

Porter, Karen

From: Norman, Phil
Sent: 24 April 2015 08:12
To: _planningadvice
Subject: FW: Little Eau: H20-0128-15
Attachments: Planning Letter - Little Eau Public Comment Response.pdf

Please scan attached to H20-0128-15 as 6SUP.

Thanks

From: Amy Williams [<mailto:amy.williams@berenewablesltd.com>]
Sent: 23 April 2015 16:09
To: Norman, Phil
Cc: 'Bob Ayres'
Subject: Little Eau: H20-0128-15

Good Afternoon Phil,

We have now responded to the three requests (email: 2nd April 2015);

- **In terms of a Statement of Reply to address public concerns** - Please find attached our overall response to comments raised from the community letters.
- **Revising the Archaeology chapter** – previously done and sent.
- **County Highways** – we have responded (9th April and then followed up on 17th April but have not had a response to either email, I think you had been cc into both emails).

Trust this resolves all the outstanding issues?

We have been keeping an eye on the consultee comments and none seem to raise any objections? (Always good news!)

Do you have any thoughts on the scheme?

Anything else you need from BE Renewables?

I am on Annual Leave next week but will be back on Tuesday 5th May 2015, but if there is anything required before then please do not hesitate to contact Bob (cc into the email).

Kind Regards,

Amy Williams MPlan
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Thursday 23rd April 2015

Dear Mr Phil Norman,

PROPOSED SOLAR PHOTOVOLTAIC (PV) FARM AREA LOCATED
APPROXIMATELY 1.6km WEST OF THE VILLAGE OF SUTTON ST JAMES
PLANNING REFERENCE: H20-0128-15

We are writing in response to the consultation responses that have been received over the statutory consultation period and beyond from members of the public.

There have been a number of public comments relating to the above application both in support and opposition to the project, with a few further submissions seeking some clarifications. We also note that there have been two objections from the local parish councils, and further objections from the elected County Councillor and the Conservative candidate for the constituency Mr John Hayes, who was the previous Member of Parliament for the area covered by this application and whom is seeking re-election.

This letter is designed to clarify those comments which can be classified under the following planning issues;

- **SUPPORT FOR THE DEVELOPMENT OF RENEWABLE ENERGY**

We are pleased to note that many of the objection letters received indicate that there is an underlying support for renewable energy. However this support is qualified by the subsequent statements; *'that it affects the environment, the use or loss of farm land, better use of land and a variety of other reasons'*. The reasons stated show a link to a material planning consideration that may defeat the application and show why the site selected is not appropriate. The applicant understands this and respects the rights of the public to object to an application. However we do not respect the often malicious and slanderous statements concerning employees of the applicant, myself and the landowner.

The National Planning Policy Framework (NPPF) and the Planning Policy Guidance (PPG) is very clear that there is a 'golden thread' throughout that supports the development of renewable energy. The NPPF also recognises that if such developments are to succeed there needs to be an acceptance that the development could result in some change. The assessment of the significance of the impact that is created by this change needs to be balanced and justified against the national, regional and local policy and development plans and decisions made based upon material planning considerations and 'planning balance'.

Change as a result of a development has an impact upon local people and this can often lead to objections being lodged simply because people do not wish to see change and keep things as they are. However, the legal commitments of the UK government, of which Mr Hayes is a Minister, are legally binding. These commitments are challenging and require the UK to generate 15% of its energy from renewable sources by 2020, or be fined.

The government also confirmed additional targets and non-legally binding commitments beyond 2020 that are even more challenging. BE Renewables Limited (BERL) and similar developers are therefore in-line with policy and supporting the government in the delivery of their own policies. Several objection letters appear to have failed to recognise that to achieve the government's policy requirements there is a need for significant weight to be given to the support of renewable energy developments under national and local planning policy (provided that the sites selected and the development is or can be made to be acceptable).

- **USE OF ROOF TOPS, BROWNFIELD SITES AND LAND OF LOWER GRADE AGRICULTURAL LAND**

Several objection letters refer to a preference for development on brownfield, lower grade agricultural land or rooftops. BERL is totally supportive of the development of solar on these types of sites (and have several rooftop and brownfield development sites both on previously developed land (pdl) and contaminated site areas). The ability of solar PV to adapt to a variety of differing installations and locations is unique amongst renewable energy technologies. However development on brownfield, pdl and roof tops does not preclude development on or in other land classifications.

