribution to the Green Belt
- Limited Green Belt harm
- Climate change / CO2 emissions benefits
- Biodiversity benefits
- Economic benefits
- Low grade agricultural land

### Sequentially Preferred Site

The applicant submits that because 60% of the Borough is within the Green Belt, most development for a medium to large scale solar development would have to be located within the Green Belt. Further, as there is no brownfield land available for a development of this size (32 ha) development, or within adjoining authorities near to a suitable grid connection which has capacity for 25MW, this dictates that any commercial scale operation must be located within the Green Belt. Reference is made to the submitted Sequential Site Selection Report.

It is accepted that there is no brownfield site for this size of development near to a grid connection point in Dacorum which therefore ostensibly makes this the only available option in Dacorum. However, given the area of search appears to have been geographically restricted to the Lye Green to Piccots End 33kV line, and noting that there appears to be spare capacity in lines to the north of the Borough which is not within the Green Belt, it is not accepted that this has exhausted

all possibilities, whether in the Borough or outside. Furthermore, it is also possible that a smaller array requiring a grid connection voltage of 11kV would significantly expand the available options for solar development within the Borough, whether in the Green Belt or outside. It is also unclear why other land at Boxted Farm, off Berkhamsted Road, in the ownership of the farmer, which has the benefit of being relatively flat land, has not been considered. Moreover, it would be possible for the Council to satisfy its need for renewable energy by utilising existing commercial or residential roof tops, therefore avoiding any development within the Green Belt by utilising brownfield land. The Solar Trade Association have stated that in the UK 50% of the national electrical energy need could be met by using suitable and available south facing commercial roofs. Given the above, only limited weight can be given to the absence of available alternative sites to satisfy renewable energy needs in this case.

### Contribution to the Five Purposes of the Green Belt

The applicant states in their rebuttal statement that purposes a, b, c and e can be considered to apply to residential and other forms of substantial development and buildings rather than the low lying proposed Solar PV development. We do not agree that these purposes only apply to this type of development. This would suggest that such developments are not inappropriate in the Green Belt. The purposes of the Green Belt are applicable to all types of development, including solar developments. Whilst they are not bricks and mortar they are clearly industrial in nature and comprise built development. Furthermore, if this were not the case, then the NPPF would clearly specify this. However, Para 151 clearly states that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development.

The applicant goes on to question the site's contribution to the Green Belt by reference to the five purposes of the Green Belt as set out within the NPPF Para 138. These are considered below.

- a) to check the unrestricted sprawl of large built-up areas – the applicant claims that as the site is contained within defined physical boundaries and to avoid the highest ridge lines, and is not contiguous with the edges of surrounding large settlements, it does not perform well against this purpose. It is further argued that the development at 40 years is temporary and non-residential in nature and can be restored to agriculture after the end of the operational life of the scheme.

Whilst accepting that the site is separated from surrounding settlements such as Pouchen End and Bourne End by large curtilages, and from Hemel Hempstead and Berkhamsted by several fields, nevertheless when considered with the proposed development of LA3 situated to the west of Hemel Hempstead, the proposal would be separated by only a limited gap in built development from the edge of Hemel Hempstead. In these terms the site gains heightened importance in terms of the Green Belt function of preventing the sprawl of large built up areas. Furthermore when considered with the settlement of Bourne End and development there such as Button House, the Green Belt is functionally important to checking the sprawl of Hemel Hempstead and its connection with Borne End, notwithstanding its separation by a railway line.

With regards to the temporary nature of the development, 40 years would be viewed as essentially permanent in most people's eyes, being half a lifetime, and during this period would result in ongoing harm to the Green Belt and landscape. Also at the end of the period it would likely be reclassified as PDL and therefore suitable for redevelopment. Even if a renewal of the permission was not sought, under these circumstances, it would be difficult for the Council to argue that redevelopment for another use would be materially more harmful, or even if it was that it did not represent very special circumstances to be weighed in the balance in support of that new development. In view of this, very limited weight can be placed on this as a VSC.

- b) to prevent neighbouring towns merging into one another – The applicant argues that as the gap between the site and the edge of Berkhamsted would be over 1 km the development is unlikely to cause the merging of settlements due to the distance, that the siting in a dip helps to mitigate its impact on the landscape and that the proposed landscaping also softens the development. It is also stated that the AONB forms an important strategic gap between Berkhamsted and Hemel Hempstead which is unlikely to see large scale development.

No weight if any can be given to the siting in a dip or to the relatively limited landscaping because, as argued above, this would not prevent significant harm to the landscape and setting of the AONB. In any event landscaping would be expected as part of the overall mix of uses in built up areas, and dips and ridges in topography (as in Hemel Hempstead) does not prevent one part of a town being perceived as contiguous with another.

With regards to the gap between Hemel Hempstead and Berkhamsted, it is accepted that there would still be a reasonable gap, and that the AONB is likely to check further development. Nevertheless, when considered cumulatively with LA3, the proposals will reduce the gap by more than half leaving only a relatively small gap of 1 km, and this reduced gap and loss of openness would be visually perceptible in long views (e.g. from Boxmoor Trust land and from PROW UCR2). Furthermore, the land also performs an important function of preventing Hemel Hempstead merging with Borne End. Limited weight is therefore given to this as a VSC.

- c) to assist in safeguarding the countryside from encroachment – it is stated that the site performs strongly against this purpose but that because the proposal is for a temporary use with green infrastructure enhancements, and that a condition to secure reinstatement would be sought by the Council, the encroachment would be reversible.

The proposal will result in significant encroachment of the countryside with built development. Should permission be granted, the Council would recommend a reinstatement condition following cessation of the use. Nevertheless, during this 40 year temporary period, for reasons as already explained, the development would still result in ongoing harm to the Green Belt and landscape which therefore does not safeguard the countryside from encroachment. Therefore, very limited weight is given to this as a VSC.

- d) to preserve the setting and special character of historic towns – it is accepted that the site does not contribute strongly to preserving the setting or special character of historic towns, noting that the Heritage Statement did not find any harm and with which the Conservation Officer agreed. Therefore, there would be limited harm in this respect and some weight can be given to this as a VSC.
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land – as noted by the applicant, all land within the Green Belt is likely to perform equally well against this purpose and the proposal would therefore be inimical to this. The site is neutral in this regard when considered against other Green Belt sites and does not therefore present a VSC for allowing the development. However, it is accepted that there is a lack of an available 32 ha brownfield site to accommodate the development, although this must be set against the fact that smaller brownfield sites are likely to be more readily available in the Borough, and that the need for renewable energy could be accommodated on residential and commercial rooftops. On balance some weight can be applied to this as a VSC.

In summary and on balance, limited weight is given to the purposes of the Green Belt not being fulfilled by the site. As the development has been found to harm most of the purposes of the Green Belt, the site therefore still retains a valuable function as Green Belt land.

#### Limited Green Belt Harm

The applicant's argument for very special circumstances under this heading falls into 6 areas which overall conclude that there will be limited harm to this part of the Green Belt and will not conflict with Policy CS5.

- a) It is stated that the proposed development is sited outside of any special landscape areas, and its chosen location minimises impacts on the wider character and appearance of the landscape.

It is accepted that the site lies outside any special landscape designations. However, this does not prevent the development causing harm to the visual amenities of the landscape and the setting of the AONB to which significant weight should be attributed. Due to its sloping topography, the development would be a visually prominent, alien feature to the landscape, visible in both short and long distance views. The chosen site and topography does not therefore minimise its impact. Furthermore there would be harm to the appreciation of the rolling hills for its own sake not only by the introduction of the solar array onto the landscape, but also through the proposed blocking of views in short distance vistas across the site. Whilst the proposed linear hedgerow to the eastern boundary is noted, this would do little to integrate the development into the landscape. Rather than minimising impacts on the wider character and appearance of the landscape, the proposed development would cause significant harm to the landscape and the appreciation of views, vistas and the general enjoyment of the countryside for its intrinsic beauty. Therefore no weight can be attributed to this as a VSC.

- b) It is further reaffirmed that the solar PV proposal would be a temporary development of 40 years, being a 'soft use' that does not entail any loss of agricultural land, significantly negating any potential limited impact on the permanence of the Green Belt.

As noted above, it is not accepted a temporary 40 years use would negate any harm to the Green Belt. 40 years would be viewed as essentially permanent, and during this period would result in ongoing harm to the Green Belt and landscape. There is also no guarantee at the end of this period that a renewal of permission is not sought or an alternative built use permitted on the basis of it now being PDL. Very limited weight is given to this as a VSC.

- c) There would be a large wide gap of over 1km between the site and Berkhamsted and the development would not result in any significant impacts on the openness of this part of the Green Belt due to the extent of Green Belt and open countryside.

The towns of Berkhamsted and Hemel Hempstead sit in relative close proximity to one another (approximately 2.5 km) with the site located approximately midway between the two. It is further contained by development immediately to the south at Bourne End and up to 1 km to the north at Potten End / Little Heath. The intimation that there is copious amounts of Green Belt / open countryside into which to expand is therefore incorrect. As noted above, the proposed development when considered with Local Allocation 3 will reduce the gap by more than half between Hemel Hempstead and Berkhamsted with the reduced gap being visually perceptible in long views from the south. Furthermore, the solar park will be seen to visually merge with built development at LA3 and the wider town of Hemel Hempstead when viewed from Boxmoor Trust and other nearby land. Whilst there would remain a gap of 1 km from the edge of Berkhamsted, the encroachment of countryside would still be visible from PROW UCR2 and nearby residences. It is not accepted that the development would be visually absorbed into the wider Green Belt and countryside as suggested. As such this is not considered to constitute a VSC for overriding Green Belt policy and no weight is given to this.

- d) The site only fulfils two of the purposes of the Green Belt, one fully (purpose c) to assist in safeguarding the countryside from encroachment, and one partly (purpose b) to prevent neighbouring towns merging into one another, and therefore the weight to be applied to the

site in terms of its overall contribution to the Green Belt is not considered to be significant, and any harm is limited.

The relative weight to be applied to the 5 purposes of the Green Belt has been discussed above where it was concluded overall that only limited weight could be applied to the site not meeting these purposes.

- e) The site does not fall within a designated area of landscape value such as an AONB and the solar PV and landscaping can be considered as green infrastructure asset, whilst the buffers and hedgerows will protect the land from soil erosion.

Whilst accepting that the site does not fall within the AONB, it is considered to lie within its setting and as discussed above, it is considered that there would be significant harm caused to the appreciation of the AONB in the context of its wider landscape setting that would be impacted by the development. Therefore no weight is given to this as a VSC.

It is accepted that the introduction of landscaping in the form of hedgerows and wildflower seeding would result in a significant net gain in biodiversity across the site. However, landscaping would always be expected as part of development proposals in accordance with NPPF, CS12 and saved Policy 100 so is not considered very special. The uplift in biodiversity is proportionately high but it must be recognised that this is starting from a relatively low base. Therefore this attracts only some weight as a VSC.

The protection of the land from soil erosion is noted. However, it is not clear that soil erosion is a real problem, and could be argued for any development. Therefore, this is not considered to attract weight as a VSC.

- f) The development will create and improve green corridors and habitat for wildlife.

This is part of the net biodiversity gain argument discussed above to which limited weight is given.

In summary and on balance, very limited weight is given to the development not harming the Green Belt.

#### Climate Change / CO2 Emissions Benefits

The Climate Change Act 2008 (2050 Target Amendment) Order 2019 seeks to reduce greenhouse gas emissions down to 80% of the UK 1990 level by 2050.

The national imperative is reflected in the NPPF which sets out that planning decisions should support the transition to a low carbon economy although caveats that renewable or low carbon energy schemes should only be approved if the impacts are (or can be made) acceptable.

Support for Government Policy is provided by the recent IPCC report (August 2021) Physical Science Basis “Summary for Policymakers” which states that “*it is unequivocal that human influence has warmed the atmosphere*” and that “*observed increases in well-mixed greenhouse gas (GHG) concentrations since around 1750 are unequivocally caused by human activities with annual averages of 410 ppb of CO2 in the atmosphere*”. The best estimate of global surface temperature increase from 1850-1900 to 2010-2019 is said to be 1.07 degrees c. In summary, it is suggested that anthropogenic radiative forcing from greenhouse gases is likely to be the main cause of global warming / climate change. It should nevertheless be noted that the science is not settled on the causes of climate change and some of the headline figures on the amount of global warming and how much is attributable to anthropogenic CO2 emissions is disputed by many climate scientists.

At the more recent COP26 summit, there was an impetus by Governments to increase the pace of implementing the Paris Agreement and on strengthening 2030 targets.

At the local level, Policy CS28 seeks carbon emission reductions in the generation and use of energy, building design and construction, and the use of transport as far as possible.

As part of the Regulation 18 Local Plan, and draft policies therein, the Council produced a Climate Change and Sustainability Background Topic Paper in November 2020 which recognises the threat posed by climate change.

The Council signed the Nottingham Declaration on Climate Change in 2007, and committed to reducing per capita CO2 emissions in the Dacorum Sustainable Community Strategy. Along with other local authorities, in July 2019 it declared a Climate Change Emergency, and subsequently formed the Dacorum Climate Action Network (Dacorum CAN) which brings together local individuals and organisations to ‘**think global and act local**’ with the aims of supporting and tackling the Climate and Ecological Emergency by reducing emissions and increasing biodiversity.

There is clear support for tackling the causes of climate change and reducing greenhouse gas emissions.

The Borough Council as an organisation is signed up to achieving zero greenhouse gas emissions by 2030 as set out in the Council’s draft Climate and Ecology Strategy. This strategy also notes that The Government Department for Business, Energy and Industrial Strategy (BEIS) data for carbon emissions in 2019 for Dacorum was 624,000 tonnes (tCO2).

The proposed development would provide CO2 free electricity equivalent to 8,500 homes (13% of Dacorum households) and would result in a reduction of 5700 tonnes of CO2 per year, which would help meet Dacorum’s emissions reductions targets. This would represent a 0.9% reduction in CO2 for the whole of the Borough. This is a significant number of dwellings although proportionately makes a relatively small dent in the move to net zero emissions. Furthermore, it should not be assumed that those dwellings will not still need to rely on fossil fuel powered electricity as back up during the winter for example, at times when the sun doesn’t shine. Therefore conventional electricity generation will need to remain until battery storage significantly improves.

In Green Belt terms, Para 151 states in relation to the need to demonstrate VSCs for renewable energy projects, that VSCs may include the “*wider environmental benefits associated with increased production of energy from renewable sources.*” It is also accepted that the NPPF states under Para. 158 that it is not necessary for applicants to demonstrate the need for such development.

Based on the above, and other relevant guidance on addressing the challenge of climate change it is accepted that there is strong local and national policy support for renewable energy provision to ensure that these targets have the best possibility of being met. On this basis the provision of renewable energy represents a VSC to which significant weight should be attached.

#### Biodiversity Benefits

This has been discussed above where it was concluded that this attracts only some weight as a VSC.

#### Economic benefits



It is stated that the development will have a substantial long term benefit to the local economy including payment of business rates over 40 years which will assist in providing Council services, giving further weight to supporting the development.

It is also submitted that the landowner will benefit from a secure income over 40 years which can be reinvested into the farm business and local economy, and that there will be further jobs created during the construction, maintenance and decommissioning stages.

It is accepted that the development will attract business rates. However, this is not very special and could be similarly argued by any developer to support development in the Green Belt. No weight is given to this as a VSC.

The creation of jobs during the construction and decommissioning stages is also accepted but again is short lived, whilst the ongoing employment of staff to maintain the facility over the 40 years would be at a relatively low level, so these circumstances are not very special and are not considered to amount to VSCs.

With regards to the diversification of the farm business, only very limited weight if any can be given to this noting that there is no guarantee that the remaining farmland land would not be sold off separately.

#### Low Grade Agricultural Land

It is claimed that the low grade (ALC 3b) classification of the agricultural land presents the very special circumstances for allowing this development to take place in the Green Belt against the background of a lack of suitable alternative sites in the Borough beyond the Green Belt or on PDL.

Saved Policy 108 states that:

*“Development which would result in the permanent loss of the best and most versatile agricultural land (classified by the Department for Environment, Food and Rural Affairs as being of Grades 1, 2 and 3a) will be refused, unless it can be demonstrated that there is an overriding need for the development and there is no alternative land of a lower quality which could reasonably be used.”*

The applicant has submitted an agricultural land classification assessment in support of the application, the results of which show the site to comprise Grade 3b agricultural land. This is not disputed. However, it does not necessarily follow that development on such lower grade land should therefore be permitted. The site is within the Green Belt and serves the purposes of the Green Belt irrespective of its quality. Furthermore, the Grade 3b classification does not mean that the land is totally unproductive, it is just less productive than higher grades and the loss of this land needs to be set against a time of impending food crisis in the world. In the balance, as already discussed, it is also not accepted that development of this site is the only way to satisfy the need for renewable energy.

Taking the above into account, some weight is given to this as a VSC.

#### Summary and Conclusions on Very Special Circumstances

Whilst significant weight is given to the renewable energy / CO2 emissions reductions benefit of the scheme, and some weight is given to the biodiversity benefits and use of lower grade agricultural land, only limited weight is given to the absence of suitable and available site for renewable energy production. Limited weight too is given to the proposal not harming the five purposes of the Green Belt. Furthermore, only very limited weight is attributable to the economic benefits of the scheme and to not harming the openness of the Green Belt in terms of the 40 year temporary use.

