



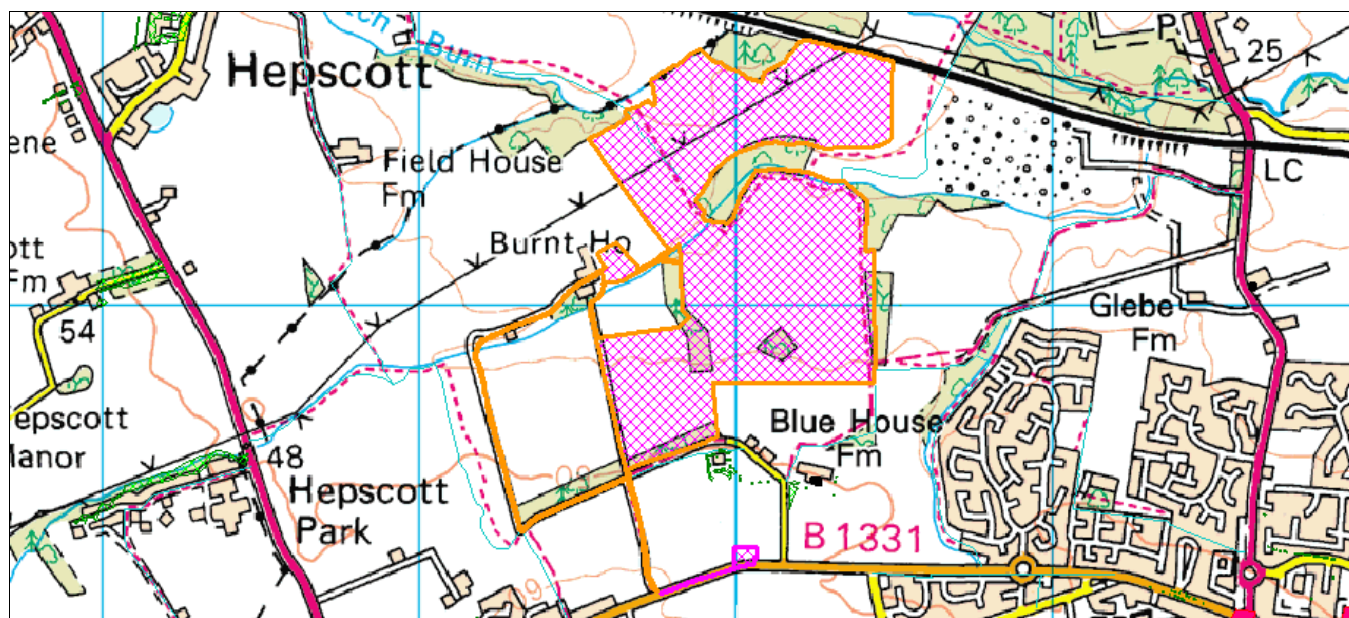
# Northumberland

## County Council

### Strategic Planning Committee, 1 November 2022

<b>Application No:</b>	22/01082/RENE		
<b>Proposal:</b>	Construction of a solar farm together with all associated works, equipment and necessary infrastructure		
<b>Site Address:</b>	Land East of Burnt House Farm, Netherton Road, Bedlington		
<b>Applicant:</b>	Mr Alan Connolly Bluefield Renewable Developments Limited	<b>Agent:</b>	Mr Mark Herbert Pegasus Group Querns Business Centre Whitworth Road Cirencester GL7 1RT
<b>Ward:</b>	Bedlington West	<b>Parish:</b>	West Bedlington
<b>Valid Date:</b>	22 April 2022	<b>Expiry Date:</b>	2 <sup>nd</sup> November 2022
<b>Case Officer Details:</b>	Name: Mr Kevin Tipple Job Title: Senior Planning Officer Tel No: 01670 623631 Email: Kevin.Tipple@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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## **1. Introduction**

- 1.1 This planning application represents a major development and therefore is to be considered by the Strategic Planning Committee.
- 1.2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out that Environmental Impact Assessments (EIAs) are required for certain developments where the proposal is to have a likely significant effect on the environment. The development proposal was screened by the Local Planning Authority prior to submission with a Screening Request issued in October 2021 (reference 21/03768/SCREEN) which deemed that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

## **2. Description of the Proposals**

- 2.1 Planning permission is sought for the construction, operation, management and decommissioning of a grid connected solar farm with associated infrastructure. The proposed development would generate electricity to be exported via the electricity distribution network and would have an export capacity of 49.99MW.
- 2.2 Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site. At the end of this period, the solar panels and associated equipment would be removed, with the exception of the proposed distribution network operator (DNO) substation, which would remain as part of the local electricity distribution network.

### Application Site

- 2.3 The proposed solar farm would cover an area of 75.8 hectares in the open countryside west of Bedlington, north east of Nedderton, and south west of Hepscott. The land is currently in agricultural use.
- 2.4 The proposals would occupy a series of fields which are currently used for arable farming. They comprise a northern parcel of land situated to the north of Netherton Letch, a central parcel situated to the south of Netherton Letch, and a western parcel situated to the west of this central parcel. The proposed Northern Powergrid substation would be located adjacent to the B1331 that runs between Bedlington and Nedderton. Construction and maintenance vehicles would use the existing access and track to Burnt House Farm off the B1331.

### Solar Arrays and Supporting Equipment

- 2.5 The proposed development would comprise arrays of solar photovoltaic (PV) panels which would have a maximum height of 2.8 metres above ground level and be set out in rows on an east-west orientation to face the south. The panels would be mounted on a simple metal framework, which would comprise upright, galvanised steel posts that are driven into the ground and an aluminium support frame. The panels would be tilted at 15 to 25 degrees from the horizontal to optimise efficiency. There would be gaps of between 3.5

metres and 9.0 metres to avoid shadowing effects between the panels with localised topography dictating exact row spacing.

2.6 The associated infrastructure to support the development would comprise:

- Thirteen inverter stations located throughout the site. The inverters convert direct current (DC) electricity generated by the PV panels into alternating current (AC) for supply to the electricity network. The inverters would be housed in prefabricated metal containers that would have a length of approximately 12.2 metres, a height of 2.9 metres and a width of 2.4 metres. The metal containers would be positioned on a concrete block plinth approximately 0.5 metres in height, with the overall elevation of the containers measuring 3.4 metres above ground level as a result of being placed on the plinth.
- A customer substation building would be located in the south western corner of the western parcel of land. The building would consist of a prefabricated metal unit that would be 12.5 metres long, 4.0 metres wide and 3.3 metres high.
- A distribution network operator (DNO) substation would be located immediately to the north of the B1331 between the proposed site access and the road leading to Blue House Farm. The substation would cover 50 metres by 33 metres. Within the substation there would be a control building (17.9 metres long, 5.1 metres wide and 6.12 metres high), a transformer (6.6 metres long, 4.8 metres wide and 5.6 metres high) and grid connection equipment.
- Insulated cables from the solar modules would be routed in channels fixed on the underside of the framework supporting the solar panels and then within shallow trenches to link to the inverter stations, the site (customer) substation and the proposed distribution network operator substation.
- A 2.5 metre high deer stock fence with wooden posts and open steel mesh, with small mammal/badger access points, and gates to enclose the areas of solar panels. This would be for security purposes and would potentially allow sheep to graze within these areas.
- For the purposes of site security and monitoring, closed circuit television (CCTV) cameras would be mounted on 2.5 metre high poles positioned at regular intervals along the inside edge of the fencing.
- Internal tracks that would be constructed with crushed aggregate between 4 and 5 metres in width to allow vehicular access for maintenance purposes.
- Landscape planting, biodiversity enhancements and surface water attenuation measures to assist with landscape mitigation, biodiversity net gain and flood control. A biodiversity enhancement area containing species-rich grassland would be created in the northern portion of the enclosure to the north of Blue House Farm Cottages.

2.7 In addition, a temporary construction compound would be sited adjacent to the existing Burnt House Farm complex. This compound would be removed and the land restored following the completion of the construction phase.

2.8 Access for all construction and maintenance vehicles to the site would be provided from an existing access point off the B1331 between Nedderton and Bedlington and the existing surfaced track to Burnt House Farm.

- 2.9 The connection to the national grid would be via the distribution network operator substation forming part of this application. Underground cabling would then connect the substation to the local distribution network via a point of connection located in the existing Bedlington substation.