Regardless of whether roof-top, brownfield or contaminated site the location needs to meet certain strategic considerations and these are:

- To be near to a grid connection with capacity to export the generation.
- For the cost of the grid connection to be affordable with regard to the capacity available.
- For the capacity available to not be interactive with other demands on the distribution network.
- For the capacity available within the distribution network not to be constrained by National Grid.
- For the connection works to be accommodated by buried cabling to avoid above ground cabling works.

Development of roof-top solar in the UK has been slow. This has largely resulted from the tenant/landlord relationship for commercial property in the UK in comparison with the European roof top sector where the permitted development rights are significantly more relaxed and where the development has/had an automatic right to connect to the distribution network. Whilst the government has recently concluded its consultation with regard to increases in permitted development rights these are increases have only just happened and will take months if not years to filter through to enable more widespread development of solar rooftops. The legal issues regarding security of tenure and the rights to transfer if the building or landlord vacates the premises have recently been amended and it is hoped that this will enable an increase in the number of projects that proceed on commercial rooftops.

However, the largest owner of rooftop space and land in the UK is our government and despite their announcements it is now over 18 months that we have been awaiting any action with regard to the release of development opportunities to progress with development. Agreement to develop solar on rooftops requires the policy support of government and local development plans and without this the sector will continue to be constrained. It goes without saying that the agreement with the landlord and any under-tenant is then required to enable the development to be delivered.

The development of brownfield sites is often controlled by local authority land ownership and areas are allocated within the development plans. Often local authorities allocate land for development of commercial and housing and for employment aspirations South Holland District Council (SHDC) does and their current development plan has not allocated any land to the development of renewable energy schemes. Equally private landlords of brownfield and contaminated land sites often submit proposals to the local authority in readiness and in preparation of allocating such sites as part of the identification of Strategic Housing Land Assessment Allocation, resulting in land that may or could be available within the private sector being 'reserved' for housing or other development rather than attractive for the landlord to negotiate with a renewable energy developer for a development option and lease.

The issue of development on brownfield and pdl is complicated and it is not as simple as saying this is where renewable energy should be developed as a preference to farm land. In recognising this the government in their current Policy¹ clarified what developers should do and what they seek to do. In addition developers refer to the ministerial statement from Nick Boles on the 6th March 2014 when publishing the PPG. The main elements included in the statement that were relevant to the development of solar farms on agricultural land are repeated below, alongside an analysis relevant to the Little Eau solar farm application;

NICK BOLES STATEMENT COMMENT	RESPONSE APPLIED TO LITTLE EAU	DOES THE SITE AND ITS SELECTION?
1) Issuing robust guidance on flood risk, making it crystal clear that councils need to consider the strict tests set out in national policy, and where these are not met, new development on flood risk sites should not be allowed.	The proposed development at Little Eau is in within a Flood Zone 3a. The proposed development has been considered by the Environment Agency who have not objected to the application. If approved they have provided some planning conditions.	The site and its selection complies with the 'robust guidance' and the strict tests set out in national policy. This is a material consideration with regard to the validity in the site selection of the Little Eau Solar Farm.
2) re-affirming Green Belt protection, noting that unmet housing need is unlikely to outweigh harm to the Green Belt and other harm to constitute very special	The note from Nick Boles refers to development of housing need and the Green Belt. The solar farm is NOT a permanent development as is a housing scheme and the selection of the Little Eau solar farm site is not within any	The site and its selection complies with the statement to avoid the development on Green Belt to avoid harm to the Green Belt.