## Precedents

The applicant has raised attention to a number of recent permissions and allowed appeals for solar PV developments which are claimed to lend support to the application scheme, and which should be taken into account. These are considered below:

1. 21/00605/FUL – PP granted by Rochford DC for 50 MW on 67 ha of land in the GB at South Fambridge in 2021 – This is not considered comparable. This is a relatively flat site and given landscaping and the sea wall was considered to have a relatively low visual impact and no harmful cumulative effects were deemed to result. It is also noted that there is no clear potential for coalescence of settlements.
2. 21/04881/FUL – PP granted by Bath & North Somerset DC for 15 MW on 24 ha in the GB at Farmborough – This is not comparable. The site is relatively flat. Field hedges ensure the site will not be prominent in the landscape. It is also some distance from large settlements and will not cause coalescence or significant harm to the Green Belt. At 15 MW it is also more modest than the proposed 25MW being considered. And despite the existing solar array nearby, no harmful cumulative effects were deemed to result.
3. APP/C1950/W/19/3225810 – Appeal allowed for 4 MW in the GB at Digsweil, Welwyn in 2020 - This only relates to a small scheme of 67 panels. In this case the site sits within a hollow and the surrounding land is relatively flat. Visibility from the public realm was limited to views from the PROW to the south and the Inspector considered there would only be a slight adverse effect on the landscape. This is not considered comparable either in size or effect.
4. 2015/0862 – PP granted by Gedling DC for 4 MW on 10 ha in the GB at Arnold, Nottingham in 2016 – It is noted that this too is not only a relatively small development but located on a flat arable field that is well contained by tree belts on all sides, so inconspicuous to wider views, and would also not result in any potential for coalescence of towns. This is not considered comparable either in size or effect.
5. APP/B5480/A/14/2227508 – Appeal allowed for 2.6 MW in the GB at Upminster, London in 2015 – Reference is made to this scheme in the London Borough of Havering. Unfortunately the case does not appear to be on the PINS website. The site nevertheless comprises land to the west of the M25 motorway at Cranham Golf Course, St Marys Lane, Upminster and appears from Google imagery to have been built out. The solar array is relatively small but is visible from the M25 motorway. However, as the site comprises flat low lying ground, it is not highly visible in any longer distance views. It is not therefore considered comparable to the current application proposals in terms of its landscape impact. Furthermore given the separation from the built up edge of Upminster it would not result in any material urban sprawl and given no other nearby towns would not result in any potential for coalescence.

It is noteworthy that a scheme on the opposite side of the motorway in this location for 15.93 MW on 30 ha of GB land was dismissed on appeal ([APP/B5480/W/15/3007618](#)) and the decision upheld by the SoS. This was despite the considerable weight given to the delivery of renewable and low carbon energy. However the Inspector gave little weight to other considerations put forward by the appellant including the minimal impact on landscape character, the minimal harm to users of the PROW through the site, the biodiversity enhancements, and the temporary nature of the development of 25 years.

6. APP/C3105/A/13/2207532 – Appeal allowed for 10 MW in the Green Belt at Belchington in 2014 – This site is unlike the application proposal in that it comprises a very flat site that is well concealed by vegetation from all directions and the impact on landscape and the amenity of little used footpaths crossing the site meant that the degree of harm in landscape terms would be very limited. The Inspector balanced the substantial harm to the Green Belt and the limited landscape harm against the benefits of renewable energy production and the assistance to the ongoing viability of a rural business. It should be noted however, given the distance from any major settlements, in contrast to the application site, that there was no material urban sprawl involved, and no potential for coalescence.

Whilst the above cases are helpful in understanding the key considerations and the relative weight that may be applied to those considerations, in a number of detailed respects they are not comparable to the application proposal. It is therefore clear given the very different local circumstances that pertain to the site that the application must be considered on its own merits. Therefore it is not considered that these cases set any clear precedent for granting the application proposal in the Green Belt.

### **Response to Neighbour Comments**

There have been a significant number of objections received, in summary as follows. These have been considered above.

Support contribution to low carbon energy  
Solar panels and wind farms can actually enhance the landscape  
Biodiversity will be enhanced  
Visible from private residences  
Visible from the public Golf Course  
Visible from Hertfordshire Way  
Visible from lower floor of Wyndcrest, Sugar Lane – No VIA carried out  
Visual harm to 7 Bourne End Cottages  
Visible harm to The Cedars, Pix Farm Lane, following removal of trees by Network Rail  
Visual harm to Little Heath House Cottage  
Would cause glare to Kingswood House, Pouchen End Lane  
Disproportionate loss of Green Belt land  
Harm to landscape  
Harm to setting of adjacent AONB  
Reduction in viable agricultural land  
Possible glare  
Impact on wildlife mistaking the array for water  
Poorer efficiency than on flat terrain  
Should be sited on roofs to do less damage  
Should be placed on brownfield land  
Vital the country produces more crops given food crisis  
Solar PV is very inefficient in the UK especially in winter  
Need more biodiversity in mitigation  
Topography unsuitable  
Will erode buffer between Hemel Hempstead and Berkhamsted  
No guarantee that the land will return to former use  
Considerable visual impact  
The view from Hertfordshire Way is enjoyed by walkers  
VCSs do not outweigh the harm  
Contrary to plans to increase the AONB by Natural England  
Bourne End village will disappear with all the development in the area

Hedges would block views of the landscape but not the development  
Community engagement was not circulated widely and the survey included leading questions  
There are other more suitable locations  
Would set a precedent  
Never seen such an ill-suited location – a flat site should be chosen  
Panels would cause glare and distraction  
Contrary to Ministerial Statement  
The dip in landform will not mitigate the impact on the landscape  
Pouchen End will be swallowed up between housing at LA3 and the solar park  
The solar industry standards suggest flats sites, but this is on a slope  
High pitched noise may affect wildlife  
Construction traffic will be disruptive  
Not in favour of a large industrial site on farmland  
40 years is essentially permanent  
Proximity to Ashridge Forest  
The site is productive farmland

#### CIL Liable

Yes (above 100 sq m)

#### **The planning balance**

There would be substantial harm to the Green Belt by reason of inappropriateness, and furthermore due to the lay of the land and its prominence in short and long distance views there would be significant perceived visual harm to the openness of the Green Belt from a number of receptors.

In landscape and visual amenity terms, given the scale of the development, its' urban and industrial form, the sloping topography and the prominence of the site from surrounding viewpoints, there would also be significant harm to the landscape quality of the site and its appreciation for its intrinsic character and beauty. Furthermore, as the site lies adjacent to the designated Chilterns AONB, which benefits from the seamless blend of its landscape character into the AONB, there would also be significant harm to the setting of the Chilterns AONB. This would all be visibly harmful in both short and long distance views from public, semi-public and private receptors such as the Hertfordshire Way, public footpaths, Boxmoor Trust land, Little Hay Golf Course, residences and passengers on the West Coast Mainline Railway.

While Para. 151 of the Framework accepts that very special circumstances will need to be demonstrated if renewable energy projects are to proceed in the Green Belt, it continues: such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. Therefore, the harm to the Green Belt and other harm identified in respect of the landscape interests should be balanced against any benefits from the proposal if these are deemed to constitute very special circumstances.

Set against the above identified harm, significant weight can be given to the renewable energy / CO2 emissions reductions benefit of the scheme which is forecast to reduce CO2 emissions equivalent to that emitted by 8,500 dwellings. Some weight can be given to the biodiversity benefits and use of lower grade agricultural land as part of the proposal. However, only limited weight is given to the absence of available alternative sites since it has not been demonstrated that the need could not be satisfied on non-Green Belt land elsewhere in or beyond the Borough, or on smaller sites within or beyond the Green Belt or on rooftops. Limited weight only is also given to the site not harming the five purposes of the Green Belt. It is considered that the site maintains an important function of keeping the land free from built development. Furthermore, only

very limited weight is attributable to the economic benefits of the scheme and to not harming the openness of the Green Belt in terms of the 40 year temporary use.

Whilst the considerable benefits of the proposal in terms of the need for renewable energy provision and the other smaller benefits are acknowledged, nevertheless these are not considered to outweigh the substantial harm that would be caused in Green Belt terms and the significant harm identified in respect of the landscape and the setting of the AONB.

On balance it is not considered that the very special circumstances necessary to outweigh the harm to the Green Belt and the other harm identified is sufficient to support this solar development which is therefore inappropriate development in the Green Belt. The proposal is therefore contrary to Policy CS5 and NPPF Paras. 147 and 148.

## **SUMMARY AND CONCLUSIONS**

Building for large scale renewable energy facilities is not one of the types of development noted as appropriate under Policy CS5, nor one of the exceptions under Para. 149 or 150 of the NPPF for building in the Green Belt. the proposal is considered to amount to inappropriate development which by definition is harmful to the Green Belt.

Furthermore, due to the scale, topography and visual prominence of the development, it would have a significant impact on the openness of the Green Belt in this location, thereby visibly harmful not only by definition, but also by being seen to visibly harm that openness.

Very special circumstances are required to show that the harm to the Green Belt and the other harm identified are clearly be outweighed by other considerations.

Given the open, exposed nature of the site, its significantly sloping topography, the scale of the proposals and the lack of significant screening or landscape elements to break this up, the proposals would have a significant detrimental impact on the landscape character of the area and on the setting of the Chilterns AONB, which would be visible from a wide range of viewpoints. As such there would be overall harm to the character and appearance of the area and the development would be contrary to Policies for the protection of the Chilterns AONB (CS24 and 27 and saved Policy 97) and general landscape (CS25).

Setting the visual impacts aside, there would be no direct impact on the occupants of nearby or other residential properties that would be considered materially harmful to amenity.

The highway Authority recommends refusal on grounds of an insufficient level of vehicle to vehicle visibility at the proposed access, which would result in an unacceptable impact on highway safety. Whilst acknowledging the temporary access and the use of banksmen during the construction period, these should be there to support a suitably designed access not instead of or in the absence of an appropriate level of visibility. Concerns are also raised that the access is not perpendicular to Little Heath Lane as required in Road in Hertfordshire Highway Design Guide. The proposals are therefore contrary to Policy CS12, and saved Policies 51 and 54 of the Local Plan, as well as highway design guidance.

A Sustainable Development Checklist has been submitted which, on balance, demonstrates that the proposals would adhere to the principles of sustainable design and construction.

The Tree Survey and Arboricultural Report identifies 29 arboricultural features none of which would be removed and which are to be subject to tree protection measures. A Landscape Masterplan has been submitted which shows hedge planting and wild flower seeding. However, further details would be required by condition.

The Conservation Officer agrees with the Heritage Statement finding that there would be no harm to the significance of heritage assets through any adverse impact on their setting. The proposals therefore accord with Policy CS27 of the Core Strategy and Saved Policies 119 and 120.

The site is within an Area of Archaeological Significance 57, Pouchen End and an Archaeological Desk Based Study in support of the application indicates the potential for the development to directly impact known and unknown heritage assets. The standard archaeological condition would be recommended should permission be granted.

The submitted Biodiversity Net Gain Assessment and LEMP demonstrate that the development would deliver net gains in biodiversity of 77% in area units and 34% in linear units, equivalent to 54 area units and 6.2 linear units of biodiversity.

The site falls within Flood Zone 1. The proposed development will only increase the impermeable area by a negligible amount and the submitted FRA identifies mitigation in the form of backfilled trenches / swale features for the transformer stations which will intercept and attenuate surface water runoff.

The application is supported by an Agricultural Land Classification assessment which found that the site to be Grade 3b agricultural land. As such, there is no policy objection to the loss of this land on agricultural grounds.

There are no objections in terms of contamination, noise, odour or air quality subject to informatives.

The CRT has raised concerns with regards to the impact of construction traffic on Bridge 145 and has requested an assessment and mitigation measures prior to determination, although has not ruled out a condition. Given the potential for damage and the lack of alternative routing, this should be provided pre-commencement.

Very special circumstances have been submitted in support of the development that seek to outweigh the harm to the Green Belt and the other harm identified. Whilst significant weight is given to the renewable energy / CO2 emissions reductions benefit of the scheme, and some weight is given to the biodiversity benefits and use of lower grade agricultural land, only limited weight is given to the absence of suitable and available site for renewable energy production. Limited weight too is given to the proposal not harming the five purposes of the Green Belt. Furthermore, only very limited weight is attributable to the economic benefits of the scheme and to not harming the openness of the Green Belt in terms of the 40 year temporary use.

A number of appeal cases and permissions have been raised as relevant precedents for the development. However, they are not considered comparable to the application proposal and it is clear that the application must be considered on its own merits.

In the overall planning balance, it is not considered that very special circumstances have been demonstrated to exist in this case that clearly outweigh the harm to the Green Belt and the other harm identified as a result of this inappropriate development. The proposal is therefore contrary to Policy CS5 and NPPF Paras. 147 and 148.

## **RECOMMENDATION**

That planning permission be refused.

<b>Case Officer Check List</b>	<b>Officer Check/Comments</b>
Has the consultation letter/site notice/advert period expired?	Y

Was a site notice posted and if so, was the date entered into Uniform?	Y
Is the Article 35 Statement included?	Y
Is the CIL box ticked/un-ticked in Uniform?	Y
Are all plans, documents, site photographs and emails saved to DMS?	Y
If applicable, please give the reason why the application is overtime.	Pressure of caseload
Does the application involve the demolition of any buildings that are currently in use?	N
Is there a Legal Agreement?	N
Has the Uniform Legal Agreement box been filled in?	NA
Is a copy of the agreement on DMS (both redacted and non-redacted versions)? Has the agreement been published on the website?	NA

### Reason(s) for Refusal:

1. The site lies within the Metropolitan Green Belt wherein, under national and local planning policy there is a presumption against inappropriate development. Policy CS5 of the Dacorum Core Strategy, in accordance with the NPPF (2021), allows for small scale development in certain circumstances. Building for large scale renewable energy facilities is regarded as inappropriate development which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Due to the scale, topography and visual prominence of the development, it would have a significant impact on the openness of the Green Belt in this location, thereby visibly harmful, not only by definition, but also by visibly harming that openness. The circumstances put forward in support of the application have been assessed by the Council. However, whilst significant weight is given to the renewable energy / CO2 emissions reductions benefit of the scheme, and some weight is given to the biodiversity benefits and the use of lower grade agricultural land, and limited or very limited weight is given to other matters, none of these are considered, either individually or together, to constitute the very special circumstances necessary to clearly outweigh the harm to the Green Belt in this case by reason of inappropriateness, and the other harm identified as resulting from the proposal. Accordingly, the proposal is contrary to Policy CS5 of the Dacorum Core Strategy September 2013 and Paras. 147 and 148 of the National Planning Policy Framework 2021.
2. The proposed development, by reason of the open, exposed nature of the site, its significantly sloping topography, the scale and alien form of the proposals and the lack of significant screening or landscape elements to break this up, the proposals would have a significant detrimental impact on the landscape character of the area and on the setting of the Chilterns Area of Outstanding Natural Beauty, which would be visible from a wide range of viewpoints. As such there would be overall harm to the character and appearance of the area. The proposal is therefore contrary to Policies for the protection of the Chilterns AONB (CS24 and 27 of the Dacorum Core Strategy 2013, and saved Policy 97 of the Dacorum Borough Local Plan 1991-2011) and general landscape (Policy CS25 of the Dacorum Core Strategy).
3. The proposed temporary access arrangements are not in accordance with guidance as laid out in Manual for Streets, DMRB's CD109 and the Highway Authority's design standards and have the potential to interfere with the safe use of the adjacent highway. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy Framework (2021), Hertfordshire's Local Transport Plan 2018, and Policy CS12 of the Dacorum Core Strategy September 2013, and saved Policies 51 and 54 of the Dacorum

Borough Local Plan 1991-2011. Furthermore, Little Heath Lane is unsuitable for heavy goods vehicles and the Canal and River Trust raises concerns that construction traffic could put the integrity of bridge 145 at risk. In the absence of an assessment or mitigation within the TA or TMP as part of the application, and given the potential for damage and lack of suitable alternative routing, it is not clear that the proposals will not result in harm to bridge infrastructure and should therefore not be permitted. The proposal is therefore contrary to Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

**Informatives:**

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue, and pre-application advice with regards to approaching the Highway Authority for advice appears to have been ignored. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
The Countryside Charity	<p>I write with reference to the above application to register CPRE Hertfordshire's strong objection to the installation of this large solar farm, notwithstanding our firm support for sustainable forms of electricity generation, and specifically solar generation related to buildings and previously developed land. Certain renewable energy sources, if not properly controlled, can have serious consequences for our natural environment.</p> <p>At present within Hertfordshire there is a proliferation of similar applications for solar energy installations across the Green Belt. The cumulative effects of these proposals will have a significant and damaging impact on wide areas of highly valued open countryside and agricultural land.</p> <p>National Planning Practice Guidance (Renewable and Low Carbon Energy) is clear that the promotion of renewable energy: "does not mean that that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities." CPRE Hertfordshire thus objects strongly to this application for the following reasons.</p>



1. The land identified for this proposed development is located within the London Metropolitan Green Belt as identified in the adopted Dacorum Local Plan (Core Strategy). The emerging Dacorum Local Plan, which has recently been consulted upon, also includes Green Belt designation. Green Belt is a policy and land use designation which includes large areas of open countryside and landscape and the Applicant states in its consultant's Planning Design and Access Statement that the site is "located within the Metropolitan Green Belt and is adjacent to the boundary of the Chiltern Area of Outstanding Natural Beauty (AONB)(sic)". The land proposed for this development performs vital functions as open countryside, both for agriculture and recreation, and for the conservation and enhancement of the natural environment.

3. The National Planning Policy Framework (NPPF) as revised in July 2021 requires land designated as Green Belt to be kept "permanently open" (para. 137) and "inappropriate development... should not be approved except in very special circumstances" (para. 147). In addition, the setting of the AONB is a constraint on inappropriate development and Council planning officers noted in March 2021 that "the proposals would clearly represent inappropriate development in the Green Belt".

4. The industrial nature of the photo-voltaic panels and associated infrastructure will change the nature of the countryside in this area for a generation. The presence of large areas of glass and metal are entirely inappropriate for a designated protected area whose purpose is expressly to maintain its openness permanently (NPPF para. 138).