### 3. Relevant Planning History

**Reference Number:** 12/00808/SCREEN

**Description:** Screening opinion - Erection of 77m to tip wind turbine.

**Status:** EIA not required

**Reference Number:** 13/01899/RENE

**Description:** Installation of wind turbine height to tip of 77m including a hardstanding area, a small substation enclosure, on-site access track, a temporary guyed meteorological mast and associated infrastructure

**Status:** Withdrawn

**Reference Number:** 21/03768/SCREEN

**Description:** Screening opinion for proposed solar farm

**Status:** EIA not required

### 4. Consultee Responses

West Bedlington Parish Council	The Council has raised concerns in respect of the location of the proposed sub-station. An alternative location away from the B1331 is sought.
County Archaeologist	No objections, subject to the development being undertaken in accordance with the submitted construction method statement for archaeological mitigation.
Building Conservation	No objection to the application on heritage grounds. The development proposals preserve the setting and significance of Nedderton Village, Netherton Hall, Netherton School and Netherton Blue House Farm.
National Grid	The above proposal is in close proximity to a high voltage transmission overhead line. National Grid has no objections.
Forestry Commission	No response received.
Countryside/ Rights of Way	No objection on the condition that Public Rights of Way network is protected throughout. No action should be taken to disturb the path surface, without prior consent from the Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
Natural England	Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
County Ecologist	No objection, subject to a condition requiring the development to be carried out in accordance with the Biodiversity Management Plan and landscape plan. The Biodiversity

	Management Plan encapsulates the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring.
Environment Agency	No objections.
Highways	No objections, subject to the imposition of conditions to require the development to be carried out in accordance with the approved plans, submission and approval of a construction method statement and details of the vehicular access.
Climate Change Team	No response received.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions relating to the development being carried out in accordance with the flood risk assessment, maintaining vegetation cover, grass filter strips and interception swales around the development, and locating any control equipment minimum of 300mm above ground level within 'low' and 'medium' areas of surface flood risk.
Public Protection	No objection, subject to conditions relating to working hours, construction delivery hours, noise, floodlighting and glint and glare.
Newcastle International Airport	No objections.  The proposed solar farm development is close to the western edge of the departure sway for a northern departure from the Airport from Runway 07. However, the aircraft will be in a nose up altitude and in the climb. A Glint and Glare Study was submitted in support of the proposal. This study identified that there would be no issues or significant impacts to the Air Traffic Control Tower or arriving aircraft to the airport. As a result of this, the Airport raises no objections to the proposals.
Northumbrian Water Limited	No comments to make. No connections to the public sewerage network are proposed in the application documents and the application documents indicate that surface water will discharge to soakaways.
Northumberland Fire and Rescue Service	No objection.
Northumbria Police - Architectural Liaison Officer	No response received.
North East Ambulance Service	No response received.
Historic England	No comments. Under the relevant statutory provisions, the Local Planning Authority does not need to notify or consult Historic England on this planning application.
The Coal Authority	No objection, subject to the imposition of planning conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement

	prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development.
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## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	157
Number of Objections	2
Number of Support	1
Number of General Comments	0

### Notices

- 5.1 Site notices (affecting LBC and PROW) were posted at the site on 5 May 2022. A press notice was placed in the News Post Leader on 6 May 2022.

### Summary of Responses

- 5.2 Two letters of objection have been received as a result of publicity on this application. They raise the following points:
- Solar projects should avoid taking up farmland. Brownfield, contaminated, industrial land or poor quality agricultural land that can only be used for grazing is more suitable.
  - The proposal would have a negative impact of the footpath network that crosses the site. The footpaths currently offer unobstructed views over the farmland.
  - Loss of habitat and impact on wildlife. The proposal would have devastating effect on the local bird population, creating confusion, and a lack of adequate areas to nest and forage for food. Otter, red squirrel and great crested newt have been seen in the area.
  - Close proximity to housing.
  - Concerns regarding the noise generated by the inverters.
  - The local community should be compensated through an offer of cheaper electricity.
- 5.3 One letter of support has been received. It makes the following points:
- Proposal would generate clean, green energy that would support the diversification of the sources of energy generation in the UK and increase energy independence.
  - The proposals would maintain the most biodiverse areas of woodland, and primarily affects the monoculture farmland areas.
- 5.4 The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=R96WNXQS FMZ00>

## 6. Planning Policy

- 6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.
- 6.2 The site of the proposed development is located within the Civil Parish of West Bedlington. This is a designated Neighbourhood Area and a Neighbourhood Development Plan is currently being prepared by West Bedlington Town Council. The plan has reached the pre-submission stage with a consultation on the 'West Bedlington Neighbourhood Plan: Pre-Submission Draft (February 2021)' taking place between 10 February 2021 and 7 April 2021. As the plan is at the pre-submission stage it should be afforded little weight in decision-making at this time.

### **Development Plan Policy**

- 6.3 The policies in the Northumberland Local Plan (March 2022) that are relevant to the consideration of the application are:
- Policy REN 1: Renewable and low carbon energy and associated energy storage
  - Policy STP 1: Spatial strategy
  - Policy STP 2: Presumption in favour of sustainable development
  - Policy STP 3: Principles of sustainable development
  - Policy STP 4: Climate change mitigation and adaptation
  - Policy STP 6: Green infrastructure
  - Policy ECN 14: Farm/rural diversification
  - Policy QOP 1: Design principles
  - Policy QOP 2: Good design and amenity
  - Policy QOP 4: Landscaping and trees
  - Policy TRA 2: The effects of development on the transport network
  - Policy TRA 7: Aerodrome safeguarding areas
  - Policy ENV 1: Approaches to assessing the impact of development on the natural, historic and built environment
  - Policy ENV 2: Biodiversity and geodiversity
  - Policy ENV 3: Landscape
  - Policy ENV 4: Tranquillity, dark skies and a sense of rurality
  - Policy ENV 7: Historic environment and heritage assets
  - Policy ENV 9: Conservation Areas
  - Policy WAT 3: Flooding
  - Policy WAT 4: Sustainable Drainage Systems
  - Policy POL 2: Pollution and air, soil and water quality
  - Policy POL 3: Agricultural land quality
  - Policy MIN 4: Safeguarding mineral resources

### **Emerging Development Plan Policy**

- 6.4 The emerging West Bedlington Neighbourhood plan has reached the pre-submission stage with a consultation on the 'West Bedlington Neighbourhood Plan: Pre-Submission Draft (February 2021)' taking place between 10 February 2021 and 7 April 2021. As the plan is at the pre-submission stage it should be afforded little weight in decision-making at this time.
- 6.5 The policies from the West Bedlington Neighbourhood Plan that are relevant to this application are:
- Policy WB1: Sustainable development
  - Policy WB2: Design Policy
  - Policy WB3: General location of new development
  - Policy WB4: Green infrastructure
  - Policy WB8: Heritage assets
  - Policy WB18: Transport and new development

#### **National Planning Policy and Guidance**

- National Planning Policy Framework (July 2021)
- Planning Practice Guidance (2014, as updated)



## **7. Appraisal**

7.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:

- Principle of solar development
- Climate change
- Use of agricultural land and a greenfield site
- Green Belt
- Landscape and visual impact
- Ecology
- Trees and hedgerows
- Land stability and coal mining legacy
- Noise
- Flooding and drainage
- Public rights of way
- Highways and vehicular access
- Impacts on the Historic Environment – Archaeology
- Impacts on the Historic Environment – Building conservation
- Glint and glare
- Decommissioning
- Mineral safeguarding

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Northumberland Local Plan (March 2022). The emerging West Bedlington Neighbourhood Development Plan, the National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

### **Principle of solar development**

7.3 Policy REN 1 of the Northumberland Local Plan is generally supportive of renewable energy such as solar photovoltaic developments, provided that the effects from the development are acceptable or can be made acceptable when considered against the criteria in this policy and the other policies in the development plan. The Local Plan does not allocate sites for solar photovoltaic developments with Policy REN 1 requiring an assessment of the likely effects of a proposal as described above.

7.4 The NPPF is also supportive of new renewable energy development. Paragraph 152 states the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 158 (b) goes on to state when determining planning applications for renewable and low carbon development, local planning authorities should approve the application if its impacts are (or

can be made) acceptable...". The NPPF also does not provide specific locational requirements for solar photovoltaic developments.