¹ UK Solar PV Strategy Part 2: delivering a Brighter Future

circumstances justifying inappropriate development	designated Green belt area or indeed any material planning land classification designation whether this is a local, regional or national designation.	This is a material consideration with regard to the validity in the site selection of the Little Eau Solar Farm.
3) Stressing the importance of bringing brownfield land into use and made clear that authorities do not have to allocate sites on the basis of providing the maximum possible return for landowners and developers	There is little or no available brownfield land within a suitable distance of a substation with capacity that is available, within the budgetary constraints of which a solar farm development can support and that is not interactive with other generation or activity associated with the grid infrastructure.	SHDC have not identified any land within their Development Plan that is brownfield and available for the designated development of solar farms. There is a shortage of brownfield land within SHDC land area and this is recognised within their development plan. Brownfield land that is within the SHDC land area is designated for development of residential and commercial. This is a material consideration with regard to the validity in the site selection of the Little Eau Solar Farm. Where there is no brownfield land then developers are <u>not</u> prohibited from developing on land that is <u>not</u> brownfield.
4) incorporating the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration	The Guidance referred to is the PPG published in July 2013. Under Paragraph 26, 27 and 28 of the statement is relevant to the Little Eau application a separate response is provided for each of the points referred to.	Please refer to separate response in detail to show the material consideration with regard to the validity in the site selection of the Little Eau Solar Farm.

PPG for Renewable and Low Carbon Energy is found by reference to Paragraph 26, 27 and 28 and we review compliance with each paragraph below;

PARAGRAPH 26: *'The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively'.*

The application at Little Eau is within fenland that is generally considered to be 'flat' and not undulating. As a direct result of the 'flat' topography views from the wider landscape are constrained by the small variations in topography that provide naturally occurring topographic mitigation to the development of the solar farm within a 'flat' rural landscape. In addition to the variations in topography there is also the existing rural developments of housing, associated farm buildings and glass houses that all provide mitigation to wider views within the landscape. However, one of the most abundant occurring features within the landscape is the presence of high-tree shelter breaks and screening that surrounds the majority of homes and buildings within the local area.

There is clearly a change to the rural landscape that will occur with the development of a solar farm at Little Eau. This change in the rural nature of the landscape will be largely within the surrounding boundary and perimeter of the solar farm, it will not extend to views from the wider landscape, the mitigation that arises as a result of the existing topography, tree belt and built form when coupled with the proposed soft landscaping and hedgerow screening will limit the negative impact that may arise. Paragraph 26 clearly supports solar farms where they address key considerations within the landscape and are planned sensitively. By the nature of the development, being less than 2m in height above ground level, avoiding development on undulating land form that is provided with well-designed and selected hedgerow screening with provision of additional wild flower and measures to enhance the bio-diversity the site selection of Little Eau is considered to be a positive contribution to the rural landscape and not a negative one, in compliance with the Paragraph 26.

PARAGRAPH 27: *'Particular factors a local planning authority will need to consider include:*

- i) encouraging the effective use of previously developed land, and if a proposal does involve greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays*
- ii) that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use*
- iii) the effect on landscape of glint and glare (see guidance on landscape assessment at paragraphs 39-40) and on neighbouring uses and aircraft safety*
- iv) the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun*
- v) the need for, and impact of, security measures such as lights and fencing*
- vi) Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset the potential to mitigate landscape and visual impacts through, for example, screening with native hedges*
- vii) the energy generating potential, which can vary for a number of reasons including, latitude and aspect'.*

This proposal and the selection of this site has been shown that it is a site that does not propose the development of brownfield or PDL land as this is scarce within SHDC boundaries and further within the reasonable connection distance to the available grid connection there is no suitable brownfield development land.

In accordance with particular factor (i) the application has identified and used land that is of lower grade agricultural land. The site and its design also provides for the continued use of the land in support of an agricultural use and is further a development that complies with particular factor(i) as it incorporates significant ecology and bio-diversity enhancements to the perimeter and around the arrays.

With regard to particular factor (ii) of P27 we will confirm that the development is of and for a temporary period, namely 25 years, this can be secured by condition and at the end of the 25 year period the land will be restored to its previous use. The land will also benefit from the period of 'fallow' where the soil structure, characteristics and resulting fertility will improve. The restoration will also include the installation of new surface water drainage to improve the drainage characteristics of the soil. Hence the proposed development strongly complies with Paragraph 27 particular factor (ii).