5. As noted above, national Planning Policy Guidance (PPG) provides specific guidance on solar farms (Renewable and Low Carbon Energy) and notes that factors to consider include "the effect on a protected area such as an Area of Outstanding Natural Beauty or other designated areas." PPG also states that "the deployment of large-scale solar farms

can have a negative impact on the rural environment, particularly in undulating landscapes."

6. Ministerial statements of April 2013 and March 2015 are also quoted in PPG, noting that the need for renewable energy should not automatically override environmental protection. The large extent of this proposal, 32 hectares, will make a very considerable impact on the area, by virtue of both the solar panels themselves, and the associated infrastructure.

7. The Applicant acknowledges that "very special circumstances" need to be demonstrated sufficient to outweigh harm to the Green Belt and these are stated to be related primarily to the benefits of the provision of renewable energy during the 40 year life of the proposed development and the suggestion that "this site is sequentially the preferred site".

8. We do not believe that very special circumstances have been demonstrated by this application. Ground-mounted solar installations are not locationally constrained as they require only direct sunlight, and it is not appropriate to locate this proposal on land designated as Green Belt.

9. The proposed site is also a particularly poor site for a solar installation as it contravenes the guidelines adopted and publicised by Solar Energy UK (the solar energy industry trade association). Their guidance states that 'solar farms' should be sited on level land, not on sloping, visually prominent land.

10. The proposed development is located on a highly visually-prominent open site, situated on rising land. It would be easily seen from the sloping hillsides to the southwest, south and southeast, ranging from the Hall Park estate on the eastern side of Berkhamsted, to the Little Hay golf course.

11. A number of public rights of way, including The Hertfordshire Way, run up the southern side of the valley and above the site, to the northwest and north. The amenity of local communities will also be seriously harmed in Little Heath Lane, Sugar

Lane, the village of Bourne End, and to the west in the Hall Park estate on the eastern side of Berkhamsted

12. The principle of openness is a key test for the maintenance of Green Belt, as emphasised in several court cases (including *Lea Valley Regional Park vs Epping Forest DC*; *Samuel Smith vs North Yorks County Council*). This will be severely jeopardised by the fencing, transformers and other bulky and unsightly equipment associated with this proposal.

13. The proposed development comprises at least a dozen metal shipping container type buildings, including 7 transformer stations, a control room, a DNO substation, a GRP Unit substation, a Group Client switchroom, a storage container, a spares container, and a welfare office. The dimensions of these various metal buildings range up to 4 metres high, 5 metres wide, and 11 metres long.

14. Further buildings and associated equipment include a toilet building over three metres high ("a waterless evaporating toilet"), galvanised two metre high steel deer fencing around much of the site, and in excess of 70 CCTV security cameras mounted on four metre high poles. With more than 1500 glass and metal photovoltaic panels, situated on metal support frames, each panel being 2.8 metres high, this constitutes considerable industrialisation of the landscape.

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Chairman: Allan McNab  
Registered Charity 1162419

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15. The proposed site is in the narrow countryside gap that currently exists between Berkhamsted and Hemel Hempstead, which is already threatened by proposals for up to nearly 1200 houses in this area. The cumulative impact of these residential developments (already approved and under construction) and the solar installations would reduce the gap considerably and be extremely detrimental to the small village of

Bourne End, which would become nearly surrounded by development.

16. The Applicant appears to suggest that part of their justification is the proposed release of a further large area of Green Belt for housing west of Hemel Hempstead and the assertion that this and the proposed area for the solar installation "share the same landscape and characteristics". This is clearly nonsense and a key concern is the cumulative impact of several ground-mounted solar installations throughout Hertfordshire and the recent increasing number of major applications for both housing and solar generation comprise a major threat to open countryside.

17. The views from several public rights of way are quoted by the Applicant as being affected but then dismissed as irrelevant and again we challenge these assertions. The presence of existing and planned development is quoted as affecting the amenity quality of existing open countryside (Planning Design and Access Statement, para 10.6.8 seq.) and we regard this as disingenuous as local communities and residents are highly concerned by the cumulative impacts of all intrusions into the countryside.

18. As noted by very many residents and objectors, the area is extensively used by walkers and the local communities for recreational purposes. The proposed development will be highly visible over a wide area and the suggestion by the Applicant that there will be no intervisibility between the Chilterns AONB and the proposed site is inaccurate.

19. The present use of the land for agriculture should be maintained. The Applicant states the land is categorised as Grade 3b and we urge the Council to verify through their own enquiries the exact nature of the soils on the site. In any case, 32 hectares of moderately productive agricultural land can provide 200 tonnes of grain per year and should be used for food production to maintain and enhance domestic UK food security.

20. The importance of open countryside has been constantly emphasised throughout the recent pandemic, and the beneficial aspects of maintaining such areas

are likely to be increasingly recognised. Recent legislation such as the Environment Act emphasises the importance of maintaining and enhancing biodiversity.

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21. Contrary to the Applicant's assertions, the 40 year timeframe proposed is not

"temporary" for wildlife and habits which would be irreparably harmed.

Birds become

injured or killed by mistaking the glass panels for water, small mammals get trapped in

the fencing, and pollinators and other insects have their habitats compromised by

extensive areas of solar panels.

22. The public consultation exercise conducted by the developer was very limited, being

online only, with leading questions requiring the respondent to force rank several

possible "concerns" such as climate change and biodiversity, and the suggestion of

limited local opposition is misleading and inaccurate. CPRE Hertfordshire is also

concerned by the negative screening decision and would ask the Council to reconsider its

position on similar matters in the future.

23. CPRE Hertfordshire has prepared a Policy Statement which is attached, providing further

information to assist in the determination of applications for ground-mounted solar

installations. These concerns are particularly relevant with regard to designated

protected areas.

24. CPRE Hertfordshire reiterates its support for renewable energy and notes that Solar

Energy UK estimates there are over 617,000 acres of suitable, south-facing commercial

rooftops available for solar panels. We believe that rooftops and previously developed

land should be utilised for solar energy and we urge the Council to refuse permission for

this damaging proposal.

	<p>Yours sincerely, Chris Berry Planning Manager Enc. CPRE</p>
British Gas	<p>Dear Andrew Parrish</p> <p>Your planning application - We do not object to the proposal in principle.</p> <p>After receiving the details of your planning application, we have completed our assessment. We have no objection to your proposal from a planning in general area, but we do have high pressure assets in the vicinity.</p> <p>We also have a pressure reducing station and associated High pressure pipelines towards the top end of the proposed site that will need to be protected at all times with nothing built stored or the easement affect in any way.</p> <p>What you need to do</p> <p>Please refer to the BPD noted below and refer to ssw22 for guidance for working near our HP pipeline and MP main in the works areas.</p> <p>Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details, visit <a href="http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm">www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm</a></p> <p>The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with them before you proceed.</p> <p>In order to help prevent damage to our asset/s, please add the following Informative Note into the Decision Notice:</p> <p>Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on <a href="http://www.linesearchbeforeudig.co.uk">www.linesearchbeforeudig.co.uk</a> to submit details of the planned works for review, ensuring requirements are adhered to.</p> <p>The original holding objection was triggered due to the presence of a High Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.</p> <p>The minimum building proximity distance (BPD) for the pipelines and associated installations is as follows:</p> <ul style="list-style-type: none"> <li>o Specific MAHP BPD (15 METERS MIN)</li> <li>o Specific IP BPD (3 METERS MIN)</li> <li>o Specific AGI BPD (based upon the hazardous area zoning)10 METERS MIN</li> </ul> <p>The building proximity distance taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the</p>

	<p>standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution</p> <p>Your responsibilities and obligations</p> <p>This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.</p> <p>Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.</p> <p>If you need any further information or have any questions about the outcome, please contact us at <a href="mailto:box.eaplantprotectionops@cadentgas.com">box.eaplantprotectionops@cadentgas.com</a> / quoting your reference at the top of this letter.</p> <p>Kind Regards East Anglia Plant Protection Team</p> <p>Cadent Cadent Gas Limited, Vicarage Farm Road, Peterborough, PE1 5TP</p> <p><a href="mailto:box.eaplantprotectionops@cadentgas.com">box.eaplantprotectionops@cadentgas.com</a> <a href="http://cadentgas.com">cadentgas.com</a></p>
National Air Traffic Services	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised,</p>

	<p>amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
<p>Cadent Gas Limited</p>	<p>Your planning application - Holding objection</p> <p>We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application which is in the vicinity of our gas asset/s. We are placing a holding objection on the proposal whilst our engineering team reviews the available information. We will be in touch once we have reviewed the proposals in more detail. In the meantime, we may contact you for more information to help us make the decision.</p> <p>What you need to do</p> <p>Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details visit <a href="http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm">www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm</a></p> <p>Your responsibilities and obligations</p> <p>Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels and storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.</p> <p>This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.</p> <p>Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.</p>
<p>Parish/Town Council</p>	<p>Concern</p> <p>The Committee noted the concerns and objections of the residents but were mindful of the need to contribute to energy security and the fact that a Climate Emergency has been declared.</p> <p>The Committee is concerned about the visual impact on the large, south-facing slope and the impact on the AONB. There was also</p>



	<p>concern about the loss of green belt land and the potential for transference to a residential site in the future. The Committee regarded the merits of the benefit to the public (potential of renewable power supply for 8,500 homes) should be considered against the potential harm (loss of the land from agricultural use and amenity).</p> <p>The Committee requested that, in the event that DBC is minded to grant approval of this application, there should be a condition that the land should be returned to agricultural use at the end of its use as a solar array.</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
213	63	1	53	5

### Neighbour Responses

Address	Comments
Glenfield Little Heath Lane Potten End Berkhamsted Hertfordshire HP4 2RY	<p>Over the weekend I have been made aware of this planning application and as a resident of Little Heath Lane I am amazed and appalled that there has been no consultation with local residents. With my wife we are now objecting to this planning application for the following reasons</p> <p>Absolutely no consultation with local residents.</p> <p>Why is a full environmental statement not required? This needs to be explained to local residents.</p> <p>There will be an environmental impact on the use of Little Heath Lane</p> <p>This application is not being handled using best practice or democratic principles</p> <p>At a time when food prices are rising we should not be taking productive farmland out of production</p> <p>Energi Ltd is a relatively unknown company. No employees and just 4 directors.</p> <p>Stated aim of Company is to increase value for Landowners not save the environment.</p> <p>Why can we not use roofs of commercial properties rather than spoil green belt land.</p>
Nettleden Grange Nettleden Road Nettleden Hemel Hempstead Hertfordshire HP1 3DQ	<p>To view these comments, please go online to <a href="http://www.dacorum.gov.uk/search">www.dacorum.gov.uk/search</a> planning applications</p>

<p>Spindletree Cottage  Little Heath Lane  Potten End  Berkhamsted  Hertfordshire  HP4 2RY</p>	<p>Objection to the proposal.To Andrew Parrish,Planning and Development</p> <p>1 Change of land use from green belt farming to 40 year industrial installation in a setting adjoining the Chilterns Area of Outstanding Natural Beauty.  The concept of an industrial solar energy installation there is totally inappropriate,a blight and threat to the countryside,a serious change of land use.Little Heath Lane is single track.</p> <p>2 Negative effect on progress towards Net Zero To use green belt agricultural farmland for this purpose clashes with national concerns about food and crop shortages and the need to rely less on imports. These kind of developments would reduce progress towards Net Zero by increasing the need for imports.Energi generation seem to propose that to take the area out of intensive crop production is a good thing.We need intensive crop production support our population.Manywild flowers, plants and insects already thrive on the verges and edges of the fields,and some like poppies and others grow among the crops.</p> <p>3 Better solutions to reducing carbon footprint This development cannot be right, given that there are huge areas of industrial and commercial rooftops and waste areas that could be used for solar installations including the Dacorum area/Hemel Hempstead</p> <p>4 Lack of in depth detailed environmental statement from parties involved.  We cannot have a superficial rapid response tick box exercise for Dacorum or whoever,to claim progress towards Net Zero carbon management without proper examination of solutions involving best practice without damaging the landscape.</p> <p>5 Detrimental impact on local population and health There are people who would be living next to or overlooking the solar industrial site across both sides of the valley of the Bulbourne chalk stream,spoiling the quality of their environment by making it an ugly desert.The character of the landscape and their outlook will be ruined.  The area is a popular recreational setting for walking, cycling,fishing, ornothology, botany and boating .Given the planned expansion of housing from Hemel Hempstead, access to the rural scene becomes more important for the increased urban population.  With mental health issues high on the national agenda access to an unspoilt area of countryside is recommended to improve wellbeing.Little Heath Lane provides a link for walkers and cyclists to use in accessing footpaths towards Potten End,the Chilterns Area of Outstanding Natural Beautyand across to the other side of the valley.</p> <p>5 Loss of environment which supports wildlife.  The planning application claims to minimise potential impacts on the environment and biodiversity net gain,there will be wild flowers planted and enhancement of local species.How? What plants have they in mind? These are general statements without detail.It does not appear that this tiny company, based in a modern housing</p>
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	<p>development in Lytham, has any relevant in depth information about wildlife of the site and the context within this region.Has the site been visited by Dacorum planners or the Lancashire company,have wildlife or knowledgeable experts been consulted or are decisions desk based?</p> <p>The site supports wildlife that includes declining species such as hares, yellow hammers and skylarks.In addition there are foxes, badgers and muntjacs and a variety of birds and small mammals which can thrive in farmland.</p> <p>There are animal tracks on both sides of the lane where they cross from one side to the other.</p> <p>The site of the proposed development cannot be seen in isolation.The wildlife habitat stretches across the whole sweep of land towards Bullbeggars Lane and the woods and fields beyond into the AONB.</p> <p>6 Of what relevance is the claim that a 40 year industrial installation can support one agricultural business to diversify? Is this about financial profit ?This is a serious matter for the population, particularly the younger generation who will be here in 40 years and beyond.Our future generations deserve a worthwhile and attractive place to live.</p> <p>I wish to make clear that I do not directly overlook the site in question, nor have I ever objected to local housing expansion, as people need to have homes.Living in and enjoying the locality I have first hand experience and knowledge of this countryside.To approve such a planning application would in my view be a shameful decision for our future heritage.</p>
<p>Beechwood Little Heath Lane Potten End Berkhamsted Hertfordshire HP4 2RY</p>	<p>We object to this Application because while any " green energy" is desirable the :</p> <ul style="list-style-type: none"> <li>loss off viable agricultural land</li> <li>damage to the environment</li> <li>risk to local and migrating wild life</li> <li>visual impact damage</li> </ul> <p>of the proposal is disproportionate to the likely energy benefits from the marginal efficiency of current photovoltaic technology.</p>
<p>Radbrook London Road Bourne End Hemel Hempstead Hertfordshire HP1 2RJ</p>	<p>Whilst solar power in the right setting can obviously bring positive renewable energy, it shouldn't be at the expense of the countryside, I view this as industrializing greenbelt.</p> <p>There are many more options to develop solar farms on brown field sites as well on commercial buildings.</p> <p>Creating a solar farm would also enclose the natural border between Berkhamsted and Hemel Hempstead whilst eroding greenbelt land.</p> <p>The proposed site would be visible from many different areas and is adjacent to the Chilterns AONB, its currently agricultural land and in accordance with government policy should remain so.</p>

<p>Rosa Maria Farm Little Heath Lane Little Heath Berkhamsted Hertfordshire HP4 2RT</p>	<p>It will have an adverse effect on the appreciation of the immediately adjacent Chilterns Area of outstanding natural Beauty. We will provide further information on this point in due course. We are also awaiting the viewpoints to be downloaded onto the Website of Dacorum (Appendices 1 and 2 appear to give no further information).</p> <p>This is a very sensitive site and the location within it of large tracts of solar panels will detract from both the beauty of the open countryside and the AONB, as well as create unwelcomed glare. For us personally, there will be a significant impact to the view across the AONB from our property. The setting of an AONB is given increased importance under the NPPF 2021. Paragraph 176 advises 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'</p> <p>A 32 ha solar development in this location will have an adverse effect on the AONB. The visual effect of such a significant area of solar panels will have an adverse effect on the AONB and on the direct view across the AONB from our property.</p> <p>2. We agree with the applicants that the development in Green Belt policy terms, will be 'inappropriate development'. Whilst there are some general words of support for green policy in parts of the NPPF, this needs to be balanced against both the harm to the AONB and this part of the Green Belt, which it abuts. The gap between Berkhamsted and the site is not significant as the applicants assert. The openness objective of the Green Belt in such a sensitive will be significantly harmed. Under these circumstances the 'very special circumstances' asserted are not powerful enough to override the harm caused by this proposal.</p> <p>3. The proposal will entail the loss of 32 ha of agricultural land. The site contains crops, which appear healthy and are very complementary to the AONB. This agricultural land and its significance is heightened by the current food crisis.</p>
<p>The Maltings Sharpes Lane Hemel Hempstead Hertfordshire HP1 2RX</p>	<p>I wish to object in the strongest terms to the construction of the solar park on Little Heath Lane. I am not against renewable energy but there are significant negatives for the Bourne End Community.</p> <p>The site is in the Green Belt and would take out a large chunk of the separation from Hemel Hempstead and Berkhamsted. It is up against the Chilterns Area of Natural Beauty. This is an inappropriate use of green belt,</p> <p>The 32 Hectares is currently productive arable land, Government</p>

