

PPG: P19-2022

20th June 2024

FAO: Mrs Alison Bell,
The Planning Inspectorate,
Temple Quay House,
2 The Square,
Bristol,
BS1 6PN

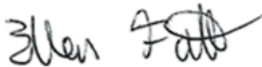
RE: APP/Y2430/W/24/3340258 – Fields OS 6700 6722 And 5200, Muston Lane, Easthorpe.

Dear Alison,

Following the close of the consultation on amendments including allowing additional time for any further late comments, please find enclosed a copy of the consultation responses received to date for the Inspector's, Local Planning Authority and Rule 6 Party's attention.

With regard to Mr Whitby's comments, we can advise all material was available on our consultation website (<https://www.belvoirsolarfarm.com/>) from 7th March 2024 and understand these were also made available on Melton Borough Council's website (Application Reference: 22/OO537/FUL) from 1st April 2024.

Kind regards,



Ellen Fortt
Principal Planner MRTPI

33 Sheep Street, Cirencester, Gloucestershire, GL7 1RQ
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From: Brinning, Owen R. <[REDACTED]> **On Behalf Of** NGED, Info
Sent: Friday, March 8, 2024 10:57 AM
To: Lianne Bowyer <[REDACTED]>
Subject: RE: Appeal APP/Y2430/W/24/3340258 - Fields OS 6700 6722 And 5200 Muston Lane Easthorpe - Holborn Consultation

Good morning,

That site is not in our distribution area I'm afraid, you would need to send this to Scottish and Southern Electricity Networks.

Kind regards

Owen Brinning

Social Media Advisor
Network Services (South Wales) / Contact Centre
nationalgrid

[REDACTED]

[REDACTED]

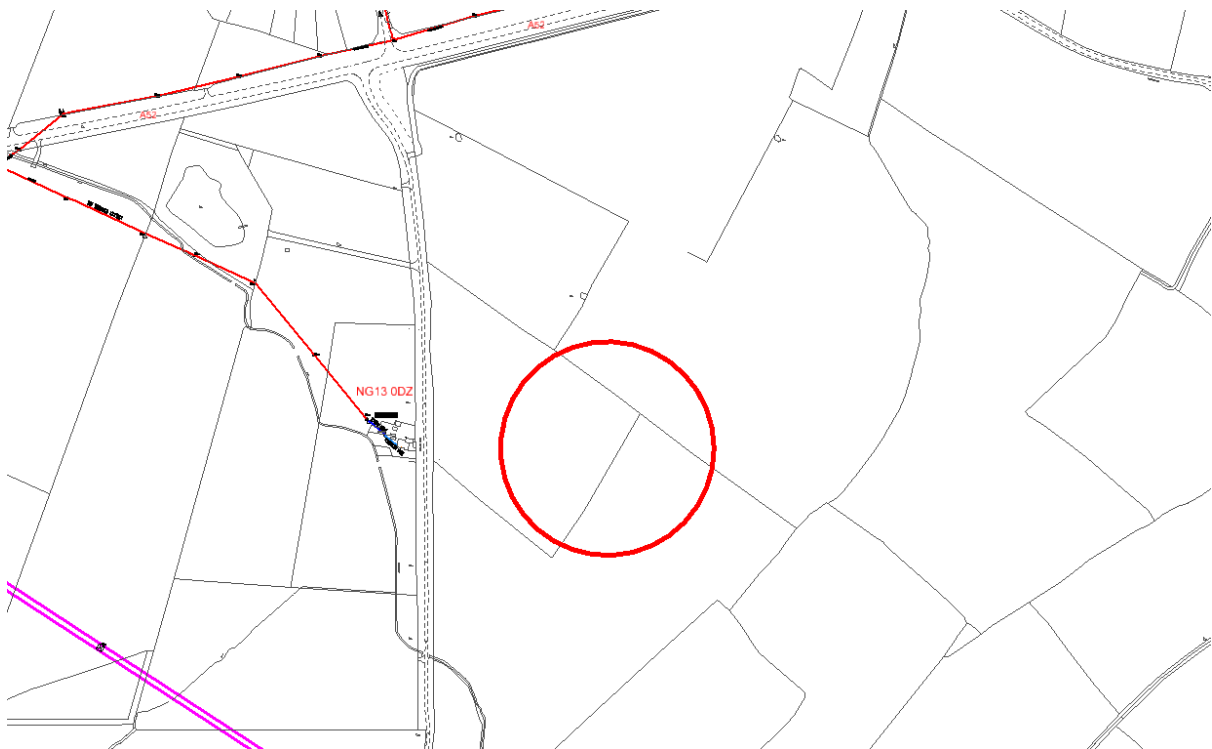
[nationalgrid.co.uk](https://www.nationalgrid.co.uk)

If necessary, please respond to [REDACTED] as my email is not monitored 24/7.

