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**Standing up for Hertfordshire's countryside**

## **Planning Inquiry**

**Land at Graveley Lane and to the east of Great Wymondley, Hertfordshire**

**Appeal Ref: APP/X1925/V/23/3323321**

**Interested party statement by Mr Chris Berry**

**for CPRE Hertfordshire – the countryside charity**

**6<sup>th</sup> September 2023**

### **Qualifications and Experience**

1. My name is Chris Berry and I hold a Bachelor of Arts with Honours in Geography from the University of London and a Post-Graduate Diploma in Town and Country Planning from the University of Newcastle upon Tyne. I am a chartered member of the Royal Town Planning Institute with over 45 years experience in local government, development corporations, planning consultancies and development agencies. Latterly I have acted as interim Chief Planning Officer and Assistant Director for a number of London and Hertfordshire boroughs and am presently employed as Planning Manager for CPRE Hertfordshire – the countryside charity.

2. CPRE Hertfordshire works to protect the countryside in Hertfordshire and is active in supporting local organisations and communities to protect open spaces and rural activities from inappropriate development and environmental degradation. This statement is made on behalf of CPRE Hertfordshire as an interested party in full support of the Wymondley Joint Objectors Group (WJOG) in opposing North Herts Council's resolution to grant planning permission for inappropriate development in the Green Belt.

### **Background to the Application**

3. This application is for 88 hectares of land designated as London Metropolitan Green Belt, confirmed in the recently adopted North Herts Local Plan and serving several of its purposes as identified in the National Planning Policy Framework (NPPF). The site performs a vital function as open countryside, both for agriculture and the significant enjoyment of views and landscape, and the conservation and enhancement of the natural environment.

4. The application is one of a proliferation of similar applications for ground-mounted solar energy installations across the Green Belt in Hertfordshire. The cumulative effects of these proposals will have a significant and damaging impact on wide areas of highly valued open countryside and agricultural land.

#### **CPRE Hertfordshire position**

5. Notwithstanding our firm support for sustainable forms of electricity generation, and specifically solar generation related to building rooftops and previously developed land, CPRE Hertfordshire strongly opposes the application at Graveley Lane for reasons related to the impact of the installation on the open countryside and rural communities. These reasons become even more salient when the land proposed for development is designated as Green Belt in the recently adopted North Herts Local Plan.

6. This proposal effectively industrialises the landscape in the area, covering it with glass and metal panels and associated infrastructure. This statement supports fully the evidence provided by Mr Griffiths on behalf of the WJOG relating to the existing landscape and characteristics of the countryside.

7. Our concerns relate to the significance of the Green Belt designation which seeks to protect the characteristics of the open countryside, including its intrinsic landscape and amenity value. CPRE Hertfordshire objects to the application on grounds related to our objectives as an organisation committed to protecting rural landscapes and activities. We are equally committed to the development of renewable energy and believe that solar energy generation is best provided on buildings and previously developed land rather than open countryside, in accordance with the aims of Government policy.

#### **Government guidance on renewable energy generation**

8. As noted by Mr Griffiths in his proof of evidence on behalf of WJOG, national Planning Practice Guidance (Planning for Renewable and Low Carbon Energy) is clear that the promotion of renewable energy should not override environmental protections and should take account of the views of the local communities likely to be affected.

9. Ministerial statements of April 2013 and March 2015 are also quoted in the Planning Practice Guidance, noting that the need for renewable energy should not automatically override environmental protection. The large extent of this proposal, 88 hectares, will make a very considerable impact on the area, by virtue of both the solar panels themselves, and the associated infrastructure.

#### **Green Belt concerns**

10. The Applicant acknowledges that “very special circumstances” need to be demonstrated sufficient to clearly outweigh harm to the Green Belt and asserts that the proposals would not compromise the objectives of the Green Belt. 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.

11. The industrial nature of the solar panels and associated infrastructure will change the nature of the countryside in this area for at least a generation, and probably permanently. In any event the change will be regarded as permanent by those impacted by it.

12. CPRE Hertfordshire believes that ground-mounted solar energy installations should not be permitted in designated protected areas such as Green Belt. The proposed development will cause definitional harm, introducing new built development across the inquiry site, removing entirely openness and replacing it with industrial type structures which are out of place and ugly.

13. Ground-mounted solar energy installations should not be located as to harm the purposes of Green Belts or reduce their openness, nor should they be permitted on, or cause damage to Sites of Special Scientific Interest (SSSIs) or adversely impact on Scheduled Ancient Monuments, nationally or locally listed buildings, Conservation Areas, Registered Parks and Gardens, or locally valued landscapes and non-designated heritage assets defined in Local Plans and Neighbourhood Plans.

#### **Government and other policy statements**

14. It is clear that the Government's intention is to retain the Green Belt in its present form. The constant attempts to undermine Green Belt protections for commercial developments such as ground-mounted solar energy generating installations are in danger of bringing the planning system into disrepute. The Government's position is also evolving with regard to protection of the Green Belt in response to local community and local planning authority concerns as noted below.