	<p>policy states that arable land should not be changed without very good reason. I believe solar panels are an important means to harvest power but I strongly object to green space being used when there are domestic and commercial roof tops that can be utilised without causing damage to the green belt. The area of Bourne end is already being over developed with numerous housing developments and the impact constant lorries, utility installations to support new housing estates all taking place resulting in a combined devastating impact on wildlife, residents and the community environment.</p> <p>I strongly object to this proposal and also have concerns that if once the green belt is turned over to solar then it will be lost forever and susceptible to other further development or potential brown fill or housing in the future.</p>
<p>The Hollies Pix Farm Lane Hemel Hempstead Hertfordshire HP1 2RY</p>	<p>Ref. 22/01106/MFA The towns of both Berkhamstead and Hemel Hempstead have developed as commuter housing centres close to road and rail networks.As such their residents value access to country lanes and agricultural landscapes.</p> <p>As a resident of over 40 years whose property flanks Little Heath Lane, I have noticed a considerable increase in numbers of walkers, cyclists and joggers who have joined the horse-riders to enjoy this area of countryside.</p> <p>Although a "green energy" policy is obviously popular 79acres of solar panels on green belt land that adjoins an area of outstanding natural beauty is certainly not idyllic. As a professional biologist I would disagree with the council 's assertion that there would be no significant effect on the environment.</p> <p>There is no indication of how the power is to be transmitted (would it involve the erecting of pylons, wires and substations?) The proposition involves industrial development of green belt land which would certainly not improve the ethos of our valued and unspoiled countryside.</p> <p>Yours sincerely,</p>
<p>Court Cottage Little Heath Lane Little Heath Berkhamsted Hertfordshire HP4 2RT</p>	<p>To view these comments, please go online to <a href="http://www.dacorum.gov.uk/search">www.dacorum.gov.uk/search</a> planning applications</p> <p>I object to the proposed development. In the current energy and climate crisis it is tempting to agree to anything that reduces our dependence on fossil fuels. However, as recognised by Ministerial statements, the need for renewable energy does not automatically override environmental protection or local considerations. The proposed location for this development does not conform to the government or the solar industry's own standards for where solar farms should be built. If we follow the path of agreeing to these sites without ensuring that the proper standards are met then we will cause as many problems as we solve and cause long-term harm to the character of the area in which we live.</p> <p>All those I have spoken to in the immediate area surrounding the site are similarly opposed. A common reason for opposing, and one which I share, is concern over the visual impact of the site. The site stretches across an area of undulating landscape characterised by its openness and which is popular with walkers. I have seen deer crossing these fields on numerous occasions whilst on walks or</p>

driving past. The gradient of the landscape allows for impressive views across the fields and for miles beyond to the other side of the valley. What the applicant proposes is to flood this vast area with solar panels, shipping containers, fencing and CCTV cameras which would amount to industrialisation of an arable area, completely destroying its character and restricting the habitat of these animals. The only solution that is proposed in the LVA report to the visual intrusion problem is to build-up the hedges around the fields so as to block the view if you are standing on Little Heath Lane. These hedges may be effective at certain times of the year in impeding the view of the solar panels from the vantage point of Little Heath Lane, however in so doing they would also block the views which give the area its charm and make it popular with walkers and residents alike. The hedges would do nothing to block the view of the site from many other locations, such as across the valley surrounding Little Hay Golf Course, and may offer little benefit in the winter. Solar Energy UK (the solar energy industry trade association) guidance states that 'solar farms' should be sited on level land, not on sloping, visually prominent land. The proposed site therefore falls short of the industry's own standards.

Those who are in favour of the development typically dismiss the resident's concerns about the visual impact of the site as nimbyism. It is not. It is just sensible adherence to long-standing safeguards on inappropriate developments. As well as being on visually prominent land, the area is situated within the green belt and within the setting of our AONB (actually within 5 metres of it). When an application was made in 2015 for solar panels in the adjacent property (see ref: 4/03309/15/FHA) the application was refused. The reasons given were two-fold: Firstly, the site was within the green belt and the PV panel represented inappropriate development. Secondly, the application site was located within the AONB and the "proposed equipment, despite its suggested sustainability, would create an unacceptable visual intrusion in this relatively isolated position in the AONB countryside that would have a significantly harmful effect on the visual amenities of the AONB." This site is many orders of magnitude larger than the previous site which was refused and so should be refused at least for these reasons. The scale of the site actually introduces additional problems, such as habitat destruction, urban sprawl, fundamental harm to the character of the area and the loss of productive arable land that is currently used for cereal crops.

The LVA is wrong to say that the site would not cause a merging of settlements. When accounting for the agreed new development on the edge of Chaulden, it effectively merges Bourne End with Hemel Hempstead and reduces the overall separation between Berkhamsted and Hemel Hempstead by nearly half. The green belt is there to restrict urban sprawl such as this and it is understood that there are no safeguards for preventing the land later being converted for housing once the solar farm is decommissioned.

It has already been noted by others that the community engagement survey was not circulated as widely as suggested by the applicant. The statement of community engagement also does not faithfully

	<p>reflect the questions being asked. As an example, the survey asked "do you agree with the importance of generating local green energy". This is a leading question designed to encourage you to support the development. Most people would understand what green energy means and be in favour however the term "local" is much more ambiguous. Should the need for green energy outweigh all other considerations regarding the suitable location for these plants? Notably the word "local" was omitted from section 4.2.6 of the report. This omission throws into question what other changes were made to the questions or answers. The heritage statement also suggests that there is no historical significance to the proposed site however, as understood by residents, these are the fields where the famous Peter the Wild Boy lived and roamed. Omissions and errors such as these undermine the credibility of the application. I urge the Council to independently verify all conclusions from this application, including the exact nature of the soils on the site, rather than take it at face value.</p> <p>Saying no to this development does not mean saying no to renewable energy in general. Commercial developers, such as Energi Generation, need to be encouraged to select appropriate locations for these developments, such as brownfield sites and flat landscape where the above problems do not arise. These developers have no vested interest to preserve the character of any area in which their solar farms are located and without the proper direction from local planning authorities, will continue to push the boundaries of what is acceptable. There are other more suitable locations available and other more efficient means for generating clean energy than what is proposed here. In contrast, if the application were to be granted it would set a precedent for similar development within the area which would further erode the character and appearance of the countryside causing harm to the visual amenities of the AONB.</p>
<p>White Hill Centre White Hill Potten End Berkhamsted</p> <p>Chesham HP5 1AG</p>	<p>The Chiltern Society strongly objects to this application for a solar panel farm.</p> <p>The application site lies within the Green Belt to the west of Hemel Hempstead. The five functions of the Green Belt are to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist safeguarding the countryside from encroachment; to preserve the settling and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.</p> <p>The National Planning Policy Framework (NPPF) as revised in July 2021 requires land designated as Green Belt to be kept 'permanently open' (para 137) and ' inappropriate development ... should not be approved except in very special circumstances.' (para.147). Solar farms are classed as 'inappropriate development' in the Green Belt as they are not listed as exceptions under paragraph 149 of the NPPF 2021.</p> <p>Policy CS5 Green Belt of the Dacorum Core Strategy includes, "The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical</p>

separation of settlements. There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted. Within the Green Belt, small-scale development will be permitted..." .

The proposed development site is 32ha extending from the western side of Pouchen End Lane to the eastern side of Little Heath Lane. To the eastern side of Pouchen End Lane is the approved 'LA3' housing development which includes some 1200 dwelling and associated infrastructure. Thus, the cumulative effect of the potential further development of the solar panel farm would extend the town of Hemel Hempstead and reduce the relatively narrow open gap between Hemel Hempstead, Potten End and Berkhamsted, contrary to the functions of Green Belt policy. The applicant's statement in para 9.3.9 of the Planning Statement that there would be "no significant impacts on openness due to the extent of Green Belt and open countryside" is false, as the development would clearly reduce the extent of both.

The Society disagrees with the applicant's statement in para 9.2.15 of the Planning Statement that solar panels maintain the openness of the Green Belt. It is clear from the visualisations submitted with the application that this is not the case. The land is currently open farmland. The development of 32ha of solar panels is clearly on an industrial scale. Not only are there over 1500 glass and metal photovoltaic panels 2.8m in height, there are numerous substantial metal buildings, utilitarian in appearance, some 4m in height, 5m wide and 11m in length. These include 7 transformer stations, a control room, sub station, switchroom, storage and office, and a toilet building. Surrounding much of the site is 2m high steel fencing and over 70 CCTV cameras on 4m high poles and generating numerous lorry movements per day. This 'industrial' development is clearly NOT small scale and obviously does not maintain the openness of the countryside with clear encroachment into open countryside

Access to the site is another major concern as Little Heath Lane is a single track rural lane. Access to the site from London Road (A41) involves 2 narrow bridges, one of which has a blind summit. If access is taken from the north it would involve roads through Potten End village and along this narrow rural lane. This will result in erosion of the lane and cause serious highway issues. Policy CS9: Management of Roads states 'In villages and the countryside, special regard will be paid to the effect of new development and traffic on the safety and environmental character of country lanes'. The lane is well used by walkers, cyclists and horse riders and the generation of considerable vehicle movements will be severely detrimental to highway safety as well as damaging to its character and appearance and to the habitat of wildlife.

The development would be in the immediate setting of the Chilterns AONB to the west of Little Heath Lane. When viewed, both the application site and the adjacent CAONB are indeterminate, with nothing to differentiate their designations.

NPPF Para 176 refers to impacts on the setting of the AONB. 'Great weight should be given to conserving and enhancing landscape and



scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.

Policy CS24 Chilterns Area of Outstanding Natural Beauty includes, "The special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved". Siting a large expanse of solar panels immediately adjacent to the AONB boundary and in view from other parts of the AONB would certainly not conserve special qualities.

There are clear views towards and from both the surrounding countryside and the CAONB, as demonstrated by the visualisation submitted with the application taken from the numerous public rights of ways in the area, including the nationally important Hertfordshire Way. Whilst the applicant dismisses this issue, the Society considers the open countryside an increasingly important factor in considering planning applications. The area is well used by walkers, cyclists and horse riders for recreation, and the benefits of these areas for exercise and health for local residents and visitors has been highlighted during the recent pandemic.

The Society acknowledges that the Government is committed to achieving net zero emissions, and the NPPF emphasises the need to increase the use and supply of renewable and low carbon energy. However, National Planning Practice Guidance (Renewable and Low Carbon Energy) is clear that the promotion of renewable energy "does not mean that that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities". Factors to consider include: 'the effect on a protected area such as an AONB or other designated areas, particularly in undulating landscapes'. There are strong reasons to resist this development, principally contrary to Green Belt policy, loss of open countryside, effect on landscape and visual impacts on AONB.

The proposal would lead to the permanent loss of 32ha of agricultural land. As well as changing the open character of the land it would make the land unavailable for growing of food. In times of changing farming subsidies, supply chain difficulties (as highlighted in the pandemic), the desire to reduce food miles and uncertainties with grain supply from Ukraine, the loss of this land would be significantly harmful. According to DEFRA, Ukraine accounts for about 17% of global corn exports, 12% of wheat, and 30% of sunflower seeds, most turned into oil in Ukrainian factories. However, as the Ukraine situation develops this is likely to change, and this could require increasing the use of UK farmland. This has already been demonstrated with the increase in food costs (eg. the price of wheat rose from £214.45 per tonne in 24 January 2022 to 329.50 on 5 May 2022, an increase of approx. 54%). The applicant argues that the land

is categorised as Grade 3b. However, the land is productive and the loss of 32ha is not insubstantial in terms of crop production which could provide some 200 tonnes of grain per year. In these uncertain times, agricultural land should be safeguarded to maintain and enhance Britain's food security and supply.

Policy CS1 Distribution of Development includes, "The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported". The proposed solar farm would not conserve the rural character of the Borough and is not compatible with policies protecting the Green Belt and AONB.

With nature in decline and significant changes to the climate, now is not the time to be sacrificing large areas of protected open countryside for new development. Recent legislation, such as the Environment Act, emphasises the importance of maintaining and enhancing biodiversity. This development is very damaging to wildlife. It is not sufficient to simply offer mitigation measures, which would be expected in any case. It is difficult to calculate any Biodiversity Net Gain when solar panels shade the ground, birds fly into them mistaking them for water, and pollinators and insects have their habitat destroyed. The wildlife corridors are interrupted and nesting and hunting grounds are lost. The 40 years timeframe suggested by the applicant would still cause irreparable harm to wildlife and their habitat, together with damage to the soil structure through loss of water and increased shade.

There is a major gas pipe in the adjacent field on the western side of Little Heath Lane and concerns have been raised on the effect of a fire caused by the associated infrastructure including batteries. Given the Buncefield incident, also in Hemel Hempstead, the proximity of a large solar panel farm to the pipe line is a potential major hazard.

Therefore, not only is the site in a poor location because of the effect on the countryside but it even contravenes Solar Energy UK (the solar energy industry trade association) whose guidance states that they should be sited on level land, not on sloping, visually prominent land. The valley side rises with a gradient of around 1 in 10 and is clearly visible from the southern slope of the valley as well as close to the site. It is even visible from the trains on the main Euston line in the valley.

Policy CS25: Landscape Character states: 'Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition and will take full account of the Dacorum Landscape Character assessment.....'. In the Dacorum document 'Landscape Character Assessment, Evaluation and Guidelines, the application site lies within the 'Lower Bulbourne valley'. Following assessment and evaluation by experts from the Landscape Partnership Ltd., they suggest in the 'strategy and guidelines for managing change'

IMPROVE AND CONSERVE. The guideline gives some 15 requirements including:

- promote awareness and consideration of the setting of the AONB, and views to and from it, when considering development and land use change proposals on sites adjacent to the AONB
- create new features to further enhance landscape and ecological links between woodlands and within arable landscapes to the valley sides
- enhance the landscape by promoting the removal of existing eyesores, repairing damage and mitigating the effects of existing intrusive developments.

Clearly the imposition of an industrial scale solar panel farm will fly in the face of these recommendations with the requirement to REMOVE eyesores, not permit new ones!

Whilst solar panels do contribute to the country's electricity supply, they degrade every year, becoming less efficient. Thus solar energy is less efficient than other renewables. The energy production efficiency of solar is estimated to be circa 11 - 15% whilst that of off shore wind turbines is circa 50%. They produce little at night or when it's cloudy or rainy, with an estimate of only 1493 hours of sunshine on an average year, they are clearly not efficient enough to warrant overriding national and local policies.

In 2013, the Dacorum Planning Officer determined that an Environmental Assessment was required for a solar panel farm on this site (ref. 4/01546/13/SCO). His justification for this was: 'The proposals are likely to have significant environmental effects by virtue of their size, form, prominence and location bounding the Chilterns AONB and the relationship with the high pressure gas main'.

In the absence of a new Dacorum Local Plan, the decision should be taken in accordance with the Core Strategy. The Core Strategy 2013 stated that "The Council's approach to carbon emissions and renewable energy will be guided by the Energy Hierarchy (Figure 16). This means that carbon emission reductions will be delivered primarily through improvements to the energy efficiency performance of the building fabric and ensuring that carbon emissions reductions are 'future proofed' for the life of the development. This will include improving the air-tightness of the building, before resorting to renewable energy technologies in order to meet carbon emission targets". The Society urges the Council to take more positive action on improvements in energy efficiency, and implement the Energy Hierarchy before allowing this damaging development. This is a totally unsuitable and inappropriate site for a solar panel farm. Solar Energy UK estimates there are over 617,000 acres of suitable commercial and brownfield sites available for solar panels which would not destroy the countryside.

The industrial nature of the panels and the associated infrastructure will not protect the openness of the Green Belt and will totally change the character and appearance of the countryside. It is inappropriate in this designated protected area and is contrary to national and local policies. The applicant has failed to demonstrate any 'very special circumstances' and therefore, for the detailed arguments given above,

	the Chiltern Society STRONGLY OBJECTS to the proposal.
<p>Derrydown  Pouchen End Lane  Hemel Hempstead  Hertfordshire  HP1 2SA</p>	<p>Good Afternoon,  I object to this proposal on the grounds that we are losing all our beautiful Green belt. It's very bad for wildlife and the environment. Completely out of keeping with the area and will be a complete eyesore. The land is not flat therefore, it can be seen from miles around and the shine coming off the panels could be blinding and dangerous for drivers, train driver's. We need to save are Green belt land, there is already to much development going on in the very near vicinity and surrounding area!</p>
<p>Meadow Cottage  Pix Farm Lane  Hemel Hempstead  Hertfordshire  HP1 2RY</p>	<p>I live in a position directly overlooking part of this proposed development and utilise, for access and recreation, other areas nearby and to the south which also overlook.</p> <p>The whole area around me from the edge of Hemel Hempstead to the edge of Berkhamsted, north and south is designated Green Belt. This is held to be of the highest quality in keeping the conurbations above apart and acting as a 'green lung' for local inhabitants, and those in particular from Hemel Hempstead. Indeed the land abutting the proposed site and from there to Berkhamsted is part of the AONB of Ashridge down to the West Coast Main Line railway. The whole area north of the railway is typical south facing but undulating Chiltern valleys much appreciated, in addition, by passengers on the railway. This is even where it is agricultural, but productive land.</p> <p>I, like others, implicitly support renewable energy even, as in this case of solar, where efficiency is under 20% and that on ideal flat land ( as in government guidelines which governs various types of land to be used primarily). But that support must not be given blindly as it will be governed by position, by size, by visibility, and by impact upon the landscape - particularly designated or protected landscape.</p> <p>The proposed development fails on all counts above. From me and by me and others, of course, it will appear as a rigid, dark coloured but perhaps reflecting, blanket some 2.8 metres above the existing landscape. It will enclose yet more of the Green Belt in a futuristic and industrial type vision to the detriment of all those who seek the beautiful country landscape nearby. There are many of those walkers, trekkers, horse riders, cyclists and naturalists, as well as drivers who use Little Heath Lane to the side of the site, and through the nearby lanes and the land to the south of Bourne End.</p> <p>For the naturalists there will be significant impact on the birds and animals in the site area. There are still skylarks in this area as well as ground nesting birds. Deer, badgers, foxes will be interrupted.</p> <p>I object strongly to this application because :</p> <ul style="list-style-type: none"> <li>- it is on a significant and important piece of Green Belt land separating Berkhamsted and Hemel Hempstead, whilst providing their inhabitants with natural views, recreational views, and environment to be enjoyed.</li> <li>-it abuts an AONB, destroys views to and from it, and is detrimental to its setting.</li> </ul>