Paragraph 27 particular factor (iii). The applicant has shown and through experience of operating solar farms it is now accepted that solar farms do not create or cause glare and glint beyond that which is experienced from the sun. The modules are designed to be non-reflective and materials used in their support are also treated to be as non-reflective as possible. The development of solar farms around the UK are now within close proximity to airports, and operational aircraft basis and alongside motorways and it is understood by all of the regulatory bodies associated with these modes of transport that there is less glare and glint arising from a solar farm than that which result us from glare and glint from a car windscreen on motorways, lorry bodies on motorways or glazing of buildings. It is right to be cautious but there is no substantiated evidence that glare and glint from a solar farm has any increased impact that would otherwise arise from the sun in any particular location. Hence with regard to the particular factor (iii) the proposed development complies.

Paragraph 27 (iv) describes the necessary assessment of the need for security measures such as fencing and lights. The development does not propose any lights. The fencing proposed is wooden post stock proof fencing which is inside the proposed line of traditional hedgerow screening. This is not an uncommon sight within the rural landscape and hence the implemented design decisions within the proposed solar farm show compliance again particular factor (iv) of Paragraph 27.

Paragraph 27 (v) describes the particular factors requiring development to consider the heritage asset and that they are conserved in a manner appropriate for their significance. This significance is to include assessment of the setting of the heritage asset and the impact that the proposed solar farm development may have on the setting of the heritage asset. The two heritage assets that are closest to the proposed development are the Grade 2 listed buildings of Guannock House and Sandy Gate Farm. The distance of these buildings to the proposed development, the tree-belt surrounding these listed buildings and the variation in topography between these buildings and the proposed development along with the consideration that the scale and height of the development is below 2m agl indicate that there will be a negligible impact upon the heritage asset and the setting within the landscape of these heritage assets. The LVIA is a detailed and a thorough analysis of the landscape and visual impact of the development. The applicant also notes that neither English Heritage nor the Lincolnshire Heritage Officer has raised any concerns or objections regarding the proposed development of a solar farm on this site with regard to setting of heritage assets. The applicant therefore contends that they comply with particular factor (v) of Paragraph 27.

The applicant contends that through the design of the hedgerow screening and wildlife buffer zones they have complied with the particular factor (vi) of Paragraph 27. It is noted that several of the objectors inaccurately state that hedgerow screening will be ineffective and take many years to mature. This is not our experience and is materially down to the selection of the planted species and size of the plants when planted. We propose to use a well formed semi-mature hedge row and

manage the planting and secure management of the hedgerow by local companies to ensure the growth and structure of the hedgerow is developed in a timely manner.

From evidence to-date we note that there is more support registered for the development than objection. Whilst the Sutton St James Parish Council have submitted their objection to the development this is a reflection of the Parish Councillors views and not of the community. Based upon the attendance of the public at the Parish Council meeting the majority of residents that were in attendance we contend would have been supportive of the application of they had been asked. Therefore we would contend that the local community are more in favour of the development than in opposed to it.

Finally to respond to Paragraph 28 the matter of cumulative landscape and visual impact is considered a particular factor. The paragraph concludes that effective screening and appropriate land topography the area of a zone of visual influence could be zero. The applicant contends that the cumulative and landscape and visual impact will be negligible and we discuss our reasoning for this conclusion in detail. We note that those objecting to the application do so without any authoritative justification.

Authoritative publications on cumulative impacts are limited and the common guidance that is used is that prepared by the Scottish Natural Heritage '*Assessing the Cumulative Impact of Onshore Wind Energy Developments*'. This document provides guidance that is aimed at public bodies, developers and consultants involved in onshore wind energy development. It sets out methods to be used to assess cumulative impacts on landscapes and on birds. It also advises that the methods described may be helpful in the assessment of other forms of development.

The publication defines a 'cumulative impact' as '*the additional changes caused by a proposed development in conjunction with other similar developments or as a combined effect of a set of developments, taken together*'.