- 7.5 It is therefore considered that solar photovoltaic development is supported in principle by Policy REN 1 of the Northumberland Local Plan and Paragraph 152 of the NPPF. This support in principle is subject to the proposal being considered acceptable when assessed against the relevant policies in the development plan.

## **Climate Change**

- 7.6 Both national legislation and international agreements set targets for the reduction of carbon emissions and the increase in renewable energy generation. In 2019 the Government amended the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is known as the commitment to 'net zero'. Paragraph 2 of the NPPF states planning decisions must reflect relevant international obligations, and the UK's legally binding commitments to energy targets is also an important material consideration.
- 7.7 The Energy White Paper (Energy White Paper: Powering our net zero future, December 2020) was issued by the Department for Business, Energy and Industrial Strategy (BEIS) in December 2020 to address the transformation of the UK's energy system towards the 2050 target for net-zero emissions. The Energy White Paper sees the expansion of renewable technologies as a key contributor to achieving an affordable clean electricity system by 2050. It sets out that solar is one of the key building blocks of the future energy mix. In October 2021, the Government published the Net Zero Strategy: Build Back Greener. Under 'Key Policies' for power it explains that subject to security of supply, the UK will be powered entirely by clean electricity through, amongst other things, the accelerated deployment of low-cost renewable generation such as solar.
- 7.8 The proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. This would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory Net Zero target set for 2050 and the commitment to reducing emissions by 78% compared with 1990 levels by 2035. This benefit of the scheme will be given significant weight in the planning balance.
- 7.9 It is also considered that the proposed development accords with Part 1 of Policy STP 4 of the Northumberland Local Plan with regard to contributing to meeting binding targets to reduce greenhouse gas emissions and contributing to mitigating climate change. The proposed development is also supported by Paragraph 158 (a) of the NPPF which states when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

## **Use of agricultural land and a greenfield site**

- 7.10 Paragraph 174 of the NPPF indicates that decisions should recognise the economic and other benefits of best and most versatile agricultural land, which it classes as land in Grades 1, 2 and 3a of the Agricultural Land Classification. Policy POL 3 of the Northumberland Local Plan states that regard will be had, to the wider economic and other benefits of the best and most versatile agricultural land when considering any irreversible loss in accordance with national policy. Where significant development of such land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Part 2 of Policy POL 3 goes on to state temporary or reversible development on best and most versatile agricultural land will be supported where the land would be reinstated to its pre-development quality.
- 7.11 The proposed development would occupy 75.8 hectares of agricultural land. The planning application is accompanied by an Agricultural Land Classification Report prepared by Patrick Stephenson Limited. This demonstrates that 95% of the site would be classed as Grade 3b and 5% of the site area would be classed as Grade 3a best and most versatile land.
- 7.12 Planning Practice Guidance (PPG) includes specific advice on large scale ground-mounted solar photovoltaic farms (see Paragraph 013, Reference ID 5-013-20150327). In relation to the location of these developments, the PPG encourages the effective use of land by focussing large-scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, consideration should be given to whether:
- the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
  - the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 7.13 The proposed site is located within open agricultural land, and the planning application is accompanied by an Agricultural Land Classification Report (ALC) prepared by Patrick Stephenson Limited. This demonstrates that approximately only 5% of the site area would be classed as being of 'best and most versatile' soils.
- 7.14 The proposed solar farm (excluding the substation) will be a temporary installation to operate of a 40 year lifespan. A suitably worded planning condition is recommended to be imposed to control this and to require the solar arrays and associated equipment to be removed, and the site restored following the cessation of this 40 year period. There would be no permanent or irreversible loss of agricultural land with a conversion from arable cropping to pasture grazing in between the solar panels. It can be anticipated that the soil quality would improve over this long fallow period, and the restored land whether used for arable or livestock farming will be more productive than at present. Conditions have also been recommended to ensure that the soil resource is protected during construction and restoration. This would be encapsulated within the Construction Management Plan and post-development restoration conditions.

- 7.15 Although the development would temporarily remove a significant portion of land from arable use it would still be available for low intensity grazing. The development would also be fully reversible if the land were to be required for food production during the operational period. It is therefore considered that the proposed development would not conflict with Policy POL 3 of the Northumberland Local Plan or Paragraph 174 of the NPPF.

### **Green Belt**

- 7.16 Part of the proposed site access route is located within Green Belt. All other elements of the proposed development, which includes the site construction compound, the solar arrays, the inverter buildings and the substation buildings, are not located within Green Belt.
- 7.17 The element of the proposed site access route located within Green Belt is an existing track that is used by light vehicles, agricultural vehicles and heavy goods vehicles to access the construction training facility at Burnt House Farm as well as the surrounding agricultural land. No material changes are proposed to this access track in this planning application. It is therefore considered that there is no conflict with Policies STP 7 and STP 8 of the Northumberland Local Plan or Paragraphs 147 to 151 of the NPPF.

### **Landscape and visual impact**

- 7.18 Part 3 (a) of Policy REN 1 states appropriate weight will be given to landscape character and sensitivity of landscape and visual receptors including landscapes and views demonstrated to be of value at the local community level in assessing whether applications for renewable energy development are acceptable or can be made acceptable. Part 1 (a) of Policy ENV 3 states proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.
- 7.19 The site is located within National Character Area 13: South East Northumberland Coastal Plain, which contains four Landscape Character Types (LCTs) and seven Landscape Character Areas (LCAs). The site is located predominantly within LCT 39: Coalfield Farmland and LCA 39c Stannington, with the far eastern extent falling within LCT 42 Urban and Urban Fringe and LCA 42a Ashington, Blyth and Cramlington. The site does not lie within an area covered by any national or local landscape designations.
- 7.20 LCA 39c Stannington has areas of pleasing rolling arable character with mature landscape features which is evident around the application site and its setting in spite of its mining history. Other parts of the wider LCA/ LCT in the Northumberland coalfields can exhibit a lack of valued landscape features such as mature trees which contributes to a sense of openness and large scale, especially in former surface mining areas which can lack richness, time depth and topographic character. However, this is not the case with the application site, which lies on the gently sloping valley sides north and south of Netherton Letch with the site environs including blocks of deciduous and pine woodlands, along with some historic landscape features such as remnant old hedges and oak trees with veteran characteristics. The site has a tranquil and rural feel in spite of its location close to housing and infrastructure.

- 7.21 The arable rolling land with incised burn and mature woodlands is among the better-quality areas of landscape in this LCT. The site and the immediate local landscape it forms part of are of medium value and sensitivity. Being positioned on the valley sides of a stream and being particularly elevated in the south west corner it forms part of views from the surrounding area especially from the public rights of way.
- 7.22 The southern part of the site occupies an elevated area that slopes northwards towards the incised burn that splits the site into north and south parcels. The most elevated area of solar panels would be on the south west parcel on a raised crown of land.
- 7.23 Due to the substantial belts of existing mature woodland planting at the western edge of Bedlington, the proposed development would not be generally visible from most residential areas other than in limited views from some residential properties along the southern and south eastern edge. Residential properties are generally considered to be of high sensitivity to visual effects and there would be some loss of visual amenity for individual properties currently enjoying open farmland views particularly from upper windows, but these are partly filtered by existing hedgerows and woodland. From the west of the site, the solar panels would be visible on the elevated south west field. Receptor views appear relatively limited from this aspect, albeit there could be views from around 1 kilometre from overlooking upper windows at Hepscott Park.
- 7.24 The most significant effects on visual amenity would be the effects on views from the well-used public rights of way on the eastern and northern side of the site (principally Footpaths 600/033 and 600/035). The value of the views range from medium to high with some lower value elements such as pylons and extensive arable cropping, alongside higher value elements such as the rolling topography, panoramic views flanked by deciduous mature woodland with some lone oaks of high quality. The receptors using these paths are susceptible to visual change because the views are experienced over a considerable period of walking through the full north-south extent of the site. The proposed development would be seen by the user alongside or in the forward view at close proximity. Viewpoint 2 of the Landscape and Visual Impact Assessment shows the view south from this point would be particularly affected as views of the solar panels over four fields are gained from this path. Some mitigation is proposed by providing hedgerow planting alongside these routes with the aim of softening the fencing and the panels. There would be a considerable visual and character change to the current experience of open views over rolling countryside as a result of the proposed development.
- 7.25 The effects on the footpaths to the west of the site (from Hepscott Park) would be lower as the proposed development would be seen at a greater distance, however with the siting of some of the solar panels on a high point of land the proposed development would be viewed across wider area. This would potentially be viewed in varying extents by users of Footpath 409/007 and 600/036 when walking south from Hepscott to Nedderton and Hepscott Park.
- 7.26 View from roads are mostly limited to the B1331 to south of the site, which are of medium sensitivity to visual effects and have a semi-rural and open

character. The proposed substation on the southern boundary is located at the highest point of the site alongside this road and would result in adverse visual effects. Approximately 25 metres of hedgerow alongside the B1331 would be removed to allow for the construction of the substation, but a new native hedgerow and trees are proposed to be planted around the perimeter of the substation once it has been constructed. The construction of the proposed substation will bring about a deterioration in the views and character, which would be mitigated to a degree by the proposed new hedgerow and tree planting.