	<ul style="list-style-type: none"> <li>- it is against government guidelines for solar farms which primarily are to be set on level flat land, capable of being screened from habitations. The land used should be previously developed, contaminated, industrial, or brownfield. Whilst the agricultural land falls just below the quality threshold for, essentially, disqualification for this purpose it is still productive. Taken together with the Green Belt nature it should be dropped.</li> <li>- whilst the use of Green Belt is not specifically covered in government guidelines this industrial production of electricity is inappropriate development. Given its scale and position there are no 'very special circumstances' which exist. This is in the face of potential use change of this land automatically after the solar array comes to an end, and other more appropriate land in the Borough.</li> <li>-there is impact on birds and animals.</li> <li>-there is a devastating impact visually on a very large population of inhabitants and visitors in Bourne End, parts of the A41, the railway, the south side of the Bulbourne valley, and inhabitants and users of Little Heath Lane</li> </ul>
<p>Wyndcrest Sugar Lane Hemel Hempstead Hertfordshire HP1 2RT</p>	<p>I strongly object to the proposal. This development is in the Green Belt and is adjacent to the AONB. It covers an extremely large area which is currently open countryside. We have already lost large parts of the green belt close to this development eg the west Hemel Hempstead residential developments. This development in itself is extremely large and is a loss of green belt which is disproportionate to the aims of enabling renewable energy. The tests are clearly not met.</p> <p>It is viewed across the valley as the site slopes upwards and so will be clearly visible from the lower part of the valley and upper parts of the valley opposite and this blights the large stretch of open countryside and adjacent AONB.</p> <p>This also impacts directly on our property as we believe it will be visible both from inside the lower floor of our property plus our garden. We note that there was a visual impact/landscaping study which took views from different viewpoints and a number of residential properties. Ours was not assessed as part of this but we believe it should have been as the development will be clearly visible from this location and so it should have (and should be) taken into account. We require an assessment of this to be made as clearly the initial assessment was deficient in not identifying our property. We would be prepared to give access to our property for the purposes of this assessment being made. As it should have been previously, despite other properties seemingly having been assessed as part of the pre application work. We believe it will also affect others in our location.</p> <p>Finally the proposal will also affect the natural habitats of wildlife in the area. Badgers are in the vicinity of the site. Deer have been spotted there previously. The land is also used agriculturally. For all of the above reasons we object and believe that the development should not go ahead.</p>
<p>Northfield Pix Farm Lane</p>	<p>We wish to object to the application for a solar park on Little Heath Lane on a number of grounds.</p>

<p>Hemel Hempstead Hertfordshire HP1 2RY</p>	<p>We live on Pix Farm Lane directly below the land in question and we can see the site from our back garden and upstairs windows. The site is around 100m from the end of our garden. We cycle, drive and walk up and down Little Heath Lane multiple times a week. We have lived in Bourne End for 15 years.</p> <p>Our objections are as follows:</p> <ol style="list-style-type: none"> <li>1. The site is on the green belt and within 500m of an area of outstanding natural beauty. The children and residents of Bourne End - ours included - deserve to look out on greenery, not on panels and fencing and security cameras.</li> <li>2. By building on a vast slope overlooking Bourne End, the character of the landscape will be fundamentally ruined along our valley. This is a historic and culturally important area, drawing walkers and boats along the Grand Union Canal and in the hills opposite. The industrialization of the land will ruin the experience for all and negatively impact the heritage of the area. Little Heath Lane is a beautiful lane, full of cyclists and walkers, especially at weekends. It will be changed beyond all recognition.</li> <li>3. Bourne End has been undergoing extensive development recently (Bellway Estate on Pix Farm Lane for example) and enough is enough. We are a village, with a community, not an area simply awaiting infill between Hemel Hempstead and Berkhamsted. If the solar panel site is built it will brown belt the land and open up the opportunity for housing or other development in the future. Our village needs to remain a village in its own right. Not linked to Potten End, which is what this construction would in effect, achieve. It is more than a solar park that is at stake here.</li> <li>4. The country can ill afford to lose agricultural land - in line with government policy that agricultural land should be used for food production to improve UK domestic food security.</li> <li>5. We are concerned by the impact on wildlife because of the reflective nature (birds think it is water), the light and the fencing.</li> <li>6. We recognize the need for solar energy, but the focus should be on putting panels on houses or flat areas of land that are not adjacent to villages or in already over-developed areas. This site is 100m from our home and our neighbours along Pix Farm Lane.</li> </ol> <p>We urge you to turn down this proposal.</p>
<p>7 Bourne End Lane Hemel Hempstead Hertfordshire HP1 2RL</p>	<p>While I support the provision of more facilities for solar power, this application needs to be seen in the context of the specific location. Within five years, the community of Bourne End will have virtually doubled in size. In addition to the loss of green belt due to new housing both within and adjacent to the village, there has been a loss because of ad hoc developments. (See notes below.) These plans should be assessed the light of the impact on the cumulative impact on the community.</p> <p>More specifically:</p> <ol style="list-style-type: none"> <li>1. The development would visually impact on some residences in Bourne End, particularly those in Sugar Lane, and houses in Pix Farm Lane. A development of 56 houses is nearing completion, with others planned.</li> </ol>

	<p>2. There would be considerable visual impact on the remaining green belt land around the village. Most of the footpaths accessible to the village are on the southern side of the Bulbourne Valley. They include the Box Moor Trust Land and Little Hay Golf Complex. Views from these leisure areas would no longer be rural. The combined impact of LA3 housing and the Solar Park, would serve to transform this into an urban vista, with only Pouchen End Lane separating the two.</p> <p>3. The area referred to in the above, while not part of the AONB, is part of the Chilterns. The view from the Hertfordshire Way which passes through it is enjoyed by those walking it or part of it.</p> <p>4. Referring to the development itself, it is within the setting of the Chilterns AONB and forms a buffer area separating the village from Hemel Hempstead, and area already reduced by the proposed LA3 development.</p> <p>5. Dacorum's Landscape Character Assessment 118 concerns itself with the areas referred to above and with the site itself. Its overall strategy and guidelines for managing change are to 'improve and conserve'.</p> <p>6. In my initial response to the developers, I proposed organisations that should be consulted. There is no evidence from the planning application that these interested parties are being consulted.</p> <p>CPRE (Campaign for the Protection of Rural England)  Little Hay Golf Complex  The Box Moor Trust  Westbrook Hay School  Dacorum's Footpath Officer  Dacorum Environmental Forum</p> <p>These, and any others who may be visually impacted should be approached in the interest of transparency.</p> <p>In conclusion, NPPF Paragraph 147 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Nevertheless, national policy advice also states that renewable energy projects should be located where impacts are, or can be made, acceptable. While the applicant may have demonstrated the very special circumstances in the need for renewable energy, the impacts on this location are unacceptable, and have not been made acceptable.</p> <p>(NOTE: To the original 130 households has been added 45 in Upper Bourne End Lane, 56 Pix Farm Lane, 5 in Bourne End Lane and shortly 2 others. Additionally, several other infilling developments in Bourne End Lane and London Road. Apart from above housing within the village, LA3 which has removed a considerable area from land adjacent to Bourne End, and a traveller site which has been excluded from LA3 and included in Bourne End. In addition, the land adjacent to Upper Bourne End Lane has been effectively removed from the green belt.)</p>
<p>The Old Barn  5 Little Heath Lane  Little Heath  Berkhamsted  Hertfordshire  HP4 2RT</p>	<p>This proposal; does not conform with the adopted Local Plan and represents change of use from agricultural land within the Green Belt to a large scale quasi industrial use. This represents inappropriate development under both national and local planning policies. Such inappropriate development would require the establishment of Very Special Circumstances in order to justify the damage to the green belt. This application fails to demonstrate that such Very Special</p>

Circumstances exist, and as such the proposal is demonstrably inappropriate development on this Green Belt site.

Paragraphs 147 to 151 of the National Planning Policy Framework are relevant to this proposal. Paragraphs 149 and 150 set out the list of types of development which are not classified as inappropriate. This type of development is not listed and it is therefore clear that this development is classified as inappropriate development - a fact that the applicant acknowledges.

Policy CS5 and CS7 within the Dacorum Core Strategy also provide guidance as to what small scale development may be appropriate within the Green Belt. This proposed development does not conform to this guidance. The applicant argues that the development constitutes 'essential utility services' and also that it is associated with 'farm diversification'. In fact this is an energy production facility not a utility, and by definition it is not essential, but rather a commercial venture. It is hard to see this as farm diversification when it is in fact a change of use and nothing to do with farming. Furthermore, it has not been 'demonstrated to be necessary for the continuing viability of the farm' - as set out in CS7 g).

Local policy also references the Chilterns AONB, which this site abuts. Specifically, policy CS25 requires that proposals are assessed to 'ensure that they conserve or improve the prevailing landscape quality, character and condition'. Despite the applicant arguing that the impacts are local and limited it is clear that the proposed development directly conflicts the policy requirement of CS25.

One of the mitigations referred to in the application is the 'temporary' nature of the development. In reality a 40 year duration cannot be considered temporary, and this is essentially a permanent proposal.

The proposal relies upon biodiversity net gains which are extremely modest. High percentage increases are quoted, but from a very low base. The main benefit in habitat units increase occurs in categories not identified as priorities within the Core Strategy. As such the main benefit is 800m of new hedgerow. This is poor mitigation for a 32ha quasi industrial development in the green belt, adjacent to an AONB.

This proposal is for a large scale, man made, repetitive industrial form which whilst not strictly urban clearly represents development which would conflict with the five purposes of the green belt as set out in paragraph 138 of the NPPF.

Overall then the proposal, whilst acknowledging that it represents inappropriate development, does not demonstrate the Very Special Circumstances required to justify such development at this site. The application seems to rely upon the general and generic policy commitments to support renewable energy production. However in this case they do not constitute the Very Special Circumstances required to justify development and this application should therefore be refused.



<p>Ambleside Sugar Lane Hemel Hempstead Hertfordshire HP1 2RT</p>	<p>I would like to object very strongly to the Little Heath Lane Solar Park.</p> <p>Solar Panels should not be on sloping ground but on flat areas. This development is so huge that it affects the views from all the beautiful walks around the area. I feel we have had enough developments in the area for the time being. Let's preserve some of our Greenbelt and Area of Natural Beauty.</p>
<p>Herts and Middx Wildlife Trust, Grebe House St Michaels Street St Albans AL3 4SN</p>	<p>The proposals are accompanied by a biodiversity net gain assessment. The assessment describes how the proposal will deliver a biodiversity net gain of 53.69 habitat units. This is consistent with the NPPF.</p> <p>In order to ensure that the management required to achieve the habitat and condition stated in the BNG assessment, a condition will be required for a Landscape and Ecology Management Plan. A suitable condition is below:</p> <p>'Development shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat units identified in the approved NE biodiversity metric as a minimum (53.69 habitat units) to achieve a biodiversity net gain. The LEMP must include the following.</p> <ul style="list-style-type: none"> <li>a) Description and evaluation of features to be managed.</li> <li>b) Aims and objectives of management.</li> <li>c) Appropriate management options for achieving target condition for habitats as described in the approved metric.</li> <li>d) Prescriptions for management actions, only definitive measures are acceptable.</li> <li>e) Preparation of an annual work schedule (including a 5 year work plan capable of being rolled forward in perpetuity, i.e. a minimum of 30 years), clearly marked on plans.</li> <li>f) Details of the body or organisation responsible for implementation of the plan.</li> <li>g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets in the approved metric are met.</li> <li>h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.</li> </ul> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.'</p>

	Reason: To achieve a measurable biodiversity net gain in accordance with NPPF.
<p>Pembroke Little Heath Lane Potten End Berkhamsted Hertfordshire HP4 2RY</p>	<p>Dear Sir,</p> <p>Like many other residents of Little Heath Lane I am writing to object vehemently to the proposed Solar Installation in Little Heath Lane .</p> <p>The proposed Installation will scar this lovely landscape and there are many different reasons for resisting it as follows:</p> <ul style="list-style-type: none"> <li>. Solar panels are a woefully inefficient way of generating electricity</li> <li>. If they are to be deployed they should be installed on existing buildings before using up farmland; Dacorum should have a policy requiring any new and existing industrial building to install panels</li> <li>. Solar panels are full of noxious chemicals, and there is a possibility of leaks of dangerous heavy metals.</li> <li>. They are not a low carbon solution - their manufacture, the cost of transport from China, the installation with associated buildings and the miles of cabling that is required make this a carbon-costly method of generating electricity.</li> <li>. The panels are often made by forced labourers including Uighurs.</li> </ul> <p>What is Dacorum doing to promote the use of roofs and car parks as suitable sites? I would like an answer to this specific question please.</p> <p>Yours faithfully</p> <p>Geoff Llewellyn</p> <p>"Pembroke", Little Heath Lane, Potten End, Berkhamsted, HP4 2RY.</p>
<p>Meadow Cottage Pix Farm Lane Hemel Hempstead Hertfordshire HP1 2RY</p>	Saved to DMS
<p>Pembroke Little Heath Lane Potten End Berkhamsted Hertfordshire HP4 2RY</p>	<p>Subject: Ref. 22/01106/MFA</p> <p>Dear Sir,</p> <p>I object to the proposed Solar Installation in Little Heath Lane (I will not call it a park as it is manifestly not a park).</p> <p>The proposed Installation will be a blot on the landscape.</p> <p>Solar panels are full of noxious chemicals, and there is a possibility of leaks of dangerous heavy metals.</p>

	<p>They are difficult to dispose of and very difficult to recycle.  Farmland lost - ecological damage not assessed.  We need food security not insecurity with a growing population and insecure supply chains. Covering productive land in solar panels is crazy short-sightedness.  Solar panels are a woefully inefficient way of generating electricity Dr Benny Peiser, director of the Global Warming Policy Foundation (GWPF). says there is not enough sun in the UK to justify this. Only 12 per cent of the true generating capacity is used in the course of a year.  They are not a low carbon solution - their manufacture, the cost of transport from China, the installation with associated buildings and the miles of cabling that is required make this a carbon-costly method of generating electricity.  The panels are often made by forced labourers including Uighurs.  If solar panels are wanted by Dacorum there are better alternatives.  Before any farmland is used panels should be placed above car parks and on warehouse and supermarket roofs.</p> <p>What is Dacorum doing to promote the use of roofs and car parks as suitable sites? I would like an answer to this specific question please.  Kind Regards  Dr Melanie Llewellyn</p>
<p>Avon  Hempstead Lane  Potten End Berkhamsted</p> <p>Hertfordshire  HP4 2QJ</p>	<p>I would like to object to this proposal to put solar panels up on this Agricultural Green Belt Land!!</p> <p>Whilst I have no problems per se with Solar Panels and the need to generate more electricity from Renewal energy, they should be placed firstly on Brownfield sites or on the roofs of Industrial buildings or on the roofs of Domestic housing!! They should not reduce the limited amount of Agricultural land in this country!!  The proposed location is currently being farmed to grow cereals and with the shortage of cereal crops in the world at the moment (Caused by the Ukraine situation) it is vital this country produces more crops not less!!</p> <p>Visually this development will ruin the lovely rolling fields.</p> <p>Solar power is also very inefficient in this country due to the lack of sun in winter months!! I believe it is only 20% efficient!!</p> <p>There must be better places for this development!!  I would like to object to this proposal to put solar panels up on this Agricultural Green Belt Land!!</p> <p>Whilst I have no problems per se with Solar Panels and the need to generate more electricity from Renewal energy, they should be placed firstly on Brownfield sites or on the roofs of Industrial buildings or on the roofs of Domestic housing!! They should not reduce the limited amount of Agricultural land in this country!!  The proposed location is currently being farmed to grow cereals and with the shortage of cereal crops in the world at the moment (Caused</p>

	<p>by the Ukraine situation) it is vital this country produces more crops not less!!</p> <p>Visually this development will ruin the lovely rolling fields.</p> <p>Solar power is also very inefficient in this country due to the lack of sun in winter months!! I believe it is only 20% efficient!!</p> <p>There must be better places for this development!!</p>
<p>9 Brownlow Farm Barns</p> <p>Pouchen End Lane Hemel Hempstead Hertfordshire HP1 2SN</p>	<p>I object to this development since it seems an inappropriate use of good quality farmland at a time when it is essential to maximise our food self-sufficiency from within the country thereby minimising airmiles on imported food. The use of renewable energy is clearly essential also but this should be done using this technology using low-grade land, commercial building roofs and brownfield sites.</p> <p>Moreover, it seems DBC are happy to over-ride green-belt restrictions. The area around Hemel is already highly developed and the last thing it needs is for any remaining green-belt to be sacrificed inappropriately.</p> <p>A further concern is the development's proximity to Ashridge Forest.</p>
<p>10 Princes Close Berkhamsted Hertfordshire HP4 1JS</p>	<p>I support this proposal and am pleased to see neighbours taking a courageous and progressive step towards sustainable green energy, and a reduction in dependence of fossil fuels (which are sourced/supported from abroad further aggravating our dependencies).</p> <p>Due to it's size and scope, I would encourage the developers and planning officers to follow evidence based studies on the ecological costs of solar panels or green land; and the mitigation factors discovered by other sites. This should include limitations on total ground coverage, the height between the ground and the panels, and the permanancy of the installation (ie I would hope that panels and frames can be disconnected and moved easily, without damage to the ground beneath. The site should also seek to make hybrid use of the land as other solar farms have done.</p> <p>Whilst concerns about food production are valid and should be considered, the country has a pressing energy crisis, and our capacity to import food is much greater than our capacity to import green energy. A project like this can act as a flagship to encourage other landowners to invest in renewable energy, which will greatly increase our standard and quality of living.</p> <p>I'm very pleased this initiative is happening locally, as I feel the environmental damage and dangers to wildlife of heavy energy infrastructure connecting local homes and businesses to traditional nuclear &amp; coal mega plants is more damaging than having a sustainable production site nearby. (We should still seek to minimise this damage wherever possible.)</p>
<p>Stonycroft 9 Shrublands Road Berkhamsted</p>	<p>I write on behalf of the BCA Townscape Group, of which I am Chairman. The Berkhamsted Citizens Association wishes to OBJECT in the strongest possible terms to this application.</p>