Cumulative impact under the terms of the EIA Regulations and the potential for any cumulative impact is one of the aspects to be included within any Environmental Impact Assessment (EIA) and we refer to the Screening Opinion Response received from SHDC where the response indicated that the proposed development did not warrant an EIA as the impacts of the proposed development were not considered to be significant. However as part of the application a full and detailed landscape and visual impact assessment has been undertaken in accordance with the Guidelines for Landscape and Visual Assessment. This assessment concludes that there is no significant effect on the landscape and visual impact created by the proposed development.

Often cumulative impacts from renewable energy developments are only thought to arise from the development of wind farms. Wind farms by their nature are typically in wide open places and possibly on top of hills to maximise their wind load. The height also typically ranges from approximately 25m – 250m. A solar farm with a maximum height of <2m where there is either screening already present or proposed usually in the form of hedgerows or a treeline either to the height of the development or just under doesn't usually suffer from cumulative impact, simply because the developments are discrete.

Cumulative visual effects are a subset of landscape effects and are concerned wholly with changes in the character of available views and the changes in the visual amenity perceived by receptors as a result of two or more 'solar' energy developments. Cumulative visual effects may occur as follows:

1. Simultaneously - where a number of developments may be viewed from a single fixed viewpoint simultaneously, within the viewer's field of view without moving;
2. Successively - where a number of developments may be viewed from a single viewpoint successively by turning around at a viewpoint; and
3. Sequentially - where a number of developments may be viewed sequentially or repeatedly from a range of locations when travelling along a route.

The potential for a cumulative effect itself arises from a number of specific factors related to scheme layout, these include:

4. Overall scale of development in relation to landscape capacity for development;
5. Proportion of the view occupied by developments and interaction with how the view may be appreciated; and
6. Composition of the combined scheme, which for a wind farm considers (coherence of design, extent of blade overlap from key viewpoints, rotational speed variation, etc.) – these are NOT relevant to a solar farm development.

Within the village of Sutton St James, there is currently one solar farm (approx. 3.3km away known as Grange Farm Solar Farm), which is located on the north-west perimeter of the Sutton St James village, on the other side of the village and approximately due north of the applicant site. There is also another development approved last year over 1,300m to the north known as Fenndyke Solar Farm (centre of site to centre of site).

Using the above guidelines established from wind farm developments points 1 through to 6 above then:

CUMULATIVE IMPACT ASSESSMENT FOR GRANGE FARM, FENNDYKE AND LITTLE EAU

Addressing point (1) above – there is no single fixed viewpoint within the viewer's stationary field of view where the development of Grange Farm Solar Farm, the proposed Little Eau Solar Farm and the consented development of Fenndyke Solar Farm simultaneously can be seen.

Addressing point (2) above – there is no single fixed viewpoint where a number of developments, i.e. Grange Farm, Fenndyke and Little Eau solar farms may be viewed from a single viewpoint successively by turning around at a viewpoint;

Addressing point (3) above – there is no transient point or route where a number of developments, i.e. Grange Farm, Fenndyke and Little Eau solar farms may be viewed sequentially or repeatedly from a range of locations when travelling along a route.

Addressing point (4) above – Overall scale of development in relation to landscape capacity for development is assessed within the LVIA and the conclusion reached by the qualified and expert

assessment is that the proposed development is accommodated within the landscape and has a negligible impact within the character of the landscape.;

Addressing point (5) above - Proportion of the view occupied by developments and interaction with how the view may be appreciated. The proposed development occupies an area of less than 12Ha and incorporates a significant wild life buffer zone and perimeter hedgerow planting as screening. The site is also selected because it is 'flat'. Within the perimeter of the development area the variation in ground levels is more than 1 metre and the variation with relationship to surrounding land and infrastructure is between zero and 2 metres. This is a natural variation in ground level topography which results in the visual impact of the development being naturally mitigated by these slight topographic variations. There is therefore a negligible impact created as a result of the development and the interaction of the development and how it is appreciated.

Addressing point (6) above – this a particular concern for development of wind farms and wind turbines of significantly greater height and is therefore not applicable to the cumulative assessment of solar energy farms that are typically less than 2 metres above ground level.