- 7.27 In conclusion, the proposed development would have adverse effects on landscape character and visual impact. However, the topography of the site, existing screening and the introduction of new tree and hedgerow planting would limit the adverse effects, which would be localised. The most significant adverse effects would be on the users of the public rights of way that cross the site and from the substation at the southern boundary of the site. It is considered that the adverse effects would be suitably mitigated in the proposals. Notwithstanding this, it is considered that the proposal would be in conflict with Policy ENV 3 of the Northumberland and Part 15 of the NPPF by virtue of the landscape and visual harm identified.

## **Ecology**

- 7.28 The applicant has submitted an Ecological Assessment Report, Breeding Bird Survey and Biodiversity Management Plan. The application site primarily comprises arable land of low ecological value, bounded by species poor hedgerows and ditches, and small mixed plantation woodland. Intact native species hedgerows are a Habitat of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The hedgerows will be retained, aside from a small amount to be removed for access to the substation and enhanced with new planting. The existing woodland will also be retained.
- 7.29 The submitted assessments demonstrate that there are no significant harms to biodiversity as the result of the proposed development. Breeding bird surveys show that the site is used by Skylarks. Skylarks are a red list Bird of Conservation Concern and are ground-nesting, using open fields. The Council's ecologist has advised that from the current literature on biodiversity and solar farms, it is thought that Skylarks utilise the grassland between solar panels and therefore with the correct management habitat this species will be retained on site. The Biodiversity Management Plan has been updated to include specific ongoing management action to benefit skylarks, which have also been included in the monitoring schedule. It is recommended that a condition is imposed on the grant of planning permission requiring the proposed development to be carried out in accordance with the approved Biodiversity Management Plan.
- 7.30 The wintering bird surveys did not record any species that are associated with the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Northumberland Shore Site of Special Scientific Interest (SSSI). Although close to the north of the site, Willowburn Pastures SSSI is separated from the site by a railway line. The Council's Ecologist considers that this separation and the use of standard best practice for pollution control during construction,

and drainage management during operation, will avoid impacts on the designated site.

- 7.31 The proposals seek to achieve a net gain for biodiversity, and this has been quantified through the use of the Defra Metric 3.0. From the low baseline (arable fields) it has been possible to demonstrate a significant net gain by the creation of permanent grassland, however, the proposed seed mix on the Detailed Landscape Proposals plan (Emorsgate EG26) contains very few forbs (flowering species). The Council's ecologist has advised that it is a missed opportunity in terms of biodiversity enhancement to not increase the proportion of wildflowers either through including additional areas seeded with the wildflower grassland mix or the creation of pollen and nectar strips, although it would not be expected that the whole area would be a wildflower meadow. However, there are no grounds to refuse planning permission on this basis as the proposed development provides Biodiversity Net Gain in accordance with the NPPF and Policy ENV 2 of the Northumberland Local Plan.
- 7.32 The Biodiversity Management Plan sets out management practices that are proposed in order to enhance the site for the benefit of local wildlife. The Biodiversity Management Plan is a comprehensive document encapsulating the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring.
- 7.33 Subject to the proposed development being carried out in accordance with the submitted Biodiversity Management Plan, which encapsulates the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring, the Council's ecologist does not object to the proposed development. It is considered that the proposal does not conflict with Policy ENV 2 and Part 3 (c) of Policy REN 1 of the Northumberland Local Plan and Section 15 of the NPPF. It is recommended a condition is imposed to require the proposed development to be carried out in accordance with Biodiversity Management Plan.

### **Trees and hedgerows**

- 7.34 An Arboricultural Impact Assessment (AIA) report has been provided with the planning application. This reports that the proposed development would not require the removal of any significant trees, groups of trees or hedgerows. A short length of hedgerow would need to be removed adjacent to the B1331 to accommodate the proposed DNO substation but mitigation planting is proposed around the proposed substation. The planting of additional trees and hedgerows within the site is also proposed as part of the proposed landscape mitigation.
- 7.35 The proposals are considered to be acceptable and would accord with Policy STP 6, Part 2 (d) of Policy QOP 2 and Policy QOP 4 of the Northumberland Local Plan. It is recommended that a planning condition is imposed to require the submission and approval of an arboriculture method statement prior to the commencement of development.

### **Land stability and coal mining legacy**

- 7.36 The site is located within a 'Coalfield Development High Risk Area', which means there are coal mining features and hazards that need to be considered in determining this planning application. A coal mining risk assessment has been submitted in support of the planning application.
- 7.37 The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is also likely to have been subject to historic unrecorded underground coal mining at shallow depth. The Coal Authority records also indicate the presence of seven mine entries (shafts and adits) within, or within 20 metres of the site and that the site has been subject to past surface mining operations. Thick coal seams also outcropped across the site.
- 7.38 The Coal Authority initially raised some concerns about the layout of the proposed development. These concerns have been addressed by the applicant through some minor amendments to the site layout to avoid the zone of influence of a mine entry and the highwall of the former surface extraction.
- 7.39 The Coal Authority have confirmed they have no objections to the proposed development subject to the imposition of planning conditions or conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development. The Coal Authority considers the undertaking of intrusive site investigations, prior to the commencement of development, is necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 183 and 184 of the National Planning Policy Framework and POL 1 of the Northumberland Local Plan.

## **Noise**

- 7.40 Policy POL 2 of the Northumberland Local Plan is relevant to the consideration of proposals for new development that could give rise to unacceptable adverse effects as a result of any noise generated. Paragraph 185 (a) of the NPPF seeks to ensure planning decisions mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development as well as avoiding noise giving rise to significant adverse impacts on health and the quality of life.
- 7.41 The solar photovoltaic panels do not emit noise during the process of converting solar radiation to electricity but noise would be generated by the 13 inverters and the two substations that form part of the proposed development. The main noise source from the inverters is from the cooling fans. These would be operational during daylight hours when the solar panels are generating electricity and the inverters need to be actively cooled. The operation of the two substations would generate low frequency noise, typically



with peak frequencies of 100Hz and 200Hz. At close proximity to the substations, a hum would be generally noticeable.

- 7.42 During the construction phase, the proposed development has the potential to give rise to short term adverse effects upon noise sensitive receptors surrounding the application site. Appropriate mitigation and control measures would be adopted whilst plant was operating close to nearby residential properties to ensure that any potential adverse impacts are minimised.
- 7.43 The closest noise sensitive receptors are located to the south, which include Howard House School and a small number of residential properties. These properties are located at least 350 metres from the closest inverters. Existing noise levels within the surrounding area are principally influenced by road traffic noise associated with vehicles travelling along the B1331 and the A192 to the west.
- 7.44 The noise assessment provided with the planning application concludes that the operation of the solar farm would generate very low noise levels at surrounding properties throughout the day. Assessing the noise levels against relevant standards and guidance concluded that the operation of the solar farm would result in a low impact. The impact is classified as 'No Observed Effects Level' in PPG and is this is the level of noise exposure below which no effect at all on health or quality of life can be detected. The assessment therefore considered that the development would not result in unacceptable levels of noise in accordance with Policy POL 2 and the NPPF.
- 7.45 Public Protection has been consulted on this application and raised no objections in respect to noise. Public Protection considers that the noise assessment has demonstrated that the inverters and the substations are positioned in a manner to avoid detriment to existing residential amenity. It is recommended that planning conditions are imposed to ensure that the solar farm generates noise no greater than the existing prevailing background levels and control noise during the construction phase to prevent a loss of residential amenity during sensitive hours of the day.