15. Recent Ministerial statements continue to reiterate the Government's strong support for protection of the Green Belt. Hertfordshire MPs, including Bim Afolami (Hitchin and Harpenden), Daisy Cooper (St Albans) and Julie Marson (Hertford) have received parliamentary responses re-emphasising the importance of protecting the Green Belt.

16. Specifically, Sir Mike Penning MP (Hemel Hempstead) received support from the Prime Minister on 25<sup>th</sup> January 2023 when he reiterated that the Government will always protect precious green spaces. The Prime Minister said: "our planning reforms will ensure that we can protect the Green Belt..." (Hansard 25.01.23) ...

17. The recently published "Levelling Up and Regeneration Bill Policy Paper: Further information" re-emphasises the Government's support for protection of the Green Belt as follows:

- a. "the increased weight given to plans and national policy by the Bill will give more assurances that areas of environmental importance – such as National Parks, Areas of Outstanding Natural Beauty...- will be respected in decisions on planning applications and appeals. The same is true of Green Belt, which will continue to be safeguarded."

(Creating beautiful places and improving environmental outcomes; In the Bill: LURB Policy paper, May 2022)” .

18. Further,

b. “Existing Green Belt protections will remain, and we will pursue options to make the Green Belt even greener.” (Creating beautiful places and improving environmental outcomes; Alongside the Bill: LURB Policy paper, May 2022).

### **Landscape, visual and amenity impacts**

19. A critical concern for local communities and the wider public is the potential impact on the rural landscape, both in terms of visual and spatial impact and the loss of amenity. The importance of open countryside has been constantly emphasised throughout the recent pandemic and lockdowns and the amenity of the local communities of Little Wymondley and Great Wymondley will be seriously harmed.

20. CPRE Hertfordshire considers that the factors affecting landscape impact relate to the Green Belt consideration of openness. We support fully the analysis quoted by Mr Griffiths and local residents on behalf of WJOG.

21. 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, specifically from the Hertfordshire Way which is a regional amenity and effectively forms the northern boundary of the site on a permissive route.

22. Extensive views across the site and beyond include the high land of the chalk scarp to the south-west, including parts of the Chilterns Area of Outstanding Natural Beauty (AONB). The height of the solar panels and proposed screening planting will mean that these views will be blocked.

23. The proposed site is a particularly poor site for a solar installation as it contravenes the guidance of PPG as noted above, and also guidelines adopted and publicised by Solar Energy UK (the solar energy industry trade association) with regard to reducing impact on undulating sites. Solar Energy UK guidance is contained in “11 Commitments on Solar Farms” (2022), under the heading “Respect for Landscape, Local Heritage and Access”:  
“Sites should aim to avoid high levels of visual impact and seek to maintain and enhance the natural beauty of the landscapes... Flat landscapes are best for PV projects, well screened by hedges and treelines and not unduly impacting nearby domestic properties or roads.” (solarenergyuk.org, undated)

24. The Applicant notes that the proposal will be a temporary development for a period of 40 years. We strongly disagree with the assertion that 40 years can be considered temporary development and it will be considered as permanent by those experiencing it. Landscapes can change significantly over a 30-year period (which is the same length as a generation) and it is never likely to be able to be reinstated to its original form.

25. It may be noted that, in the recent appeal decision in respect of Land north west of Hall Farm, Church Street, Alfreton (APP/M1005/W/22/3299953), the Inspector noted: “I consider that 40 years is a very significant period in people’s lives during which the development would seriously detract from landscape character and visual amenity”. CPRE Hertfordshire agrees with this statement.

26. Significant noise will be emitted by the inverters and transformers associated with ground-mounted solar installations, and also by cooling fans attached to transformers. The presence of the noise will serve to reinforce the alien use of this countryside Green Belt land and make the site feel enclosed which is the antithesis of the openness which should be protected in the Green Belt.

### **Agricultural use**

27. The present use of the land for agriculture should be maintained, especially in the Green Belt. The Applicant indicates that the land affected has been subject to a survey which determined that much of it is Best and Most Versatile agricultural Grades 2 and 3a. This should be seen as a material planning consideration which counts against permitting the proposal.

28. Increasing attention is being paid to the issue of UK domestic food security and the need to use agricultural land for food production. The proposal will permanently change the use of the land as the potential for deterioration of soil quality post disassembly of the solar farm will be high, and realistically the site is unlikely to be restored to its original use. This therefore directly links to the issue of permanence which is an intrinsic characteristic of the Green Belt to be protected in perpetuity.

### **Impact on wildlife**

29. Notwithstanding our preference for maintaining the agricultural use of appropriate land, CPRE Hertfordshire recognises that taking land out of agricultural use can have benefits for wildlife in those cases where the monoculture of crops is removed, allowing an element of biodiversity. The absence of ploughing increases the earth worm population and insects to flourish where grass is left to grow but these advantages are directly compromised by the damage to traditional habitats through development of the industrial plant and infrastructure associated with solar energy generation.