CUMULATIVE IMPACT ASSESSMENT FOR FENNDYKE AND LITTLE EAU (WITH SPECIFIC REFERENCE TO POINTS 1 TO 3)

Addressing point (1) above – we have assessed that there are a couple of single fixed viewpoint within the viewer's field of view without moving point where the development of the proposed Little Eau Solar Farm and the consented development of Fenndyke Solar Farm simultaneously can be seen. The list would include:

The viewpoint(s) would be from Bardlings Drove or Sandygate. This is a viewpoint distance of 1 to 1.5KMs. Views across the solar farm fields would be limited. The pre-existing views across these fields are constrained and restrict the identification of low level features. The 'roddon' within the fields of Fenndyke, the ground level variation beyond of between 0 to 2 metres also restrict views of a 2 metre high solar farm, beyond. The provision of hedgerow screening that is provided by the consented Fenndyke Solar Farm development and proposed for the Little Eau solar farm will not permit any intervisibility and hence satisfy point (1).

Addressing point (2) above – there are a number of single fixed viewpoint where a number of developments i.e. Fenndyke and Little Eau solar farms may be viewed from a single viewpoint successively by turning around at a viewpoint. For very much the similar reasoning the intervisibility of Fenndyke and Little Eau is restricted by the provision of the hedgerow screening and the natural pre-existing variation in ground level topography and the existing built forms and tree belts. There will be negligible transient intervisibility from a single fixed point by successively turning around at the viewpoint.

Addressing point (3) above – there is no transient point or route where a number of developments i.e. Fenndyke and Little Eau solar farms may be viewed sequentially or repeatedly from a range of locations when travelling along a route. The transient cumulative impact could arise when travelling along several of the local public roads if there was a transient view of both solar farms without any natural break between subsequent transient views. There is no such circumstance where sequential

and repeated transient views would occur. There is further amelioration with regard to the existence of any impact as a result of the hedgerow screening.

The use and reference to the terminology regarding 'cumulative impact' appears to have been applied inappropriately. Cumulative impact does not place a specific restriction on the number of developments within an area - it is the assessment of the impact of development that may or may not create or show a cumulative impact. The above detailed assessment coupled with the applicant's landscape and visual impact assessment and the provision of hedgerow screening are all measures that mitigate the cumulative impact if indeed there is any cumulative impact created by the developments.

IMPACT ON GRADE 2 LISTED BUILDING

Please refer to our response incorporated under that for Paragraph 27 particular factor (v)

HIGHWAYS

This has been responded to previously, if further clarification is required at a later date we will be more than happy to provide.

GLINT AND GLARE

It is now accepted that modern solar panels have an anti-reflective coating. The main purpose of this is to retain as much light as possible to increase the renewable energy generation, but also aids in minimising glint and glare. This can be seen by solar panels being installed on numerous airfield buildings roofs including Heathrow, the UK's busiest airport and a ground mount system only 150m away from Gatwick's main runway. In any case, the only road which would face the panels which could possibly be affected, is the one that runs parallel to the site, New Fen dike Road. Due to the low volume of traffic, lack of junctions in the vicinity and solar panels inherent design to retain as much light as possible, glint and glare is not considered an issue.

AGRICULTURAL LAND CLASSIFICATION (ALC)

We have received a number of comments on this topic. They range from stating;

- a. the land is still classed as Grade 2 according to Defra
- b. the submitted ALC assessment is wrong
- c. grade 3b is still classed as good land (although not BMV) grade 4 is poor
- d. Farmers should take some ownership of their land and maintain it correctly
- e. Landowner is lazy

The project involves a temporary change of use of the land for 25 years. However the site will remain as pasture once the solar farm is in place, hence an agricultural use will be retained and the land will result in increase to its ecological and bio-diversity importance through the proposed land management provisions.

The solar farm is a significant opportunity for the farm to diversify and provides an additional source of income to ensure that the ongoing farming activities continue to thrive within this community. We have noted the comments made against this application that refer to the grade of land and the inappropriate use. The agricultural land classification survey identifies the difficulties of relying upon outdated and inaccurate land classifications that are derived from the DEFRA study circa 1988 and the Provisional Maps. DEFRA accept and note that these maps are not to be used for the selection and assessment of specific development sites, they lack accuracy being accurate to the nearest 80Ha.