### **Flooding and drainage**

- 7.46 Policy WAT 2 of the Northumberland Local Plan requires development proposals to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. In line with Paragraph 159 of the NPPF, Policy WAT 2 states inappropriate development in areas at risk of flooding should be avoided and directs development away from areas at highest risk of flooding. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Policy REN 1 also requires consideration of flood risk when considering planning applications for renewable energy development.
- 7.47 The application is accompanied by a site specific flood risk assessment to assess flood risk to and from the proposed development. The majority of the site application falls within Flood Zone 1 (Low Probability risk of flooding). A small area along the northern boundary of the site, adjacent to Hepscoth Burn watercourse, is classified as Flood Zone 2 (Medium Probability risk of flooding) and Flood Zone 3 (High Probability risk of flooding).

- 7.48 All of the buildings and control equipment associated with this proposed development would be situated in areas of Flood Zone 1. It would only be part of the security fencing and a small number of solar panels that would extend into Flood Zones 2 and 3 near the northern boundary of the site. The Flood Risk Assessment indicates that the depth of flooding in this area is shallow (less than 0.5 metres) and would not pose a risk to the development. The alignment of the security fence is parallel to the direction of flow of the Hepscott Burn and due to its nature is permeable to flood flows and would therefore not significantly impede the functioning of the floodplain at this location. The solar panels are raised at least 0.8 metres above ground level and would not be vulnerable to shallow flood flows. The structures would remain operational and safe for users in times of flood; result in no material loss of floodplain storage; and not impede water flows and not increase flood risk elsewhere.
- 7.49 To manage surface water run-off from the site it is proposed to provide a series of swales to intercept surface water run-off. It is considered that these swales would adequately mitigate any increase in run-off as a result of the small increase in the impermeable areas across the site as a result of the development. The extent of new impermeable areas within the proposed development site would be limited. The area beneath the solar panels would remain grassed, although the presence of the panels will change how the rainwater is shed onto the ground. It is only the panel supports that would be impermeable. The other impermeable elements of the proposed development include the 13 inverter buildings, the customer substation and the distribution network operator substation. The LLFA have been consulted on the applications and have recommended that planning conditions are imposed to requiring the maintenance of vegetation cover, grass filter strips and interception swales around the proposed development.
- 7.50 As set out in Paragraph 162 of the NPPF, the Sequential Test aims to new development to areas with the lowest risk of flooding. The flood risk assessment provided with the planning application states that the proposals seek to maximise the extent of development in low flood risk areas, with all sensitive control equipment located in areas of Flood Zone 1.
- 7.51 The site layout has applied a sequential approach and maximised development within Flood Zone 1. By marginally extending the development into areas of Flood Zones 2 and 3 the scheme maximises the renewable energy generation potential of the site whilst taking account of other design considerations. As a result it is considered that the Sequential Test is satisfied and a solar farm is compatible at this location, subject to satisfying the requirements of the Exception Test detailed in Paragraph 164 of the NPPF.
- 7.52 Paragraph 164 of the NPPF states to pass the exception test it should be demonstrated that:
- a. The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b. The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 7.53 Paragraph 165 of the NPPF goes on to state that both elements of the exception test should be satisfied for development to be permitted.
- 7.54 In relation to part (a) of Paragraph 164 it is considered that the energy has wider sustainability benefits by reducing reliance on carbon based fuels, and supporting carbon emission and net zero targets. The proposed development is therefore considered to satisfy part (a) of the Exception Test.
- 7.55 With respect to part b of the Exception Test, the site is not 'occupied' and occasional maintenance visits can be scheduled for times outside of elevated flood risk. The solar panels are raised at least 0.8 metres above ground level and therefore would not be vulnerable to shallow flood flows. The security fencing is permeable to flood flows. It is therefore considered that the proposed development and its users will be safe' and due to the nature and design of the equipment would not increase flood risk elsewhere.
- 7.56 The Environment Agency and the Lead Local Flood Authority have been consulted on this application and have no objections subject to the imposition of appropriate planning conditions. These conditions relate to the development being carried out in accordance with the flood risk assessment, the maintenance of vegetation cover, grass filter strips and interception swales around the proposed development, and locating any sensitive control equipment at least 300mm above ground level. They also recommend a condition be imposed requiring the proposed development to be carried out in accordance with the flood risk assessment and the mitigation measures detailed within it.
- 7.57 In relation to flooding and drainage, it is therefore considered that the proposal would accord with Policy WAT 3 (Flooding) and Policy WAT 4 (Sustainable Drainage Systems) of the Northumberland Local Plan Policy WAT 2 of the Northumberland Local Plan and the NPPF.

### **Public Rights of Way**

- 7.58 Footpath 600/035 is located at the north of the site. It runs through the northern parcel of land, before routing along the northern boundary of the southern parcel of land. The footpath continues as 600/033 along the eastern boundary before joining Bridleway 600/072 which connects to Netherton Lane. Footpath 600/073 routes between the B1331 to the southern boundary of the southern parcel of land, along an access track. Bridleway 600/063 routes west from Howard House, running parallel to the southern boundary of the southern parcel of land along an access track.
- 7.59 The layout of the proposed development retains these existing Public Rights of Way along their current defined routes and would not prevent the future public use of these. They would remain open for use during the construction, operation and decommissioning phases of development. The Council's Public Rights of Way team has been consulted on this application and have raised no objection.
- 7.60 The Rights of Way users would be 'visual receptors' and this is discussed separately in the landscape and visual impact sections of this report.

## Highways and vehicular access

- 7.61 Policies TRA 2 and REN 1 (Part 3g) are relevant to the effects of new development on the transport network. Policy TRA 2 requires all developments affecting the transport network to:
- Provide effective and safe access and egress to the existing transport network;
  - Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;
  - Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;
  - Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;
  - Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and
  - Minimise any adverse impact on communities and the environment, including noise and air quality.
- 7.62 Vehicular access to the site would be via the existing access on the B1331 to the east of Nedderton and a track northwards that serves both agricultural vehicles, traffic to Burnt House Farm and the construction training centre. The proposed new distribution network operator Substation would be served from a new access on the B1331, located west of the existing access for Burnt House Farm.
- 7.63 The construction period of the solar farm is anticipated to take up to 9 months. Construction hours would be between 08:00 and 18:00 Mondays to Fridays, and between 08:00 and 14:00 on Saturdays. During this period there will be trips associated with the arrival and departure of construction staff, and the delivery of parts and construction materials. Staff trips will mainly be made by cars, vans or minibuses, whilst deliveries of construction materials and equipment will mainly be made by HGVs.
- 7.64 The deliveries will be spaced across the construction period, with typically up to 8 deliveries daily over the construction period. During the first weeks of the construction period there would be initial deliveries to the site of machinery, temporary site welfare and office facilities, site security measures and aggregate to construct some internal access tracks. During the main construction of the solar farm, items such as the transformers/inverters, cabling, solar panels, solar panel support frames, and aggregate to construct the remaining internal access tracks would be delivered to the site. In total the construction of the solar farm will result in approximately 1,150 deliveries to the site, spread over the construction period with typically up to 8 deliveries per day. It is estimated that there will be no more than 10 deliveries (20 HGV movements) per day.
- 7.65 The number of construction staff on site will vary over the construction period depending on the activity that is taking place. The majority of staff will travel in minibuses or vans, which will park on site during the day. At the peak of

activity, there could be in the order of 25 construction staff vehicles on the site. Parking for staff would be provided in the construction compound area.

- 7.66 During the construction phase of the development, a construction compound and HGV turning area would be provided and would remain for the duration of the construction period. The compound would be of a sufficient size to store materials for the construction of the solar farm, and for vehicles to park and safely manoeuvre.
- 7.67 The construction of the distribution network operator substation will take up to 4 months within the overall construction period. The number of associated HGV deliveries will be in the order of 65 (typically 2 deliveries per day), including a single abnormal load required to deliver a component for the substation.
- 7.68 Vehicle movements during the operational period of the solar farm would mainly associated with the monitoring, upkeep and cleaning of the site. These trips would typically be made by small vans with between 10 and 20 trips each year. Due to the low number of vehicular movements being made to and from the site during its operational period, the site is unlikely to have any significant impact to the local highway network once constructed and operational.
- 7.69 The Highways Authority has been consulted on the planning application and raised no objections, subject to the imposition of relevant planning conditions. It is concluded that the proposed development accords with Policy TRA 2 of the Northumberland Local Plan. It is therefore acceptable in highways terms subject to the imposition of appropriate planning conditions.