30. Security fencing surrounding large areas of land remove traditional pathways for transitory animals and bird deaths are a common occurrence as large areas of glazing are mistaken for water. Grass has to be mown and the land is essentially changed from rural to industrial use; chemicals will inevitably be used to control weeds and pests, and habitats and the nature of local wildlife is consequently altered. Small mammals get trapped in the fencing, and pollinators and other insects have their habitats compromised by extensive areas of solar panels.

31. Contrary to the Applicant’s assertions, the 40 year timeframe proposed is not “temporary” for wildlife. Large ground-mounted solar installations inevitably destroy

wildlife corridors and nesting and feeding habitats especially of ground nesting birds such as skylarks and lapwings. Once gone, such habitats cannot be easily recovered.

32. Recent legislation such as the Environment Act emphasises the importance of maintaining and enhancing biodiversity. CPRE Hertfordshire supports fully the comprehensive submission of Mrs Hamilton on behalf of the WJOG regarding the significance of biodiversity issues, as well as the inadequacy of the ecological surveys carried out at the site

### **Solar energy options**

33. Cumulatively, photo-voltaic (PV) panels can make a significant contribution to our electricity supply and much more should be done at the planning application stage to ensure that appropriate roof-top panels are built-in to existing and proposed large commercial and agricultural buildings, as well as on public and community buildings and on top of car-parks. Previously developed land also offers more suitable opportunities for ground-mounted installations.

34. CPRE Hertfordshire supports fully the national CPRE campaign for the promotion of roof-mounted installation as an alternative to the use of open countryside. The Government has estimated that there are currently 250,000 hectares (approx. 625,000 acres) of south-facing commercial roofs in the UK (Part 2 of the Government's UK Solar PV Strategy).

35. CPRE Hertfordshire recognises that PV generation on buildings is the area where the most rapid technological advances, such as thin-film PV and PV tiling, are being made which provide more efficient roof-top energy generation. We believe that solar energy generation should be an integral part of existing and all new house and commercial property construction as an alternative to ground-mounted installations.

36. Roof-top PV associated with buildings has the added benefit of providing generation at the point of use, thereby reducing transmission and distribution losses, and the impact of associated infrastructure. Local authorities can support roof-top PV generation through planning conditions to mandate it on new build and major refurbishments, where practicable.

### **Cumulative impact**

37. CPRE Hertfordshire acknowledges that each planning application will be decided on its own merits. However, as important context to the current appeal we are aware of nine further large-scale ground-mounted solar installations being proposed within the County, which together would have devastating impacts on large areas of open, and often protected, countryside.

38. We would suggest that the present system of consideration of individual planning applications, initially by Local Planning Authorities, is entirely inadequate to assess the overall implications identified in this submission. CPRE Hertfordshire believes that a broader approach to the assessment of impacts may be required to ensure that the cumulative effects of proposals are adequately taken into account.

## **Decommissioning and disposal**

39. A significant concern relates to the eventual decommissioning and disposal of the panels and associated equipment at the end of any temporary grant of permission. Solar panels reduce in effectiveness over their life, as well as requiring constant maintenance, and we support the WJOG's concerns in this area.

## **Summary and conclusions**

40. This Inquiry relates to the installation of a new solar farm on 88 hectares of Green Belt open countryside. CPRE Hertfordshire notes that in principle designated protected land should not be used for development which is highly damaging to the countryside and landscape character.

41. We do not agree that "very special circumstances" have been demonstrated to clearly outweigh the harm caused by inappropriate development in the Green Belt. Solar farms are not locationally constrained and in our view should not be located in designated protected areas.

42. We note the Government's position on protection of the Green Belt specifically, which is strengthened through recent Ministerial statements. Public responses to Local Plan consultations in North Herts and neighbouring local planning authorities have been record-breaking and specifically related to concerns about Green Belt protection.

43. Landscape, visual and amenity impacts are highly significant, and the intrinsic value of the countryside for health and well-being is apparent. There is no mitigation possible for the damaging visual impact of protected landscape views lost for a generation.

44. The public response to this application demonstrates the importance of this countryside to local communities and visitors. 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.

45. The proposed development will cause definitional harm. It would introduce new built development across the appeal site, removing entirely the openness of that land to replace it with industrial type structures which are out of place, incongruous and alien. It will conflict with a number of the purposes of the Green Belt, causing urban sprawl, reducing existing Green Belt areas between settlements, and encroaching very substantially into the countryside.

46. CPRE Hertfordshire reiterates its support for renewable energy and notes that Government and industry estimates there are over 625,000 acres of suitable, south-facing commercial rooftops available for solar panels. We believe that rooftops and previously developed land should be the primary locations for solar energy generation and urge the dismissal of this Appeal.