<p>Hertfordshire HP4 3HY</p>	<p>The site is situated just outside the boundaries of Berkhamsted town but would have a significant effect on its setting in the surrounding countryside. It is in the Green Belt, and adjacent to the Chilterns AONB on which it would have a detrimental effect. It would be a scar on the landscape in a valley of great beauty, and would industrialise the Green Belt; and, as future Brownfield land, would be liable to future development. It would contribute to the coalescence of settlements, the prime reason the Green Belt designation fights.</p> <p>Additionally, there would result loss of prime agricultural land which, in present circumstances, is pertinent to this country's food security.</p> <p>We join the Herts CPRE and The Chiltern Society in their objections to the development. The BCA is a corporate member of both organisations.</p> <p>There is a role for solar in our collective action against climate change, but not at the expense of the environment. Solar panels belong on rooftops (and out of sight when in conservation areas) and all those should be utilised before resorting to solar farms. They are also less efficient than other renewables. The vast majority of the public agrees, if the comments on the website are indicative.</p> <p>We urge the Borough Council to REFUSE this application.</p>
<p>118 Bridgewater Road  Berkhamsted Hertfordshire HP4 1ED</p>	<p>I fully support this as a contribution to low carbon green energy locally and nationally.</p>
<p>1 Horseshoe Close Hemel Hempstead Hertfordshire HP1 2DY</p>	<p>This is within a green belt area and this would clearly cause harm to the green belt landscape by visually changing the look of the open green landscape</p>
<p>19 Gilpins Ride Berkhamsted Hertfordshire HP4 2PD</p>	<p>I wish to object to the application for a solar park at Little Heath Lane. I do not live in the affected areas of Potten End or Bourne End but I am very familiar with Little Heath Lane which I use frequently.</p> <p>It is notable that every person who has stated they are in favour of the development lives nowhere near it and may not even be familiar with Little Heath Lane. This would seem to be the case as none have commented on the suitability of the actual location.</p> <p>Little Heath Lane, being on a hill provides some of the best views in the area, an amenity to be treasured, not destroyed by a large industrial site. It is part of a popular circular walking route and also attracts cyclists and horse riders, who frequently stop to admire the view.</p> <p>Government policy is to avoid greenbelt for solar farms which should be built on brownfield sites and roofs. The agricultural land provides much needed grain crops which we import in large quantities. We need to become more self-sufficient so why would we sacrifice a facility which is providing what we need?</p> <p>When travelling in Somerset and the west country I have noticed</p>

	<p>many solar farms which have been sited discretely on flat land. This is what we should be aiming for in Dacorum. I have never in all my travels around the UK seen a solar farm in such an ill-suited location as Little Heath Lane.</p>
<p>The Coach House New Road Northchurch Berkhamsted Hertfordshire HP4 1LP</p>	<p>I support the proposal on the basis that we need more renewable energy generation and there is currently very little in our community. Furthermore, contrary to what opponents say, local biodiversity will be enhanced through the development of the solar park replacing what is currently intensively farmed agricultural land.</p>
<p>Wyndcrest Sugar Lane Hemel Hempstead Hertfordshire HP1 2RT</p>	<p>I wish to object in the strongest terms to the construction of the solar park on Little Heath Lane. I am not against renewable energy, or would I consider myself a NIMBY, but there are significant negatives for the Bourne End Community.</p> <p>The site is in the Green Belt and would take out a large chunk of the separation from Hemel Hempstead and Berkhamsted. It is up against the Chilterns Area of Natural Beauty. This is an inappropriate use of green belt,</p> <p>The 32 Hectares is currently productive arable land, Government policy states that arable land should not be changed without very good reason.</p> <p>It is open and visible from residencies, public footpath and spaces, particularly the whole swathe of the South Side of the Bulbourne Valley, e.g Sugar Lane, Little Heath Golf Course and Hertfordshire Way. From that direction, the development will present as a solid mass 2.8 ,metres high. It will in addition be seen from our property from our garden. The survey sent did not consider this.</p> <p>The habitats of many species of wildlife would be compromised, and lighting impacts wildlife as well as residents and wildflower planting does not offset the environmental damage adequately.</p>
<p>The Paddocks Rambling Way Potten End Berkhamsted  Hertfordshire HP4 2SE</p>	<p>We wish to object strongly to these proposals for several reasons.</p> <ol style="list-style-type: none"> <li>1 The land is in the Green Belt and government policy defines that development should only be allowed for exceptional cases.</li> <li>2 The land is extremely close to the Chilterns AONB and the development would have a very detrimental effect on that designation.</li> <li>3 Solar farms should be placed on level ground thereby keeping visual impact to a minimum. This site is highly visible from large parts of the Bulbourne Valley, which is enjoyed by many residents and walkers.</li> <li>4 The agricultural land where the solar farm is proposed is highly productive and in regular use With current pressure on food supplies loosing this ground should not be allowed.</li> </ol>

	<p>5 The area is a haven for wildlife with many species of bird and animal present. installing a solar farm will be a further blow to biodiversity.</p>
<p>The Old Barn 5 Little Heath Lane Little Heath Berkhamsted</p> <p>Hertfordshire HP4 2RT</p>	<p>This proposal is inappropriate development under both national and local planning policies. The policy doesn't support developing green belt unless very special circumstances exist which the application fails to demonstrate so the proposal is demonstrably inappropriate on this green belt site.</p> <p>Furthermore this site is on the edge of the Chilterns AONB and the proposal would clearly be detrimental to the prevailing landscape quality.</p>
<p>The Chilterns Conservation Board The Lodge Station Road</p> <p>Chinnor OX39 4HA</p>	<p>Dacorum BC reference: 22/01106/MFA.</p> <p>CCB Objection</p> <p>Thank you for consulting the Chilterns Conservation Board (CCB). The Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB</p> <p>The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB (Section 85 of CroW Act).</p> <p>Summary.</p> <p>We have reviewed the details of this application. In summary, the CCB proposes to submit an objection on the ground of harm to the landscape character setting of the AONB. The application site sits on the boundary of two landscape character assessment areas in the Herts Assessment (Character Area 118 Lower Bulbourne Valley and Character Area 120 Little Heath Upland). When walking the landscape, it is very difficult to decipher any change in the character, either side of Little Heath Lane. Both sides of Little Heath Lane share the same broad character of a gently undulating landscape that flows from the upland plateaus beyond. The setting of the AONB benefits from this relationship and, consequently, the landscape to the immediate southeast of the AONB (i.e., this site and its surroundings), seamlessly blends into the landscape setting of the AONB. Mature hedgerows also serve to unify the two-character areas.</p> <p>LVIA.</p> <p>Whilst the application is not accompanied by a formal Landscape and Visual Impact Assessment (LVIA), a 'landscape details' paper contains important background evidence, including a plan showing the zone of theoretical visibility (ZVI). That ZVI illustrates the visual impact upon the AONB, as may be enjoyed by the many walkers and runners who traverse routes in the nearby vicinity, including Little Heath Lane. Our point as to landscape character deals with the value and</p>

perception of this landscape. The applicant's point in 8.2.2 of their Design and Access Statement that the natural topography of the site ensures no inter visibility to the AONB, is incorrect.

#### CCB's Position Statements.

The CCB has produced two relevant position statements on renewable energy and on the setting of the AONB. The renewable energy statement (paragraph 9) states that, The Board encourages the use of renewable energy in appropriate locations within the AONB or its setting, provided it is consistent with conserving and enhancing the landscape and natural beauty of the area. This policy is contained in the Chilterns AONB Management Plan and is in line with Government and emerging local policies (see relevant local authority local plan or core strategy for more information). However, the purpose of designating an AONB should take priority over other considerations because the contribution that can be made from the AONB to national and regional renewable energy generation targets is small while the harm to what is landscape of national importance enjoyed by many people could be great.

On setting the position statement here states that, at paragraph 4, 'The Board considers that, although it does not have a defined geographical boundary, the setting of the Chilterns AONB is the area within which development and land management proposals, by virtue of their nature, size, scale, siting, materials or design could be considered to have an impact, either positive or negative, on the natural beauty and special qualities of the Chilterns AONB'.

It continues, at paragraph 13 that, 'The Board will expect local authorities, in accordance with their duties under Section 85 of the Countryside and Rights of Way Act 2000, to be mindful of both the possible positive and negative impacts of a development within the setting of the AONB on the natural beauty and special qualities of the AONB when determining planning applications. The CROW Act applies to setting because it deals with 'matters so as to affect' the AONB. This gives legal authority to the setting, beyond matters as raised in the planning balance. Looking to our own position statement on setting it is relevant here to consider the 'nature, size, scale' of the proposal.

#### Matters of Setting

In this case we have formed the view that the scale of the solar farm, which is significant, would diminish the landscape character setting of the AONB and materially so. Harm, therefore, would follow to the Chilterns landscape and diminish its special landscape character which is one of the acknowledged special qualities in the AONB Management Plan (see pages 1 and 11 of the AONB Management Plan 2019-2024). Policy DP4 of the Management Plan is not satisfied and this policy states DP4 In the setting of the AONB, take full account of whether proposals harm the AONB. For example, development of land visible in panoramic views from the Chilterns escarpment, or which generates traffic in or travelling across the AONB, or which increases water abstraction from the chalk aquifer, thereby reducing flow in chalk streams.



	<p>The CCB is therefore grateful for appropriate planning weight to be given the setting of the AONB by virtue of landscape character assessment and the impacts arising from such a visual and character change to a large area of 32 hectares. The CROW Act gives legal authority to this. Revisions to the NPPF (2021) add further weight to settings at its paragraph 176, stating '.....while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.</p> <p>AONB Boundary Review.</p> <p>Finally, we do consider it relevant that the Chilterns is the subject of a boundary review. On 24th June 2021 as part of its Programme, Natural England announced that it will explore a 'boundary extension' to the Chilterns Area of Outstanding Natural Beauty (AONB), considering an application made by the Chilterns Conservation Board in 2013 and proposals set out in the Landscapes Review (the "Glover Review") - an independent review commissioned by the Government. Whilst the exact nature of this review is to be determined, it is material to note that locations such as in this application could reasonably fall within that review. Some planning weight can be attached to this, supported by the points, as above, that the landscape character assessment is very similar both within the AONB and within its setting.</p> <p>The CCB is grateful for the opportunity to submit these comments.</p>
<p>15 Brook Lane Berkhamsted Hertfordshire HP4 1SX</p>	<p>I don't live within sight of this development so perhaps my opinion carries less weight than those who do but I like to see solar farms. When I see them I see the future, hope that there is a way for my children to live a life comparable to the one I have enjoyed. Currently that hope is under threat and projects like this must go ahead to protect it.</p> <p>They always will be in someone's back yard, or roof, and I hope one day to see one in mine.</p>
<p>Hazelmere Little Heath Lane Potten End Berkhamsted  Hertfordshire HP4 2RY</p>	<p>We would like to raise our objection to the proposed solar farm on Little Heath Lane.</p> <p>Our concerns are regarding:</p> <ul style="list-style-type: none"> <li>- Visual impact: from close by and at a distance from the surrounding area, bordering the Chilterns AONB. It's a beautiful, sweeping site. I drive home at night and see the owls swoop across from the field. I can't imagine all the metal and fences there.</li> <li>- Solar industry standards suggest flat site, but this is on a slope.</li> <li>- Greenbelt. Industrialisation of our countryside, instead of utilising brownfield sites or warehouse rooftops.</li> <li>- Impact on biodiversity: surrounding security fences may block natural passage of wildlife, loss of open habitat, no one has mentioned noise previously (see freely available web info about solar farm at Wincombe, Wiltshire, 48-72dB, high pitched continuous noise) may not affect humans but wildlife?</li> </ul>

	<p>- As per Farmer's Weekly "Agricultural land is a finite resource. Protect and enhance domestic food production to maintain food security... Question the wisdom of taking good arable land out of production"</p> <p>- Construction traffic over the canal and rail bridges and our single track road will be disruptive for local residents and the many who use this lovely lane for leisure.</p>
<p>19 Castle Hill Berkhamsted Hertfordshire HP4 1HE</p>	<p>I live in Berkhamsted, and for the past decade have volunteered maintaining The Hertfordshire Way long distance footpath which will be harmed if this planning application is granted. I think Little Heath Lane is the wrong location for a solar farm, and I object to this planning application for the following reasons.</p> <ol style="list-style-type: none"> <li>1. The site is in the Green Belt. Both National planning policy and Dacorum's adopted Local Plan (Core Strategy) protect the Green Belt from inappropriate development unless there are very special circumstances. This solar farm proposal would be an industrial development, with 80 acres of glass and steel construction, at least a dozen metal buildings similar in size and appearance to freight shipping containers, and very extensive and prominent perimeter fencing with more than 70 CCTV cameras on 4 metre high poles. Industrial development is by definition inappropriate in the Green Belt.</li> <li>2. No very special circumstances have been demonstrated for why this inappropriate industrial development needs to be sited in this particular location. Yes the UK's energy mix should include renewables including solar, but there is no reason for ground-mounted solar energy production to be sited at this location, in the Green Belt, adjacent to the Chilterns Area of Outstanding Natural Beauty, on such a visually-prominent hillside.</li> <li>3. The site is directly adjacent to the Chilterns Area of Outstanding Natural Beauty. The 'setting of the AONB' i.e. 500 metres is designated protected land. The proposed solar farm would harm the landscape character of this protected area, and long-range views into and out of the AONB would be compromised.</li> <li>4. With regard to both the Green Belt and the Chilterns AONB, government ministers have repeatedly stated that the UK's need for more renewable energy does not override environmental protections and protected land designations. For example, in 2015 the then Secretary of State for Communities and Local Government put it succinctly when he said "Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the use of high quality land."</li> <li>5. The site is extremely visually-prominent from nearly all directions, being on a sloping hillside. This is contrary to guidance from Solar Energy UK, the trade association for the solar industry, that says solar farms should be sited on level ground, not sloping hillsides, because of their visual intrusion.</li> </ol>

	<p>6. The site is currently in use as productive agricultural land. The Secretary of State at DEFRA, George Eustice, has publically stated that domestic UK food security is at the heart of government strategy. The developer has assessed the site as Grade 3b "moderate" quality agricultural land, and based on UK average yield data this is capable of producing 200 tonnes of cereal grains per year. The site should remain in its existing use as productive agricultural land.</p> <p>7. The industrialisation of this site (see point 1 above) would result in severe harm to the residential amenity of those living nearby, including residents higher up the hillside on Little Heath Lane, across the valley on Sugar Lane, on the eastern portion of the Hall Park estate, and in the village of Bourne End. The views of the green landscape would be spoiled by the ocean of glass and metal.</p> <p>8. Similarly, recreational amenity would be severely harmed for those using The Hertfordshire Way long distance footpath and other public rights of way. The Hertfordshire Way runs in a southerly direction up the hillside from Bourne End village, through Little Hay golf course, and the views of the green landscape with its fields and hedgerows across the Bulbourne Valley are a part of what makes the The Hertfordshire Way so special, and these views would be replaced by views of an industrial development.</p> <p>9. Wildlife habitats would be disrupted or destroyed. Skylarks, red kites, badgers and deer are all present on the site, and all would have their habitats compromised. Birds often mistake photovoltaic panels for water and become injured, and deer and other small mammals can become trapped and injured in the perimeter fencing.</p> <p>10. The developer has stated the solar farm would be "temporary", but the proposed 40 year productive timespan means that the harm caused by this development would endure for more than a generation. There would be enduring harm to landscape character, harm to residential and recreational amenity, harm to wildlife, and harm to the designated protected Green Belt and the setting of the Chilterns AONB.</p> <p>11. For all of the above reasons, permission for the Little Heath Lane solar farm should be refused. However, if approval is granted, there must be some sort of legally-binding and enforceable covenant placed on the landowner (and all successor landowners) requiring decommissioning of the solar farm and restoration of the site to its greenfield state. The applicant Energi Generation appears to be a very small private company and may not exist at such time as decommissioning of the site is required, so the legal obligation for decommissioning and restoration needs to be placed with the landowner/s.</p>
<p>Lindisfarne Little Heath Lane Potten End Berkhamsted  Hertfordshire</p>	<p>I object to the application for a solar farm at Little Heath Lane.</p> <p>The land is green belt alongside an area of outstanding natural beauty. The application states that there is no intervisibility between the site and the AONB. That is inaccurate. On the Hertfordshire Way,</p>

HP4 2RY

Little Hay golf course and even from the housing approaching Berkhamsted, the site and the ANOB are fully visible.

The site itself is stated to be in a dip which reduces its visibility, mitigating its limited impact on the green belt. Also inaccurate. The site in its magnitude can be viewed from both north and south sides of the valley. Impact is not limited in any way.

The proposal should not compromise any of the 5 objectives of the green belt. The site does compromise at least one if not two of these objectives. Encroachment - A solar farm is an ugly industrial development and does not safeguard the countryside from encroachment. The solar farm itself is encroachment. Neighbouring towns should not merge - the site runs from the LM3 West Hemel housing estate, abuts Bourne End village as it crosses the field, until it reaches Little Heath Lane which is Berkhamsted.

The agricultural land to be used is described as under utilised and poor quality. Yet this field successfully grows cereal crops every year.

Three other solar farm applications in the south-east have been refused this year. Bishops Stortford, Pelham and Bramley. Each of these have been refused on the basis of inappropriate development on greenbelt land. They have taken into account, encroachment, harm to the beauty of the countryside, visual amenity and publicly accessible viewpoints. These have been denied or ignored in the Little Heath Lane application. Happily, it would seem that other areas are acting in line with government guidance on large solar farm applications. Dacorum should do likewise. As the LVA has been commissioned by the developer and is therefore biased very much in its favour, it is important not to overlook the negatives of the Little Heath Lane site.