### **Impacts on the Historic Environment – Archaeology**

- 7.70 The site is located in an area of Northumberland that retains evidence of human activity from the prehistoric to modern periods. Archaeological evidence of human activity during the early prehistoric period is relatively sparse and tends to relate to lithic finds (such as flint tools) recovered during fieldwalking exercises and typically reflecting casual loss or funerary monuments, surviving examples of which display a locational bias towards coastal areas.
- 7.71 Evidence of settlement and landscape is more widespread from by the Late Iron Age / Romano-British periods, where a dispersed pattern of enclosed settlements or farmsteads are recorded across south-east Northumberland. Where examples of these sites have been excavated, they have often been shown to span multiple generations, typically beginning as small-scale unenclosed groups of 'roundhouse' dwellings which sometimes evolve into larger enclosed settlements comprising multiple roundhouse dwellings within a rectangular earthwork enclosure. Excavated examples can sometimes be associated with large-scale landscape management in the form of field boundaries and ditch systems. The site of a sub-rectangular cropmark feature recorded on aerial photographs of the site and subsequently detected via geophysical survey is provisionally interpreted as an enclosed settlement or farmstead of Late Iron Age or Romano-British date.

- 7.72 The proposed development site close to the medieval settlement of Bedlington and is likely to have been in agricultural use since at least the medieval period. Evidence of ridge and furrow cultivation (levelled above the ground surface via modern ploughing) was detected in parts of the site via the geophysical survey.
- 7.73 Changes in landscape boundaries are recorded on early mapping, with the most significant and destructive (in terms of the impact to archaeological remains within the site) being associated with the development of the coal mining industry in the region. Initially, this was manifest within the site by sinking of the Netherton Colliery in 1818 and subsequently the establishment of the Netherton Wagonway (opened in c.1828 and recorded on the Netherton Tithe Map of 1838) to transport coal to Blyth for onward shipping. The wagonway initially ran from Netherton to Morpeth, later linking Howard Pit, Frances Pit and Netherton Hall Collieries to Bedlington. Netherton Colliery expanded to include a small village with rows of terraced houses and a chapel, such that by 1940 some 638 people were recorded as working at Netherton Colliery. The Colliery closed in 1974 but large areas of the site were subsequently subject to surface mining. This phase of mineral extraction and subsequent restoration destroyed any archaeological remains within its footprint.
- 7.74 The proposed development site has been subject to archaeological evaluation by the applicant. Some significant archaeological remains have been identified within the application site. These archaeological remains comprise infill pits, 'ring gullies' and linear boundary features. These features and associated finds were interpreted as the remains of a Romano-British / Iron Age settlement or farmstead and constitute non-designated heritage assets in the context of the NPPF. The evaluation exercise also confirmed that large areas of the site had been truncated by historic surface mining and restoration.
- 7.75 The archaeological remains associated with Iron Age/ Romano-British farming are of at least local importance, such that a programme of archaeological mitigation would be required. Further archaeological features comprising the remains of mediaeval or post mediaeval ploughing activity were recorded in most of all other areas of the site not damaged by surface mining. These remains are of local interest but are not uncommon in the wide area and therefore will not require further recording or investigation.
- 7.76 The applicant has submitted a construction method statement which provides details of the proposed construction methodology to be used. An 'area of archaeological sensitivity' and 'archaeological mitigation zone' has been identified in the construction method statement. Within the identified area of archaeological sensitivity, the solar arrays would be mounted on concrete slabs resting on the ground surface rather than via the conventional pile mounting approach. No soil stripping would be undertaken within this area and connecting electricity cables would be placed in cable troughs at a depth not exceeding 0.15 metres below the present ground surface. An archaeological watching brief will be undertaken in association with the limited groundworks proposed within these areas. Temporary protective matting would be laid on the ground surface to reduce the risk of damage by any heavy plant. The Council's archaeologist considers that the methodology and

details set out in the construction method statement would reduce or eliminate the risk that the identified archaeological remains would be damaged or disturbed by the erection of the solar arrays. It also makes provision for the targeted recording of any localised disturbance of archaeological remains.

- 7.77 Within the remainder of the site the solar rays would be mounted using a pile and technique. Since the impacts associated with the piled mountain technique would be localised and the risk of significant unrecorded archaeological remains being present is low. The Council's archaeologist considers this to be an acceptable approach.
- 7.78 In summary, the Council's archaeologist has no objections to the proposed development subject to it being undertaken in accordance with the submitted construction method statement for archaeological mitigation. It is therefore considered that the proposed development is in accordance with Policy ENV 1 and Policy ENV 7 of the Northumberland Local Plan and the NPPF.

### **Impacts on the Historic Environment – Building Conservation**

- 7.79 The nature, scale and location of the proposed development has the potential to impact the setting and significance of the following heritage assets:
- Nedderton Village – non-designated heritage asset;
  - Netherton Hall and its garden wall and gate piers – all Grade II Listed Buildings;
  - Netherton School – Grade II Listed Building; and
  - Netherton Blue House Farm – Grade II listed building.

#### Summary of significance

- 7.80 The history and character of Nedderton village (formerly Netherton) is intrinsically linked to Netherton Hall, farming and coal mining. The village boasts one of the earliest collieries in the Bedlington area opening in around 1818 with continued coal mining activity until 1974. Surrounded by undulating agricultural land with tree belts to the north, the village affords an elevated position, and follows a tight linear layout with buildings orientated to face the main thoroughfare. This serves to create an enclosed experience of the non-designated heritage asset as views and prospects to the surrounding landscape are limited and take the form of glimpse views between building groups. On approach from the east, Netherton Hall is one of the first buildings to be encountered, denoting the village's early origins and historic interest. While from both the east and west, the village's elevated position and surrounding agricultural land creates a soft rural frame which reinforces its agricultural history and contributes to its heritage significance.
- 7.81 Whilst there is 20th century infill and modern housing to the south and north, the historic village core remains discernible with a mix of predominately 18th and 19th century traditional stone cottages and farmsteads set back from the road enclosed by robust sandstone walls. This historic character is also reinforced by the majestic Grade II listed Netherton Hall (Historic England Listing Reference No: 1371368) situated within its own grounds having generous enclosed gardens, adjoining stables and carriage house, and the mid-19th century Netherton School (also Grade II listed), pertaining to the

Tudor-Gothic style and built by the Earl of Carlisle (Historic England Listing Reference No: 1371367).

- 7.82 In contrast to this settlement pattern and situated to the northeast of the village is the Grade II listed Netherton Blue House Farm (Historic England Listing Reference No: 1041420 Netherton Blue House Farm). Accessed from a road between agricultural land and then a driveway which dissects paddocks, the listed building dates from the early 18th century and is constructed in sandstone under slate roof. Its principal elevation is orientated southwards and is set out in a symmetrical arrangement to face a formal garden with long views of the agricultural hinterland beyond. The listed building retains pleasing architectural features, including recessed bays, bands and a pediment. The rear elevation of the building is restrained and plainer in form having the appearance of a later addition, with a modern porch. Situated to its east is a two-storey linear range, now converted for residential use, reinforcing the listed building's original use as a gentrified farmhouse forming part of a larger traditional planned farmstead.
- 7.83 To the north of the listed building is an expansive area of agricultural land. The available cartographic evidence in the form of the First and Second Edition Ordnance Survey Maps, illustrates that during the 19th century the land to the north of Netherton Blue House Farm was formerly occupied by Netherton Colliery. This included terraced rows of mine workers housing, Chapels, a School, Mechanics Institute, Social Club and allotment gardens with the Colliery site traversed by a mineral railway. Mapping and the historic record demonstrate that by the 1980s the site was levelled, and all colliery buildings were removed and following a period of restoration the current arrangement of undulating farmland was formed.

#### Assessment of proposed development

- 7.84 The planning application is accompanied by a Design and Access Statement and a desk-based Heritage Assessment. The Heritage Assessment provides an archaeological assessment of the known and potential archaeological resource within the development site. This includes map chronology, consultation of the available historic environment records and a site walkover. It also includes a setting assessment. The submissions also include a Heritage Addendum (dated 18 August 2022), which provides design mitigation measures as a means of reducing development impact on heritage assets.
- 7.85 The application has been evaluated by the Council's architectural heritage and design officer having regard to the legislative framework, the form and impact of the proposals on the setting and significance of the identified heritage assets, and Historic England's advice on the approach to taking decisions on setting (Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 - Second Edition). The assessment by the Council's architectural heritage and design officer was also informed by site inspections, taking in views and prospects to and from the development site and the identified heritage assets.

