



The countryside charity
Hertfordshire

31a Church Street
Welwyn

HERTS AL6 9LW

www.cpreherts.org.uk

planning@cpreherts.org.uk

01438 717587

Standing up for Hertfordshire's countryside

Planning Inquiry re:

Land north east of Wandon End North Herts

Appeal Ref: APP/X1925/W/25/3359065

Interested party statement by:

Chris Berry, BA(Hons), Dip TP, MRTPI, FRSA

Planning Manager, CPRE Hertfordshire

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 have been a chartered member of the Royal Town Planning Institute since 1975 with over 45 years' experience in planning and development.
2. I have been employed by a wide range of organisations including 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.
3. 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. CPRE Hertfordshire supports fully the position of North Herts Council in refusing the application and supports the evidence they have provided in this matter.
4. This statement has been prepared in accordance with the guidance of my professional institution (Royal Town Planning Institute). I confirm that these are my true and professional opinions.

Background to the Application

5. This application is for 106 hectares of land designated as London Metropolitan Green Belt in the adopted North Herts Local Plan serving various purposes of the Green Belt. 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.
6. The site is located north-east of Luton Airport on sloping land east of the built-up area of Luton. The site is crossed by seven Public Rights of Way (PROW) and the Chilterns Way lies to the south.

7. This 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

8. Notwithstanding our firm support for sustainable forms of electricity generation, and specifically solar generation related to building rooftops and previously developed land, CPRE Hertfordshire opposes this application 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 adopted North Herts Local Plan.
9. Certain renewable energy sources, if not properly controlled, can have serious consequences for our natural environment. In principle, designated protected land should not be used for development which is highly damaging to the landscape and rural character,
10. This proposal effectively industrialises the landscape in the area, covering it with glass and metal panels and associated infrastructure. This Statement presents concerns relating to the existing landscape and characteristics of the countryside which we also believe amount to evidence in terms of their impact on local communities.
11. 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. The use and enjoyment by residents and visitors of public rights of way, especially to the south of the site, are highly significant.
12. CPRE Hertfordshire objects to the application on several 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.

13. CPRE Hertfordshire supports fully the two reasons for refusal of the application by North Herts Council. Reason 1 notes that the proposed development would be harmful to the openness of the Green Belt, that very special circumstances put forward by the Applicant do not clearly outweigh the harm caused to the Green Belt and that the proposal is contrary to paragraphs 152 and 153 of the NPPF and Policy SP5 of the North Herts Local Plan .
14. Reason 2 identifies the harm to the rural character and appearance of the application site and surrounding area, and notes the cumulative impact of major development in the vicinity. It also notes the impact on local public footpaths and conflicts with Policies NE2 and NE12 of the North Herts Local Plan.

Government guidance on renewable energy generation

15. National Planning Practice Guidance (Planning for 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." (Paragraph: 003 Reference ID: 5-003-20140306). Paragraph 5 notes: "local planning authorities will need to take into account... crucially, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to." (reference ID: 5-005-20150618)
16. Planning Practice Guidance (PPG) provides specific guidance on solar farms and notes that "cumulative impacts require particular attention, especially the increasing impact that ... large scale solar farms can have on landscape and local amenity as the number of ... solar arrays in an area increases" (Paragraph 007 Reference ID: 5-007-20140306).
17. The Guidance expressly notes that "protecting local amenity is an important consideration which should be given proper weight in planning decisions" (op cit). It also states that "Particular factors a local planning authority will need to consider include: ...encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land" Paragraph 013: Reference ID: 5-013-20150327)

18. 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, 106 hectares, will make a very considerable impact on the area, by virtue of both the solar panels themselves, and the associated infrastructure.
19. The National Policy Statement for Renewable Energy Infrastructure (January 2024) published by the Department for Energy Security and Net Zero, whilst referring specifically to national infrastructure projects, nevertheless notes factors that should influence site selection by applicants at all levels of solar energy generation. Section 2.10 of the National Policy Statement referred to above relates specifically to Solar Photovoltaic Generation and notes factors influencing site selection and design (paragraph 2.10.18 seq.) which should also be applicable to locally determined solar infrastructure projects.

Green Belt concerns

20. Our primary concern is the protection and enhancement of designated protected land such as the Green Belt. The National Planning Policy Framework (NPPF) as revised in December 2024 sets out the fundamental aim of Green Belt policy that land should be kept “permanently open”(para. 1.....) and “inappropriate development should not be approved except in very special circumstances“(NPPF para. 11).
21. The Appellant acknowledges that “very special circumstances“ need to be demonstrated sufficient to outweigh harm to the Green Belt and in this case 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.
22. The Applicant’s landscape consultants accept that there will be a significant adverse effect on the openness (Statement of Case paragraph 6.15) of the Green Belt but suggests that this would be less than if the proposal was for housing. This is irrelevant where significant adverse impact on the openness has already been determined.
23. 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.