From: Jordan, Luke E. <[REDACTED]>
Sent: Monday, March 18, 2024 8:25 AM
To: Lianne Bowyer <[REDACTED]>
Cc: Ellen Fortt <[REDACTED]>; Glover, Lisa J. <[REDACTED]>
Subject: RE: Appeal APP/Y2430/W/24/3340258 - Fields OS 6700 6722 And 5200 Muston Lane Easthorpe - Holborn Consultation

Hi Lianne,

I have been passed forward your email regards a consultation. Can you confirm that the fields you reference are in/around the circle below please? If so could you please let me know what the request is specifically regarding and I will help out.



Luke Jordan

Technician
Network Services (East Midlands) / Distribution - South Lincs
[nationalgrid](https://www.nationalgrid.com)

+44 [REDACTED]
+44 [REDACTED]

Manager - Mark Baxter [REDACTED]
Team Support - Lisa Glover [REDACTED]

[REDACTED]
[nationalgrid.co.uk](https://www.nationalgrid.co.uk)

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[REDACTED]
[REDACTED]

Registered Office: [REDACTED]

For the other registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

From: Steve Whitby <[REDACTED]>
Sent: Thursday, March 28, 2024 10:28 AM
To: Belvoir Solar Farm <belvoirsolarfarm@pegasusgroup.co.uk>
Subject: Fwd: 22/00537/FUL Belvoir solar farm appeal consultation process

> Good morning,

>

> Your ref: EF/P19-2022

>

> Following your letter of the 7th March giving until the 1st of April to submit comments I write to advise there remains no information on the Melton Borough Council planning portal so Muston residents have no idea of any changes you may have made to your proposals and we have no idea on what grounds you are making your appeal. It is therefore impossible at the present time for anyone to comment without this information by the deadline you have set. I would ask therefore that at least a further month consultation period be granted from the date the council upload your details onto the planning portal.

>

> Steve Whitby

> Muston resident

>

> Sent from my iPad

From: Toby Ebbs <[REDACTED]>

Sent: Thursday, March 28, 2024 10:22 AM

To: Lianne Bowyer <[REDACTED]>; Belvoir Solar Farm
<belvoirsolarfarm@pegasusgroup.co.uk>

Subject: RE: Appeal APP/Y2430/W/24/3340258 - Fields OS 6700 6722 And 5200 Muston Lane
Easthorpe - Holborn Consultation

Please find my consultation response attached for the above.

Regards

Toby Ebbs

MBC Conservation Officer

Melton Borough Council

Belvoir Solar Farm 22/0537/FUL

Planning Appeal / Public Inquiry

MBC Conservation Officer response to proposed changes of the refused scheme:

Belvoir Solar Farm JBM Solar

Revised Documents for public consultation:

Amended Scheme Site Layout & Landscape Strategy (P19-2022_24 Revision C

Site Location Plan (P19-2022_03 Rev F

Indicative Landscape Sections (P19-2022_25 Revision B

Photomontages (P19-2022_23 Revision A

Relevant Policies:

NPPF Para 195: *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*

NPPF Para 205: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*

NPPF Para 208: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

NPPF Para 212: *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably*

MBC Conservation Officer Consultation Response in anticipation of upcoming public inquiry

MBC Conservation has scrutinised the revised changes to the application by JBM Solar. A helpful summary of the changes is provided [here](#) by the applicant and each modification has been considered in detail. It is noted the principle changes to mitigate the impact on heritage are limited to the inclusion of additional hedgerows; there is only one reduction in the quantum of solar panels, this is stated as 'Amendment 4' in document P19-2022 | EF/PB | March 2024 in which: *the extent of solar panels has been reduced (by just over 2.2 hectares) in Field 13 on the Amended Scheme Plan to retain the view towards Belvoir Castle..'*

The cumulative impact of the proposed changes are not considered to change the views of MBC Conservation with regards to the impact on the relevant heritage assets affected. These are identified as follows, with the level of harm stated for each asset:

Belvoir Castle (Grade I)

The setting of Belvoir Castle when viewed from the various public rights of way in the Vale of Belvoir, defined by the triangle of publicly accessible routes between Muston, Easthorpe and Muston Gorse Farm: Less than substantial harm in accordance with Para 208 NPPF: middle to higher end