*Nedderton Village, Netherton Hall and Netherton School:*



- 7.86 The development proposals would not result in a direct physical impact to the identified heritage assets. However, given the substantial scale, form and nature of the proposed development it is considered that it would result in a change to the agricultural land which surrounds them to the north, thereby altering their setting. Given the enclosed nature and linear form of the historic village core, the orientation, siting and how the Grade II listed buildings are encountered, it is concluded that while the proposed development would result in a change to the function and appearance of the landscape, it would not result in a harmful impact to the setting and significance of the aforementioned non-designated and designated heritage assets.

*Netherton Blue House Farm:*

- 7.87 Views of the listed building's roofline and robust symmetrical form are encountered from the south along the B1331 and Netherton Lane. From these views the farmhouse can be identified as a building of antiquity. However, it is not until within closer proximity (along the access Netherton Lane and encountering the decorative entrance piers) that the grandeur of the listed building's principal elevation and its architectural and historic interest as a gentrified farmhouse is fully revealed. From this southern approach towards the listed building there is no intervisibility with most of the development site. The exception to this is the proposed substation located off the B1331 with a new access. However, it is considered that the ability to appreciate and understand the significance of Netherton Blue House Farm would not be harmfully impacted. This is collectively due to the building's orientation, the arrangement of field boundaries, the undulating topography, and the manner in which the listed building is encountered.
- 7.88 The listed building is set within its own grounds having garden frontage and paddocks to its north and northwest. The paddocks slightly decline away from the heritage asset and are bounded by trees, hedging and post and wire fencing. Beyond the listed building's northern boundary lies undulating farmland and a public right of way that meanders east and then northwards. Accessed by a stile, the public right of way is immediately bounded to the south by a mature hedgerow with breaks providing glimpse views of the listed building's plainer rear elevation and its paddocks. To the north of the public right of way is farmland (currently in arable rotation). This is bounded in a west to east axis, by a tall mature hedgerow and pockets of established trees. This openness, along with the surrounding topography and juxtaposition of hedgerows and trees collectively provide a fortuitous pastoral hinterland to the listed building. Notwithstanding the history and former land use as the Netherton Colliery, this current arrangement positively contributes to its significance and setting – as defined within the National Planning Policy Framework (NPPF) as the surroundings in which a heritage asset is experienced.
- 7.89 Historic England's Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 'The Setting of Heritage Assets' (2017, Page 4) states: "*Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance*".

- 7.90 The development proposals are extensive in form and layout resulting in a significant change to the existing landscape. This includes the installation of ground mounted panels in linear rows which would not be redolent of the area. However, the buffer of undulating farmland to the north of the public right of way is retained thereby ensuring that the rural frame to the listed building's north is not severed.
- 7.91 It is therefore concluded, having regard to the agreed definition of 'setting' in the NPPF as the surroundings in which an asset is experienced, that the development proposals do not result in a harmful impact to the setting and significance of the Grade II listed Netherton Blue House Farm.

### Conclusion

- 7.92 In summary, the proposed development has been evaluated having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Policies ENV 1 and ENV 7 of the Northumberland Plan whose purpose is to protect the setting and character of the County's heritage assets. It is considered that the development proposals would preserve the setting and significance of Nedderton Village, Netherton Hall, Netherton School and Netherton Blue House Farm.

### **Glint and Glare**

- 7.93 Planning Practice Guidance (Paragraph 013, Reference ID: 5-013-20150327) advises the potential for the effects of glint and glare on the landscape, neighbouring uses and aircraft safety should be given consideration for large-scale solar farms.
- 7.94 The definition of glint and glare is as follows:
- Glint – a momentary flash of bright light typically received by moving receptors or from moving reflectors;
  - Glare – a continuous source of bright light typically received by static receptors or from large reflective surfaces
- 7.95 To consider the impacts of glint and glare, the planning application is accompanied by a Glint and Glare Study to assess the possible effects of the proposed development on surrounding road users, dwellings, and aviation activity associated with Newcastle International Airport. This study indicates that whilst reflections are possible, the existing vegetation would mitigate the impacts to block views of reflective area and the distance between the observer and the closest reflecting panel area is such that the proportion of an observer's field of vision that is taken up by the reflecting area is significantly reduced. Furthermore the study indicates that the proposal would not adversely impact as the modelling indicates that no solar reflections are geometrically possible towards the air traffic control tower at Newcastle Airport and towards either of the 2-mile approach paths to the airport. It is therefore considered that the proposed development is therefore considered to be acceptable in terms of glint and glare.
- 7.96 Newcastle International Airport has been consulted on the application and no objections have been raised. Highways also raise no highway safety concerns

with regard to glint and glare. Public Protection considers that the risk of glare to residential amenity is low due to the changing directionality of the sun and vegetative screening. The residual risk of glare is however present which could cause detriment to residential amenity and recommend a condition to control glare should it be identified post-construction. Subject to the imposition of a condition, it is considered that the proposal does not conflict with Policy POL 2, Policy TRA 7 and Policy REN 1 of the Northumberland Local Plan in relation to the effects from glint and glare.

### **Decommissioning**

- 7.97 Part 5 of Policy REN 1 in the Northumberland Local Plan requires, where relevant, applications to make appropriate provision for the decommissioning and removal of temporary operations once they have ceased.
- 7.98 The application proposed that, with the exception of the DNO sub-station, all equipment and below ground connections would be removed at the end of the 40-year operational lifespan of the solar farm. The landscape enhancement measures would remain.
- 7.99 In order to meet the requirements of Policy REN 1, it is recommended that a planning condition is imposed to require the submission of a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site to be submitted for approval by the Local Planning Authority no later than 39 years and six months from the date electricity is first exported from the site. It is also recommended a planning condition be imposed to require the submission of such a scheme for approval by the Local Planning Authority in the event that the development ceases to operate for a continuous period of 12 months. A further condition would be imposed to require the solar farm and its ancillary equipment to be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.
- 7.100 Subject to the imposition of conditions covering the matters outlined above, it is considered that the proposal accords with Part 5 of Policy REN 1 of the Northumberland Local Plan.

### **Mineral safeguarding**

- 7.101 The Northumberland Local Plan identifies Mineral Safeguarding Areas to protect mineral resources from unnecessary sterilisation by non-mineral development. The proposed development is located within a Mineral Safeguarding Area for coal. Policy MIN 4 sets out policy criteria to assess proposals for new non-mineral development within these areas.
- 7.102 In accordance with Part 2 (a) of Policy MIN 4, the applicant has submitted an assessment of the effect of the proposed development on the mineral resource beneath and adjacent to the site of the proposed development. This assessment identifies that the majority of the site has been subject to past surface coal mining, which has removed the potential resource from these areas. The assessment does however identify that coal resource is likely to be present in the northern third of the application site but concludes that it is not

practical or feasible to extract the resource prior to the proposed development taking place. This is principally due to the small area of the resource, the extent of overburden material present, and the constraints to extraction that are present in proximity to the resource which includes an adjacent railway line and overhead high voltage power lines. The assessment concludes that the resources are not of strategic importance or demonstrable economic value.

- 7.103 It is therefore considered that the proposed development can be supported within a MSA because the applicant can demonstrate that the mineral concerned is not of economic value in accordance with Part 3 (a) of Policy MIN 4. While the proposed development has a proposed operational lifespan of 40 years, it is both temporary and reversible in nature and as shown in the assessment the mineral is unlikely to be needed within a timescale in which the mineral is likely to be needed. The proposed development can therefore be supported in line with Part 3 (c) of Policy MIN 4. The requirements of Policy MIN 5 have also been considered and it is considered that there is no conflict.

### **Other matters**

#### Time limit within which the development must begin

- 7.104 If planning permission is granted for this proposed development, it would subject to a condition that sets the time limit within which the development must begin. It is normal for the time limit to be not later than the expiration of three years beginning with the date on which the permission is granted, but the local planning authority may consider a longer or shorter time period where this would assist the delivery of the development. The applicant has requested a period of not later than the expiration of five years beginning with the date on which the permission is granted be conditioned in order to provide an appropriate period of time to allow works associated with grid connection to be agreed and programmed with the network operator.
- 7.105 It is considered that a period of five years is justified in these circumstances. As such it is recommended a condition is imposed to require that the development is commenced no later than the expiration of three years beginning with the date on which the permission is granted.