I object to the application for a solar farm at Little Heath Lane.

The land is green belt alongside an area of outstanding natural beauty. The application states that there is no intervisibility between the site and the AONB. That is inaccurate. On the Hertfordshire Way, Little Hay golf course and even from the housing approaching Berkhamsted, the site and the ANOB are fully visible.

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<p>Crossways Little Heath Lane Potten End Berkhamsted Hertfordshire HP4 2RY</p>	<ol style="list-style-type: none"> <li>1. The development is on one side of the narrow lane, Little Heath Lane. On the other side of the lane is an Area of Outstanding Natural Beauty, the views of which would be ruined by this development.</li> <li>2. In past years the development site grew rapeseed - this, in the light of the consequences of the war in Ukraine, would be much more needed for nutritional oils.</li> </ol> <p>We object to this development.</p>
<p>The Paddock Bourne End Lane Hemel Hempstead Hertfordshire HP1 2RL</p>	<p>Not all residents have received notice of this proposal or been consulted on it. Andrew Parrish was contacted when the company sought a scoping exercise on environmental assessment and he told us that there was no place for consultation or objections then. However, at that early stage we would have clarified the inappropriate nature of the development and highlighted the omissions in his published opinion. Over twenty years ago, this site was considered for change of use to landfill and rejected by Inspectors for its poor access and inappropriate impact on the landscape, yet here we are with that same access described as good and the landscape undefended.</p> <p>Despite the obvious appeal of increasing energy supply via renewables, we object to this planning proposal on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The site is designated protected land in the Green Belt within 500 metres of the Chilterns Area of Outstanding Natural Beauty. National and local planning policies protect it from inappropriate development such as the industrialisation of the landscape as proposed. It would also serve to narrow the green belt separation of Hemel Hempstead and Berkhamsted.</li> <li>2. The site is currently productive arable cropland. In accord with government policy, agricultural land should not change its use from food production. A Solar Farm does not qualify as extraordinary reason while there are unexplored alternative locations for generating solar power without loss of food production sites.</li> <li>3. The character of the landscape is typical of the area, in a prominent location on sloping land, open and visible from all directions affecting</li> </ol>

	<p>private residences, the public Little Heath Golf Course and the Hertfordshire Way footpath among others. The open character of this landscape will be destroyed by the installation of rows of glass panels, tracks, security fencing 2m high and security lighting, all of which are alien to the setting.</p> <p>4. The habitats of many species of wildlife would be compromised because of the scale of the installation. Birds can be injured by mistaking the panels for more of the lakes that lie to the South of the site, for example we have migratory geese every year in Bourne End. Mammals can be injured or killed if they get trapped in the fencing. Security lighting impacts wildlife as well as residents negatively.</p> <p>Solar panels on such a varied topography cannot even achieve the relatively poor efficiency of solar farms on flatter terrain. Far better to invest in solar energy generation on roof tops both residential and industrial which remove the security costs and directly benefit those offering the generating capacity thereby improving customer take up and reducing opposition.</p>
<p>Rustlings Little Heath Lane Potten End Berkhamsted</p> <p>Hertfordshire HP4 2RY</p>	<p>We object to this proposal as this is Green Belt land and part of the Chilterns area of outstanding natural beauty. This will involve a loss of productive agricultural land and ruin the landscape of the area. There could also be a harm to the wildlife in this area.</p>
<p>4 Jubilee Gardens Tring Hertfordshire HP23 4JG</p>	<p>I think solar energy is a great idea, I have a panel on my house that delivers all my hot water but from what I've read, solar farms are not because they deplete the ground beneath them, scorching it, damaging the area and therefore diversity. Wild flowers won't grow beneath solar panels. Why can't you put panels on top of buildings and carparks instead to do less damage? Make every new housing development install them??</p>
<p>Kingswood House Pouchen End Lane Hemel Hempstead Hertfordshire HP1 2SA</p>	<p>We write to strongly object to this planning application.</p> <p>Firstly we stress that we are concerned about climate change and agree with some focus on renewable energy; we are not against solar panels per se (we have them on our own roof).</p> <p>But we are against solar panels in this location for the following reasons.</p> <ol style="list-style-type: none"> <li>1. All planning applications should be looked at in the context of the environment and planning as a whole. This location is just to the west of LA3 - a major development on over 50 hectares of what was green belt land. Construction has not yet started, but when it does all the wildlife will have to find a new home - and has no option but to travel west.</li> <li>2. The new boundary of the green belt is Pouchen End Lane (where we live). Thus all the rural green belt to our east will be going. The proposed location for the solar park is immediately to our west and thus Pouchen End Lane will become a very narrow corridor in a totally built up environment.</li> <li>3. We have a mass of wildlife and consider that this will be significantly and detrimentally impacted by a large solar park in this</li> </ol>

	<p>location.</p> <p>4. We currently reside in a fully rural location - countryside to the east is now lost, and the countryside to the west, which is very visible from our house, will be lost if this is approved. To a large extent, this visibility is due to the undulating topography, and the solar panels will be directly visible going up the hill. We are also concerned about glare from the panels which undoubtedly will be faced towards us.</p> <p>5. In the event this is approved a considerable amount of green belt land that currently serves to separate Bourne End from Hemel, will be lost, ruining the lovely configuration of this part of Hertfordshire.</p> <p>6. The proposed location is adjacent to an Outstanding Area of Natural Beauty - how can it do anything other than impact upon this, especially with regard to wildlife.</p> <p>7. We note that the location is currently productive arable land - how short sighted to remove this. It is surely essential that as much land in the UK is farmed as possible to reduce the need for transportation from abroad, minimise our reliance on other countries and make us as self sufficient as possible. This is in the interests of the environment and climate change, as well as the economy.</p> <p>8. We do not believe that this is the most effective form of renewable energy - it takes up a huge amount of land and is less productive than off-shore wind.</p> <p>9. The focus for solar panel locations should be on brown belt sites and especially on roof tops where the impact on the environment is minimal.</p> <p>10. To reiterate we are opposed to this planning application.</p>
<p>Little Heath House Cottage Little Heath Lane Little Heath Berkhamsted Hertfordshire HP4 2RT</p>	<p>We object to the application for a solar park alongside Little Heath Lane.</p> <p>Building a solar farm in this location would be contrary to government policy, solar industry standards and Dacorum's own policy.</p> <p>The government re-iterated this month that solar farms should be built on brownfield sites and rooftops, not on protected land.</p> <p>The solar industry stated "Land selected should aim to avoid affecting the visual amenity of landscapes, maintaining their natural beauty and should be predominantly flat. Visual impact should incorporate avoiding extensive views into the site from roads, public rights of way and hillsides".</p> <p>The Dacorum Planning Officer stated that "the proposal would clearly represent inappropriate development in the Green Belt". (Design &amp; Access Statement 3.1.3).</p> <p>We strongly endorse all three statements.</p> <p>A combination of being green belt land, next to the Chilterns ANOB, on a hill visible from all directions, rather than on flat land, and cultivated with cereal crops for at least the 18 years we have lived on Little Heath Lane, would seem to make the site the exact opposite of what is desirable for a solar farm.</p> <p>The site is described as being in a dip adjacent to the railway line</p>

which will help mitigate the impact on the landscape. This is incorrect. The site runs for almost half a mile up the hill of Little Heath Lane. Mitigation by hedgerows is planned. This will have little to no effect as the site will be viewed almost entirely from above, either to the north or the south side of the valley.

The comparative study suggesting no other suitable sites were found, does not mean that this (greenfield) site is suitable. The Design & Access Statement (4.2.4) admits that "a development of this type on brownfield land would be preferable".

6.2.13 "Policy CS25 'Landscape Character' sets out the Council's policy for conserving and enhancing Dacorum's natural and historic environment. "Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality." The proposed scheme manifestly neither conserves nor improves the prevailing landscape quality.

6.4.3 The applicant states that "there will be no unacceptable impacts or harm caused by the proposed development." This is clearly not the case.

7.2.5/ 7.2.8 / 8.1.2 Paragraph 147 states that "inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in VSCs." Paragraph 148 then states that "when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt." The applicant has failed to demonstrate that any VSC's apply here.

10.6.4 "The surrounding landform limits visibility of the proposed development except from areas close to the site and on the higher ground to the south." This fails to consider visibility of the development from higher ground to the north.

10.9.1 "Agricultural yields on ALC 3b land are poor when compared to ALC grades 1, 2 and 3a". Not relevant as cereal crops can be grown successfully on 3b land and the loss of valuable cereal crops over a 40 year period is very significant. We now know we need to become more food self-sufficient not less.

LVA 1.4 4. (Also LVA 2.5, 2.9 and 2.15) "To identify potential visual receptors (people who would be able to see the development)." The report fails to include our property and other properties to both north and south as direct visual receptors.

LVA 2.18. "Three of the viewpoints have also been represented as Photomontages (Type 3 visualisations) the aim of which is to represent appearance, context, form and extent of the proposed development." Again, fails to include consideration of the northerly viewpoints.

LVA 2.21. "All visual receptors potentially considered to be most affected by the proposed development were visited." Untrue statement. We were not visited nor were others on both sides of the



	<p>valley.</p> <p>LVA 4.9. "Local Authorities are responsible for the protection of the landscape within the planning system and the formulation of policies to support this obligation. Dacorum Core Strategy (2006-2031) POLICY CS5: Green Belt. "The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, etc.," The scheme clearly fails to comply and is not covered by any of the exceptions.</p> <p>6.22. "The development proposals will change the site from an agricultural field to a solar farm, and with consequent loss of openness. The change in character and loss of openness as a result of the site being developed and the effect on the site and its immediate context will inevitably be major adverse." Clear admission of unacceptability.</p> <p>Landscaping Details - Figure 5: Viewpoints and Visibility. This shows our property location is well within the so-called Buffer Zone. But the four viewpoints selected on Little Heath Lane VP1- VP4, fail to include consideration of the views from our property. These, and others of high sensitivity should have been represented by verified view studies of Type 4 quality.</p> <p>We further note the Planning Officer's advice that the Applicant should "minimise the visibility of the panels..." (Design &amp; Access Statement 3.1.5) However it is clear from the proposals that no consideration whatsoever has been given to minimising the impact of the proposals from above the site where our property is situated nor from the southern side of the valley.</p> <p>As residents of Little Heath House Cottage for 18 years we have a direct interest in this application, which affects land in close proximity to, and directly overlooked from, our property. We consider therefore that we should have been formally consulted, and that the consultation process is accordingly flawed.</p> <p>We wish to point out that this objection is not just about affected properties but about the many hundreds of walkers, runners, cyclists and the occasional horse rider who pass down Little Heath Lane every year. This lane is a valued and popular local amenity providing a wonderful panorama over fields, the valley below and the hills beyond. It so deserves to be cherished by our council. Extraordinary as it may seem, the LVA 9.3.11 states "The land is not designated as having any landscape value"!</p>
<p>La Mesa Lauries Close Hemel Hempstead Hertfordshire HP1 2RS</p>	<p>to view these comments please go online to <a href="http://www.dacorum.gov.uk/search/planning/applications">www.dacorum.gov.uk/search/planning/applications</a>.</p>

<p>Lavender Cottage Pouchen End Lane Hemel Hempstead Hertfordshire HP1 2SA</p>	<p>This is an area of outstanding beauty for walkers, horse riders and cyclists. The views will be ruined in this beautiful area. Pouchen End neighbours will have this backing onto their land.</p> <p>This is currently agricultural land which should be retained for use in this way.</p> <p>The development of LA3 will have a negative impact on access for wildlife and this development will further exacerbate this problem.</p> <p>This development is more suitable for brown belt land and the council should be doing their utmost to preserve as much countryside as possible in Dacorum for the wellbeing of residents</p>
<p>7 Bourne End Cottages</p> <p>London Road Bourne End Hemel Hempstead Hertfordshire HP1 2RH</p>	<p>I object to the proposal as the the potential reflection from some of the panels on the slope in line with our property could cause severe disturbance from the glaze into our bedroom.</p> <p>In addition I believe that the construction of the solar farm in this location runs contrary to the proposed plan by Natural England from 24/06/2021 to increase the Chilterns AONB.</p> <p>"An extension to the Chilterns AONB - to consider many special features including chalk streams, magnificent beechwoods, native woodland and wildflower-rich hills, bringing nature closer to populations in North London."</p> <p>This proposal is based on: "the Prime Minister's commitment to protect 30% of our land by 2030 for nature. They will also help deliver on the Government's commitment to safeguard more of England's beautiful and iconic landscapes for future generations as outlined in its 10 Point Plan for a Green Revolution."</p>
<p>The Cedars Pix Farm Lane Hemel Hempstead Hertfordshire HP1 2RY</p>	<p>Our property is adjacent to the proposed development, on neighbouring land south of the (current) green belt arable farm which is proposed to be developed. We have not been engaged or approached in any way for consultation over these proposals. In recent years Network Rail have cut down the majority of the trees on the north side of our property (as they are entitled to do by law) and this now means we have negligible vegetation cover between our property and this large arable field. The construction and operation of this proposed solar site would now be in full view - and earshot - of our house for the next 40 years. It is proposed to be built up to 2.6m in height, in large units of metal and glass, sloping upwards up the undulating valley above our property. We moved here in 2005 on the (not unreasonable) expectation that this green belt land would be protected by our government and local council.</p> <p>The proposal seeks to promote itself as a low-impact light industry/green energy initiative. Sustainable green energy is laudable, but not in the green belt when the project clearly describes establishing fixed infrastructure to include:</p> <ul style="list-style-type: none"> <li>- 32 hectares of glass/metal/photovoltaic panels</li> <li>- 7 transformer stations</li> </ul>

- DNO substation
- GRP Unit substation
- Group Client switchroom
- Control Room
- Storage container
- Spares container
- Welfare office
- 3m high toilet block
- 2 meter high galvanised perimeter deer fencing
- 70 CCTV security cameras mounted on 4m high poles

By any measure this is huge industrialisation of a green belt site adjacent to an area of outstanding natural beauty - and fully visible/audible adjacent (50m) to our house.

Our house in Bourne End dates back several centuries; as do the handful of single track designated country lanes such as Little Heath Lane, Sharpe's Lane, Pix Farm Lane and the Winkwell swing bridge which serve our property and the handful of properties on the north side of the canal. In the last 2 years Dacorum Council have approved the building of 56 houses on Pix Farm Lane (400m from our house), the LA3 development and traveller site (less than a mile away) both on the north side; and new residential developments on, and south of, the London Road (A4251). There has been no apparent coordination with Hertfordshire Highways, who would be in any event be unable by law to widen roads, demolish protected hedgerows or build pavements to protect pedestrians from industrial traffic. The construction of this solar project would result in significant further traffic movements on these modest country lanes, to add to newly added high volumes of trucks, lorries, cement mixers and the army of white van traders who access and deliver to these new developments at all hours of day and night, regularly testing the (technical) 60mph speed limit, even on country lanes, and following satnav prescriptions to take ratrun routes and modest canal crossings given significant and routine traffic delays on London Road for other projects. We are routinely hooted at by speeding motorists in Pix Farm Lane for attempting to (cautiously) exit our own driveway.

Dacorum Council cannot continue to approve and authorise the infill and urbanisation of so much land between Hemel Hempstead and Berkhamsted, whilst remaining oblivious to the impact and pressures on the archaic and fragile country lane network which was designed for such modest use (supporting limited residential properties) so many centuries ago. It is not appropriate to now expect 32 hectares of solar panels, related mountings and infrastructure, support buildings etc to be delivered, installed and maintained via this medieval road infrastructure, crossing the canal on single track lanes.

If the construction of 56 houses in Pix Farm Lane is any guide, the proposed development off Little Heath Lane will incur multiple heavy traffic movements; drivers being directed by SatNav over smaller local canal bridges, and an unsustainable pressure of traffic on Little Heath Lane. This is the designated access road for the construction of the new solar development, and continued maintenance/servicing over the next 40 years. This road is one of the few roads which cross the

	<p>canal between Hemel Hempstead and Berkhamsted and has been heavily used in recent years for the new construction and urbanisation projects already approved.</p> <p>Government energy policy is at best fragmented, and it is disappointing that local councils have to appraise applications at such local level with no clear national strategy or criteria for the establishment of such sites, their efficiency levels, or environmental red lines. However, the government has at least articulated that development of such sites should be on brownfield sites and rooftops, this would be a very clear breach of one such policy which is clearly articulated. The Dacorum Planning Officer has stated as much in stating "the proposal would clearly represent inappropriate development in the Green Belt". (Design &amp; Access Statement 3.1.3).</p> <p>Similarly the UK Solar Industry has articulated that any sites selected should 'avoid affecting the visual amenity of landscapes, maintaining their natural beauty and should be predominantly flat.' This proposal is not on flat land. The site is undulating land which extends approx 800m up from the valley floor and clearly impacts the beauty of surrounding areas as articulated at length by the Campaign for Protection of Rural England Hertfordshire via their letter of 20th April 2022.</p> <p>The proposal is deemed to be 'temporary' in purpose, but this is defined as a 40 year project. We have concerns that obligations on the developer to 'make good' (i.e. return to arable land) after this time are insufficiently enforceable; and that there is a risk that huge swathes of spent photovoltaic panels, glass and metal could be abandoned should this inexperienced and unproven operator be less than successful by the end of the programme in the mid 2060's (or indeed earlier, should larger government projects produce cheaper renewable energy and render this project unviable). There is also a significant risk that the opportunity would be taken to apply for conversion to heavier industrial/residential development at this time given that the site will have been quasi-industrial for up to 40 years by this time.</p> <p>In summary, this proposal breaches the guidance of both the UK solar industry and Government policy on solar development and thus it is surprising that it should have been put out for consultation. It is not part of a government or council-led energy strategy and constitutes an opportunistic business venture in a completely inappropriate (green belt) setting. There are many brown-field and commercial buildings' rooftops far better suited to such developments and Solar Energy UK are aware of and working to harness these resources on a national level. We should not be invading green belt land against clear government guidance for these projects.</p>
<p>The Old Granary Little Heath Lane Little Heath Berkhamsted Hertfordshire</p>	<p>We object to the application.</p> <p>We have lived in Little Heath for 10 years and spend a good deal of time walking, running &amp; cycling in the local area and as such have a deep &amp; longstanding understanding of the immediate landscape. It is</p>

HP4 2RT

as recreational users of this landscape as much as local residents that our voices should be heard. Many of those that pass through this area will be unaware of the threat it is under.