Within the various objections, there seems to be a lot of confusion, some state the land is of good quality and grows crops extremely well. Others which we have addressed above state that the land is classed at a high level by DEFRA as Grade 2 and this should be taken as fact. A few however agree with our ALC assessment that the land quality isn't equivalent to surrounding better fields due to poor farming methods, *'It is only described as poor land because of the lazy owner, why is it that if you walk along Sandygate and look at adjacent land then all the crops on both sides of the road are looking so good until you come to this land?'* (Objection letter submitted 11/3/15).

Whilst comments like this are unjustified and unfounded, and are probably slanderous, it at least illustrates the results of our ALC assessment confirming the land isn't as good as the surrounding land due to the identified limiting factors. We would seek to clarify that crop yield is NOT a determining factor regarding the completion of any agricultural land classification survey and the survey has been completed and undertaken in accordance with the Ministry of Agriculture Fisheries and Food (now DEFRA) Agricultural Land Classification of England and Wales Revised Guidelines and Criteria for Grading the Quality of Agricultural Land, October 1988.

The results of the survey are submitted as part of the application and indicate that the site is primarily Grade 3b non-best and most versatile (non BMV) and is defined as 'moderate' quality. The use of the selected site is as a result wholly compliant with the number of ministerial and government policy statements. The unsubstantiated comments made by objectors to this development on grounds of ALC are considered to be miss-placed at best and at worst slanderous where they pass comment on the landowner. **IMPACT ON FOOD PRODUCTION**

There have been a few suggestions that this land shouldn't be developed as a solar farm as it will impact upon food production. If one believes land should be used to grow food to stop reliance on foreign import or the same for energy, it is a philosophical topic at this moment in time. The ideal scenario (and hopefully one day) would be to be self-sufficient for both. However land is required and used every day for other purposes also. At this moment in time as a renewable energy developer all we can do is work within the planning policy set by Government which promotes the deployment of ground mounted solar farms, and identifies this land as potentially suitable to host a solar farm. We do however intend to keep the land within agricultural production by grazing sheep on the land. Unlike many of the adjoining uses of the surrounding land, the land is NOT being taken permanently out of food production.

PUBLIC OPINION

There have been a few submissions stating public opinion of local residents. Public opinion should bear some weight in a planning application, however we dispute individual public submissions carrying

the authority to comment on public opinion. This aside, we confirm both Sutton St Edmund and James Parish Councils have objected to the scheme however we also note there are more people supporting this development than opposing, and this isn't considering the silent majority that are perhaps indifferent to a scheme being built. We maintain that this scheme has the opportunity to benefit the community of Sutton St James and should be seen as a beneficial development that will enhance the community and the environment, whilst creating much needed inward investment, local jobs and employment.

POLICY

There seems to be some confusion with regard to current planning policy with regard to renewable energy and in particular solar farms.

A submission from Mr Scaplehorn states that *'it is widely accepted that food production should have a higher priority than erratic energy production from Solar PV panels'*. Whilst this slightly overlaps into the above ALC response, as far as planning policy is concerned the NPPF is drafted to reflect the 'golden thread' to enable the UK to meet our legally binding renewable energy targets with solar PV identified as a key technology in helping us achieve this important goal.

Another objection stated that a submission from RT Hon John Hayes MP sent a letter to SHDC Chief Executive dated 28th February 2015 stating that this development goes against Government thinking. If what Mr Hayes is saying is true and it is Government thinking, we are currently unaware of this 'thinking'. As you are aware Mr. Hayes is the Minister for Transport and is a member of the cabinet. He adopts the 'collective responsibility' of decision making and his government's policy to development of renewable energy, the tariff support for renewable energy and the decision of his cabinet and government to sign up to legally binding UK commitments is beyond dispute. Mr Hayes is in danger of miss-leading his constituents if he is indicating that his government's policy is anything other than supportive of renewable energy development on sites that are shown to be appropriately selected. Mr Hayes is well aware of the requirements of any future government to consult and introduce any new or changes to policy and no such consultation has been announced or is currently planned.

We trust that this detailed response provides information to suitably resolve the outstanding issues. If you require any additional information, please do not hesitate to contact us.

Yours sincerely

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