24. 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 solar panels, fencing, transformers and other bulky and unsightly equipment associated with this proposal.
25. In addition to the solar panels and associated mountings up to 3 metres high, the proposed development comprises fifteen inverters, fifteen transformers and 60 batteries distributed across the site. There will be a Distribution Network Operators substation, a large storage container, together with galvanised two metre high steel deer fencing around much of the site, and CCTV security cameras mounted on three metre high poles. With several thousand glass and metal photovoltaic panels, situated on metal support frames, each panel being up to 3 metres high, this constitutes considerable industrialisation of the landscape.
26. 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.
27. In summary, 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.
28. 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

29. It is clear that the Government's intention is to retain the Green Belt as indicated by the recently revised NPPF. 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.

Landscape, visual and amenity impacts

30. 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 local communities will also be seriously harmed in Tea Green, Cockernhoe and the surrounding villages.
31. The value to health and well-being of enjoying quiet green spaces with plenty of trees and vegetation has become increasingly recognised and the proposed development would be easily seen from a wide distance. CPRE Hertfordshire considers that the factors affecting landscape impact relate to the Green Belt consideration of openness.
32. 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.
33. It may be noted that, in the 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.

Public Rights of Way (PROWs) and community use

34. As is clearly apparent due to the public response to this application, the area to the south of the site is used extensively by walkers and the local communities for recreational purposes, and the proposed development will be highly visible over a wide area and from the seven public rights of way (PROWs) crossing the site. The extensive security fencing, metal buildings, and associated infrastructure will be visually intrusive and the qualities of the site are perceived during the changing seasons, reflected in the growing and harvesting of the arable crops, and the views of the site from the south contribute greatly to the enjoyment of the users of the PROWs nearby.
35. The ongoing maintenance of the solar installation site can be expected to have a substantial impact on the users of the PROWs near the site. This will also affect nearby residential properties especially in respect of noise from mowers and strimmers.

Noise

36. Continuous noise will be emitted by the inverters and transformers associated with ground-mounted solar installations, and also by cooling fans attached to transformers. The potential of noise impact on users of the nearby PROWs and residents of Tea Green, Cockernhoe and surrounding villages should be properly assessed.
37. The impact of noise will be twofold. Firstly, the enjoyment of the public rights of way nearby will be further diminished. Secondly, 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

38. The present use of the land for agriculture should be maintained, especially in the Green Belt. This may be seen as a material planning consideration which falls against permitting the proposal, as Grade 3b is increasingly recognised as being moderate quality agricultural land capable of producing moderate yields.
39. CPRE Hertfordshire considers that given the size, scale and duration of this scheme, there should be a full detailed survey of the land affected to determine

its true quality and potential use for agriculture, as it may be that greater portions of the land may be categorised as Best and Most Versatile. CPRE national office has published a key report entitled “Building on our food security”(July 2022) which identifies the dangers in losing BMV agricultural land and the requirement to balance the competing needs of renewable energy and food security.

40. Increasing attention is being paid to the issue of food security and the need to use agricultural land for food production. 100 hectares of moderately productive agricultural land can provide over 400 tonnes of grain per year and should be used for food production to maintain and enhance domestic UK food security.
41. The proposal will permanently change the use of the land as the potential for soil leaching 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

42. 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.
43. 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.
44. Contrary to the Applicant’s assertions, the 40 year timeframe proposed is not “temporary” for wildlife and habitats 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.

45. 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.

Solar energy options

46. 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.
47. 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).
48. 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.
49. 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

50. 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 twenty-four further large-scale ground-mounted solar installations and battery energy storage systems being proposed within the County, which together would have devastating impacts on large areas of open, and often protected, countryside.

51. 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

52. 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.

Summary and conclusions

53. This Inquiry relates to the installation of a new solar farm capable of producing 49.9MW on 106 hectares of open countryside. This Statement has dealt with the impacts of the installation on the open countryside and rural communities which become even more severe when the land proposed for development is designated as Green Belt.
54. 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. We do not agree that “very special circumstances” have been demonstrated to allow inappropriate development in the Green Belt. Solar farms are not locationally constrained and in our view should not be located in designated protected areas.
55. 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.

56. The public response to the planning application demonstrates the importance of this countryside to local communities and visitors. The public consultation exercise conducted by the developer was limited, and any suggestion of limited local opposition is misleading and inaccurate.
57. 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.
58. CPRE Hertfordshire reiterates its support for renewable energy and notes the Government estimates of over 625,000 acres of suitable, south-facing commercial rooftops available for solar panels. (see para 47 above). We believe that rooftops and previously developed land should be the primary locations for solar energy generation and we urge the dismissal of this Appeal.

CB/ 2nd April 2025