We wholeheartedly agree with the Dacorum Planning Officer statement that "the proposal would clearly represent inappropriate development in the Green Belt". The landscape of the site is of rolling Chilterns agricultural land which would be horrifically scarred by the installation of harsh straight lines of solar panels surrounded by 2 meter high fences and punctuated with 4 meter high security cameras.

It is important to note that there are no footpaths that link the high ground to the north of the site with the Bulbourne valley to the south. The closest footpaths linking these features are into Berkhamsted in one direction & Hemel Hemstead in the other. Consequently Little Heath Lane is used extensively as a route for walkers & other recreational users. It is notable that the Hertfordshire Way takes Little Heath Lane as its route from Ashridge via Potten End to the bottom of the Bulbourne Valley. A large number of recreational users frequent the lane including many schoolchildren from London schools on their Duke of Edinburgh Award expeditions. A provider of logistics for the scheme we met in the lane last week confirmed he works with 11 London schools on such expeditions - regularly using Little Heath Lane. It is of wider importance than just to the local community. I could find no mention of this in the lengthy & verbose documentation supporting the application.

On page 18 of the LVA, the report states that 'There are no PRow within the site or along its boundaries'. How could the existence of a Long Distance Footpath that uses the lane that forms the boundary of the site be omitted? A glaring error that has significant bearing on this proposal.

There are many points along the lane where the vista of open Chilterns countryside is enjoyed. It is not a sunken lane as described by the developers. The gaps in the hedgerow which it is proposed to fill in are in fact the very points on the lane that afford the most striking views of this landscape. We take exception to the photo montages included in the developers report as a good proportion of these images have been taken from positions advantageous to their application. The views of the site from the north have been disregarded. A photograph claiming to show the site from the north for instance has been taken from behind a dense section of hedge whereas only a few meters further along the lane a glorious vista of the field that forms the proposed site opens up.

To the South of the Bulbourne Valley many recreational users of the landscape (another section of the Hertfordshire Way, Little Hay Golf Course, Boxmoor Trust, Bourne End Lane & the track above Sugar Lane) will all be confronted with a jarring view of a solar array. It will be inescapable. We fail to see how the report can claim views of the site are limited to within 500m. There is another photograph in the montage taken from Bourne End Lane that rather conveniently has a shed & a clump of bracken neatly obscuring the view of the site from that side of the valley. Again a photo taken just a few meters away would show a panoramic view that has the proposed site at its heart.

Given the pressure on the local recreational spaces, degrading this area of the Borough must be avoided. We note that Natural England has advised Dacorum to put a moratorium on new housing approvals due to the pressure on the Ashridge estate. A solar array spoiling the view in this area will only push more recreational users over to Ashridge.

Where the proposed site runs to the east of Little Heath Lane, the very similar agricultural land to the west of the lane is designated as AONB. The developers report states that there is no intervisibility between the site & the AONB. As the site is clearly visible from the AONB this is a ludicrous falsehood.

The proposed site will destroy a large swathe of the green separation of the conurbations of Hemel Hempstead & Berkhamsted. Given the recent removal of the parcel of Green Belt land in order to build 1300 houses to the east of Pouchen End Lane, the effective gap between the 2 will be reduced by more than half if this application were to be approved as well. The first 2 of the 5 fundamental purposes of the Green Belt are a) to protect the unrestricted sprawl of large built up areas & b) to prevent neighbouring towns merging into one another. The sprawl effect of this development and the dramatic reduction in gap between the 2 towns make it demonstrably inappropriate. It is notable that the process of removing the green belt status for the parcel of land for the housing development only came about after a lengthy and in depth process that looked at land use across the whole borough. A proposal of this magnitude should only be considered as part of a wide ranging Local Plan. There is such a local plan currently under discussion.

The developers themselves admit the development will be visible from residences in Berkhamsted, thereby already creating a link between the two Historic Towns.

The reports supporting the application talk at great length about ensuring badgers are not adversely affected. Our local deer population will however be excluded by a 2m fence. Groups of deer are regular visitors to this field. Surely their welfare is as important?

There is much made by the applicant of the suitability of flat & gently sloping ground for solar arrays to minimise the visual impact. Little Heath lane rises at the same gradient as the site and as regular walkers, cyclists & runners can attest it is not gently sloping ground but in fact rather steep.

We can confirm that the local consultation strategy failed as the first we heard of the project was 2 weeks before the deadline for objections to be submitted.

Despite living within 500m of the site we didn't receive a leaflet as is claimed by the developers. Having now seen a version of it online, the questions it asks seem somewhat irrelevant to the objections of most of those who have commented so far on this forum. In the Design & Access Statement they state 'There were very few responses

	<p>received during the Public Consultation that raised any objections to the proposals'. Their own document detailing community engagement states that 6 of the 7 respondents were in objection. This blatant ignorance of their own findings casts the content of the wider report in a very poor light.</p> <p>We have had problems formulating our response as documentation is frequently unavailable on the planning website. For instance at the time of writing and with the deadline for objections fast approaching the LVA is unavailable.</p> <p>We were amazed to read in the supporting documentation that the agricultural land on the site is of low agricultural value. In the 10 years we have lived here we have consistently seen a field of crops in good health &amp; clearly productive. Given the inaccuracies and 'evidence' the developers have put forward elsewhere in their supporting documentation we feel somewhat suspicious of the report that categorises the field as '3b'.</p> <p>We are deeply concerned by the precedent that approving this scheme would set for sites in other precious scenic areas.</p>
<p>35 Horseshoe Close Hemel Hempstead Hertfordshire HP1 2DY</p>	<p>Im objecting for many reasons; the site is green belt and is right next to an area of outstanding beauty. The build of this would absolutely impact that and the wildlife. The 32 hectare site is productive arable cropland and I understood that this should not be changed. Also this is an eyesore to locals as the site would be visible from public footpaths and spaces. There must surely be better places to build this</p>
<p>10 Brownlow Farm Barns  Pouchen End Lane Hemel Hempstead Hertfordshire HP1 2SN</p>	<p>This application is absurd. Dacorum has already had to agree to a 1300 house development with LA3 which will affect all in the proposed area. The green belt is being eroded at an alarming rate but none more so than this area. Enough is enough, the green belt was introduced for a reason but this seems to be totally ignored. There are many alternative options and I ask that common sense be used and that the council stops its relentless pursuit of over development and box ticking green issues at the expense of all else. I sincerely hope that this is called in to the development committee and can be heard and participated in by the people that it affects.</p>
<p>36A Charles Street Berkhamsted Hertfordshire HP4 3DH</p>	<p>This location is completely inappropriate for such an industrial development. It is productive farmland protected by greenbelt status, and is directly adjacent to the Chilterns AONB.</p> <p>The site is sloping and widely visible from across the valley. It would tend to increase the mass of Hemel Hempstead towards Berkhamsted thus obviating the whole raison d'etre of greenbelt status, which is to prevent settlements sprawling into one another.</p> <p>The proposed development will without doubt cause a great negative impact on wildlife. Deer and other mammals which are currently able to freely traverse the site at present would be prevented and could be trapped or injured by the security fencing. Birds are known to mistake</p>

	<p>solar panel developments for water and be killed or injured attempting to land.</p> <p>I do not disagree with solar power development per se, but it should be in suitable areas such as the roofs of giant warehouses, and absolutely not as a new industrial development in prime countryside.</p> <p>I strongly object to this proposed development or any modification of it.</p>
<p>Lake View Pix Farm Lane Hemel Hempstead Hp1 2ry</p>	<p>This large agricultural field is within a green belt area and I feel the proposal would clearly cause harm to the green belt landscape by visually changing the look of the open green landscape, a reduction in viable farmland, and possible glare from the solar panels. It will also have a potential impact on wildlife for example skylarks require open fields in order to see approaching predators. For these reasons, I object to the planning.</p>
<p>Oak Cottage Little Heath Lane Potten End Berkhamsted</p> <p>Hertfordshire HP4 2RY</p>	<p>We write in connection with this planning application for ground mounted solar photovoltaic panels and associated infrastructure on land at Little Heath Lane, Berkhamsted.</p> <p>We would like to object to this application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The proposed site is Green Belt land and also very close to the Chilterns Area of Outstanding Natural Beauty, both of which are protected under national and local planning policy and guidance. The proposed development at Little Heath Lane amounts to inappropriate industrial development of the countryside which government policy is intended to protect against.</li> <li>2. The land in question is agricultural land producing an arable crop. Again, national planning policy requires local authorities to ensure such sites are protected and used for food production.</li> <li>3. In addition to its value for growing foods, the land provides valuable habitats to wildlife. Not only will these be put in jeopardy but animals and birds are likely to be harmed by the development of the site as well as the solar installations and associated equipment once erected.</li> <li>4. The site is on sloping land which is very open and is visible from all directions. A solar farm will destroy the visual landscape and character of the whole area.</li> </ol> <p>Whilst renewable energy is fundamentally important in tackling climate change we do not believe it should be at the detriment of the environment itself. Government have in place policies to protect it and acknowledge that the need for renewable energy does not "override environmental protections". The Solar Trade Association have stated that in the UK 50% of the national electrical energy need could be met by using suitable and available south facing commercial roofs, so should this not be used first before destroying the beautiful</p>



	<p>countryside?</p> <p>We trust that the Dacorum Borough Council planning officers will ensure that best practice is followed, that national and local planning policies and guidance is properly adhered to and that they will find that the proposed Solar Park is inappropriate with negative impacts for the rural environment and surrounding area.</p>
<p>Cress Farm Sharpes Lane Hemel Hempstead Hertfordshire HP1 2RX</p>	<p>I am against the proposal of this farm in this location. In a Chilterns Area of Outstanding Natural Beauty. Both Green Belt and AONB it should be safe from wrongful development by national and local planning policies.</p> <p>3. The location would be completely changed in terms of Vista and the many years of farming blotted out. The Government is currently encouraging farming and discouraging change of farm field use.</p> <p>4. wildlife and it's habitat would be disturbed and put at risk. It has been known for the birds to mistake the panels for water, mammals can get trapped in the fencing. Security lighting impacts wildlife as well as residents.</p> <p>The Solar Farm is in a Valley, I am doubtful that this is the best place for a Solar farm as much of it will be in shadow and I fear this choice is more about using the land in the future for development once it has been ruined by a Solar Farm.</p>
<p>Galen Croft 12 Crossways Berkhamsted Hertfordshire HP4 3NH</p>	<p>We need to support large scale green energy projects as much as possible, as small scale improvements will not get us to net zero as quickly as we need to.</p> <p>Solar panels and wind farms can actually enhance the appearance of a landscape. The developer should be required to invest in supporting local wildlife to mitigate any negative impacts, such as by relocating habitats and creating new ones.</p>
<p>The Barn Pix Farm Pix Farm Lane Hemel Hempstead Hertfordshire HP1 2RY</p>	<p>This is green belt, productive agricultural land and should be kept as that.</p> <p>We are not in favour of creating a large industrial site, on farmland in the Bulbourne Valley.</p> <p>If permitted this will reduce food producing land, destroy wildlife and have a huge visual impact to those who live, work and enjoy the countryside in the area.</p>
<p>Windrush Tring Road Dudswell Berkhamsted Hertfordshire HP4 3SZ</p>	<p>I do not believe it appropriate that our countryside be taken up with solar farms of this scale and nature.</p> <p>We have huge areas of Scotland and more north of England which are not near residential towns which could house such solar farms. We also have rooftops which are unused which can have solar panels.</p> <p>If you wish to encourage solar I suggest you make it a planning condition for all new builds to have solar roofs, with battery storage</p>

	<p>capacity. You can also do what Kent is doing and have a Borough wide scheme for people to get solar panels on their rooftops. Bulk buying solar for households across the county is effective, like Kent is doing.</p> <p>I don't think huge solar farms in a prime area of the countryside such as this is appropriate. It's akin to a wind farm, but probably less effective. There are other ways to generate energy without having to go down this route.</p>
<p>Meadow View Farm Little Heath Lane Little Heath Berkhamsted Hertfordshire HP4 2RT</p>	<p>Such a beautiful piece of countryside, could it not be somewhere a little different?</p>
<p>Meadow Cottage Pix Farm Lane Hemel Hempstead Hertfordshire HP1 2RY</p>	<p>Dear Mr Parrish,</p> <p>We represent the inhabitants of Bourne End as the Bourne End Village Association and have reviewed the above application, which has a significant impact on Bourne End and its environs.</p> <p>Our immediate response to any proposal for renewables was supportive but these things must not be done blindly or slavishly without consideration of impact.</p> <p>The NPPF requires councils to have a positive strategy to promote renewables but insists that ideally renewables use previously developed land, brownfield land, contaminated, or industrial land. Whilst not supporting the use of agricultural land that is productive, it allows agricultural land in general to be considered where it is in category 3b, 4, or 5. Land of 1, 2, or 3a would be unlikely to be granted. Most importantly it ' aims to avoid usual aspects of landscapes, maintain natural beauty and promotes areas that are flat, well screened and does not have undue impact on nearby domestic properties'. Apart from the obvious impacts this avoids sites that do not have maximum efficiency to the sun in favour of those that do.</p> <p>Notably sites that are promoted within the Green Belt are subject to the normal protections and considerations offered by Green Belt designation. Within such government guidance that exists it is noted that 'renewables will comprise of many elements which constitute inappropriate development in the Green Belt'. Developers will have to demonstrate 'very special circumstances exist'.</p> <p>Although 'special circumstances may be associated with the wider environmental benefits of renewables' that is clearly not so with this site where the deficits override any such association, and particularly with environmental benefits.</p> <p>The site selected is a typical Chiltern valley itself, and on the side and above another, the Bulbourne Valley. Although generally south facing a significant amount of the land is arrayed to each side of a valley running south to north. This means that the design of the panels shown will either be staggered down that valley side or tilted to follow the natural slopes of the land. Either way, when the sun rises in the east and around to the south east, the part of the array facing west will be shadowed and less efficient. When the sun sets the other side of the valley running south to north will be affected.</p> <p>That land forming the south to north valley within the site, with the</p>

glint and glare of the panels, has large impacts on the safety of the West Coast Main Line due to reflected sunlight. The whole array, with its glint and glare, will also have a large impact on the landing approach to Luton Airport, given the relatively close position of the flight path and elevation. From this perspective it also has significant impacts on and from the AONB, on the western side of Little Heath Lane, when the sun is to the south west and west.

The visual and landscape and hence environmental impacts are most closely felt from a number of properties in Bourne End, from those within and without Bourne End who seek recreation (walking, running, cycling, horse riding, countryside) along Pix Farm Lane, Sharpes Lane, Sugar Lane, Upper Bourne End Lane and the whole of the south side of the Bulbourne valley ( Little Hay Golf course, Westbrook Hay, Boxmoor Trust and all associated foot and bridle paths). Equally this applies to Little Heath Lane where a great deal of people seek recreation as well as vehicular access to Potten End. It also impacts train passengers who, coming from the south, see this as the first proper piece of the Chilterns. The visual and landscape impacts are devastating as this proposal will present southwards a solid phalanx of panels 2.8 metres above the current landscape and 32 ha large. This changes the whole vista looking north from the south side of the Bulbourne valley and the A41 for some of its length in this locality, as well as the south side of the east of Berkhamsted.

From Little Heath Lane the overriding vision will be of a large fence along the lane and rows and rows of panels obscuring what is now a typical countryside Chiltern view. Currently the hedging is of a low level and does not exist to the south so does not intrude or screen.

This site is part of the Green Belt which, in the eyes of DBC, is of the highest level in separating the urban areas of Hemel Hempstead from Berkhamsted, the so-called 'green lung'. It abuts (apart from Little Heath Lane itself) and affects the AONB immediately west of the lane. Using it would be a travesty after the reduction of Green Belt land due to LA3 and would leave only the AONB north of the railway between the conurbations. It would also add a cumulative detriment to the landscape view, particularly from the south of the Bulbourne valley ,on top of the reduction of LA3.

Given the additional buildings etc this application presents somewhat as an industrial application. If there is any thought that after the use period it would revert to a brownfield site then this application should be treated as a change of use application in the Green Belt from the outset.

There is some impact on wildlife here. We are aware of the presence of roe and muntjac deer in this locality, as well as badger and foxes. In terms of birds there are some ground nesting birds. Importantly the Bulbourne Valley, at this location, is blessed with a number of water birds due to the lakes here. There are already reports of birds in such situations injuring or killing themselves after mistaking such arrays for waters.

Finally there are better, flat sites within Dacorum which meet Government guidelines. Indeed there is one to the south side of the Bulbourne / Bourne Gutter valley which would not intrude anything like this proposal.

In short:

- this is not flat screened land of the types normally acceptable

- it is on a significant and important piece of Green Belt land, preserving the countryside, views, recreation, and environment for the population in the conurbations nearby

- it is inappropriate development and any very special circumstance must not be outweighed by all the detriments of going ahead

- it almost abuts an AONB, destroys views to and from it and is detrimental to its setting

- visually it is hugely detrimental to a large population, including visitors, in Bourne End, the railway, the south side of the Bulbourne valley, and those living in and/or using Little Heath Lane

- there may be some impact on the fauna of the area

- there are some safety questions on national transport

We urge you to protect this area and reject this proposal.  
For and behalf of Bourne End Village Association.  
Yours sincerely,

BEVA Planning Sub Committee.