#### Equality Duty

- 7.106 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

#### Crime and Disorder Act Implications

- 7.107 These proposals have no implications in relation to crime and disorder.

## Human Rights Act Implications

- 7.108 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.109 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 7.110 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

- 8.1 The proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. The applicant states that this would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory net zero target set for 2050 and the commitment to reducing greenhouse gas emissions by 78% compared with 1990 levels by 2035. This benefit of the scheme will be given significant weight in the planning balance.
- 8.2 Policy REN 1 of the Northumberland Local Plan is supportive of solar energy development, provided the effects are acceptable or can be made acceptable. The assessment of the application has identified that the proposals would result in some landscape and visual harm. The adverse effects are localised due to a combination of existing topography, existing screening and the proposed landscape mitigation. Some of the most significant adverse effects would be on the users of the public rights of way on the eastern and northern side of the site. The proposals would result in considerable visual and

character change to the current experience of open views over rolling countryside. With regard to the other main planning matters assessed, it is considered that the effects are acceptable or can be made acceptable through appropriate mitigation and the imposition of planning conditions in accordance with the relevant policies in the Northumberland Local Plan and the NPPF.

- 8.3 Overall, whilst it is accepted that the proposed solar farm would have an impact on the landscape, it is considered that the benefits of the proposed development in terms of the supply of renewable energy and biodiversity enhancement creation would outweigh the identified harm. It is therefore recommended that planning permission be granted for this proposed development, subject to the imposition of planning conditions.

## **9. Recommendation**

- 9.1 That this application be GRANTED permission subject to the following:

### Conditions:

#### **Time limit**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this planning permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.*

#### **Expiry of planning permission**

2. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.

*Reason: The development is not considered suitable for permanent retention and to enable the impacts to be assessed as to the impacts on the landscape character and visual amenity in accordance with Policy ENV 3 and Policy REN 1 of the Northumberland Local Plan.*

#### **Decommissioning and site restoration**

3. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:
  - a. the removal of the solar panels and associated above ground works approved under this permission;
  - b. the management and timing of any works;

- c. a traffic management plan to address likely traffic impact issues during the decommissioning period;
- d. an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- e. details of site restoration; and
- f. an implementation timetable.

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

*Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.*

- 4. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted to written approval by the local Planning Authority (except in the event that Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.

*Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.*

- 5. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

*Reason: In the interests of natural, built and historic environment in accordance with the National Planning Policy Framework and Policy REN 1 of the Northumberland Local Plan.*

## **Approved plans**

- 6. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
  - Site Location Plan, Drawing Number P21-0063\_01 (Rev C), Date 06/04/2022
  - Engineering Layout Plan, Drawing Number BF33E\_F005\_01, Date September 2022

- Master Site Layout Plan, Drawing Number P21-0063\_12 (Rev C), Date 07/09/2022
- Detailed Landscape Proposals, Drawing Number P21-0063\_04 (Rev H), Date 07/09/2022
- Access and Movement, Drawing Number P21-0063\_10 (Rev C) , Date 07/09/2022
- Mounting System Details, Drawing Number BRH-DWG004, Date 15/02/2022
- Fencing Details, Drawing Number BRH-DWG005, Date 15/02/2022
- CCTV Layout, Drawing Number BRH-DWG006.1, Date 15/02/2022
- CCTV Details, Drawing Number BRH-DWG006.2, Date 15/02/2022
- Substation Compound, Drawing Number 10031-E-SP-03 (Revision B)
- Transformer elevations, Drawing Number 10031-E-ELV-03 (Revision A)
- Control Room Layout and Elevation, Drawing Number 10031-E-ELV-02 (Revision C)
- Elevations - 33kV Intake Switch Room, Drawing Number XXXXX-E-ELE-01 (Revision A)
- Inverter substation (floor and elevation plan), Drawing Number RH-DWG007.3, Date 15/09/2022
- 66kV Compound (floor and elevation plan), Drawing Number 10031-E-ELV-01 (Revision C)
- 2.4m High Palisade Fencing (with electric fence), Drawing Number 10031-E-ELV-04 (Revision B)
- Ecological Assessment Report: Burnt House Farm Solar Farm, Avian Ecology Limited, Issue F1 dated 16/03/2022.
- Ecological Assessment Report: Burnt House Farm Solar Farm – Appendix 1: Bird Survey Report, Avian Ecology Limited, Issue F1 dated 16/03/2022.
- Ecological Assessment Report: Burnt House Farm Solar Farm – Appendix 5: Biodiversity Management Plan, Avian Ecology Limited, Issue F2 dated 07/07/2022.
- Framework Construction Traffic Management Plan, PFA Consulting, July 2022
- Flood Risk Assessment: Burnt House Solar Farm, PFA Consulting, March 2022 (Document reference B765-DOC01, Issue 2, dated 17/03/2022)
- Arboricultural Impact Assessment : Burnt House Solar Farm, Barton Hyett Associates Limited, March 2022
- Burnt House Solar Farm, Construction Method Statement for Archaeological Mitigation, October 2022 (Document reference BF33E\_F008\_01)

*Reason: For the avoidance of doubt and in the interests of proper planning.*



7. Notwithstanding the approved plans, prior to the commencement of development, details of the proposed materials, colours and finishes of all solar panels, frames, buildings and equipment shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and be maintained as such for the lifetime of the development.

*Reason: Details are required in the absence of accompanying the application and in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies REN 1, QOP 2 and ENV 3 of the Northumberland Local Plan.*

## **Trees and Landscaping**

8. Prior to the commencement of development, an arboriculture method statement and tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved arboriculture method statement and tree protection plan.

*Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site amenity, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.*

9. The tree and hedgerow landscape planting proposals set out in the Detailed Landscape Proposals Plan (Drawing number P21-0063\_04, Revision H, Date 08/09/2022) shall be fully implemented during the first full planting season (November to March inclusive) following the completion of the commencement of development. Any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.*

## **Artificial lighting**

10. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits) or Floodlighting is permitted to be installed, used or modified as part of the hereby approved development without the prior written consent of the Local Planning Authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:
  - a. The specific location of all external lighting units;
  - b. Design of all lighting units;
  - c. Details of beam orientation and lux levels; and

- d. Any proposed measures such as motion sensors and timers that will be used on lighting units

*Reason: To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.*

## **Flooding and Surface Water Drainage**

11. The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment: Burnt House Solar Farm, PFA Consulting, March 2022). The mitigation measures detailed with the flood risk assessment shall be fully implemented prior to the solar becoming operational.

*Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework*

12. Prior to the first electrical export from the site, details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
  - a. Maintenance schedules for each drainage feature type and ownership.
  - b. Details of protection measures.

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

*Reason: To ensure that the development is adequately managed in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.*

13. Vegetation cover under the solar panels shall be present and maintained throughout the lifetime of development. Any erosion shall be rectified and made right.

*Reason: To minimise the risk of soil erosion and reduce runoff rates in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.*

14. Maintenance of grass filter strips and interception swales shall be undertaken throughout the lifetime of development.

*Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.*

15. Any control equipment located within 'low' and 'medium' areas of surface flood risk shall be raised a minimum of 300mm above ground level.

*Reason: To provide suitable protection from pluvial flooding in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.*

## Highways

16. Development shall not commence until a Construction Method Statement and Construction Traffic Management Plan, together with supporting plans have been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, include details of but not exclusive to:

- a. site contact details - name, telephone number etc.;
- b. details of temporary traffic management measures, temporary access, routes and vehicles;
- c. vehicle cleaning facilities;
- d. the parking of vehicles of site operatives and visitors;
- e. the loading and unloading of plant and materials;
- f. storage of plant and materials used in constructing the development;
- g. measures to control the emission of dust during construction; and
- h. details of methods and means of noise reduction, or controlling noise impacts during construction;

*Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.*

17. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

*Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.*

## Noise

18. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday 0800 to 1800, and Saturday 0800 to 1300.

*Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan*

19. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a rating level of 35 dB LAeq,15 minute at the nearest sound-sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

*Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.*

### **Construction hours**

20. Deliveries to and collections from the construction and/or decommissioning phase of the development shall only be permitted between the hours:

- a. Monday to Friday - 08:00 to 18:00
- b. Saturday - 08:00 to 13:00

No deliveries or collections shall take place on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

*Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.*

Informatives:-

**Date of Report:**

**Authorised by:**

**Date:**

**Background Papers:** Planning application file(s) 22/01082/RENE