Belvoir Castle Park and Garden (Grade II*)

The setting of Belvoir Castle Park and Gardens, at the higher parts of the site (as the lower parts are not visible) when viewed from the various public rights of way in the Vale of Belvoir, Less than substantial harm in accordance with Para 208 NPPF: middle to higher end

Church of St Mary, Bottesford (Grade I)

The setting of the Church spire and its relationship to Belvoir Castle, when viewed from the various public rights of way in the Vale of Belvoir that are in close proximity to the solar farm: less than substantial harm in accordance with Para 208 NPPF: moderate end

Bottesford, Easthorpe and Muston Conservation Areas

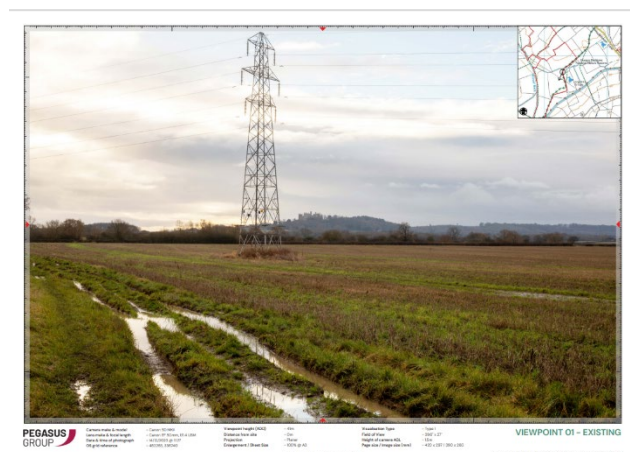
There are no tangible views between the conservation areas and the application site, but intangible views must be considered, include the impact on the 'kinetic' setting of the conservation areas as one would enter or depart from the villages after having passed by the solar farm: less than substantial harm in accordance with Para 208 NPPF: moderate end

Other Heritage Assets Affected

Muston Moated Grange (SAM), Church of St John Muston (GII*), Medieval Earthworks Easthorpe (SAM), Harlaxton Manor (GI), Belvoir (CA): Negligible level of harm

As such it is considered that the revised changes, which includes additional hedgerows and the reduction in the quantum of solar panels, has resulted in the above assessment of impact on designated and non-designated heritage assets. The most significant impact is considered to be on the setting of Belvoir Castle when viewed from the Vale of Belvoir, along the public rights of way between Muston, Easthorpe and Muston Grove Farm.

An example of the views, in close proximity to the Muston Meadows Nature Reserve, that will be screened by additional hedge and tree planting are provided below, with the provision of Viewpoint 1 (existing), followed by Year 1 and Year 15:





As demonstrated above, the photomontages show that where views of the solar farm will be in the direct sight of Belvoir Castle on top of the escarpment in Year 1, by Year 15 these will be wholly concealed by the mature tree / hedge planting. Notwithstanding this, MBC Conservation does not identify this as sufficient mitigation. Indeed, it will lead to the complete erosion of the open views from the Vale of Belvoir towards Belvoir Castle. It will also distort the significance of the Vale of Belvoir which is noted for its open aspect of arable farming fields – and not for enclosed boundaries of tall hedge / tree planting.

The relationship between Belvoir Castle and the Vale of Belvoir is of paramount importance to the Melton Borough; Belvoir Castle is by far the most historically significant asset within the Borough. Benjamin Disraeli, twice Prime Minister in the 19th century, wrote the novel 'Coningsby' (1844) in which the fictional country house 'Beaumanoir' was based on Belvoir Castle. Disraeli wrote of Beaumanoir:

'..placed on a noble elevation, yet screened from the northern blast, its sumptuous front, connected with its far spreading wings, was the boast and pride of the Midland Counties. The surrounding gardens, equalling in extent the size of ordinary parks, was crowded with temples. Beyond the limits of this pleasance the hart and hind wandered in a wilderness abounding in ferny coverts and green and stately trees..'

It is considered that the above-described parkland setting and its relationship to the wider countryside beyond will be irreversibly harmed by the inclusion of a solar farm; the site forms direct tangible views from the public rights of way and screening these with tall hedges / trees is not considered to be of any public benefit. If a permission is granted for the solar farm then it may serve as a precedent for additional solar farm development in close proximity, which would further encroach on the setting of the Castle, the Parkland and the wider countryside beyond.

Consideration of current planning policy, public benefits and recent appeal decisions

Notwithstanding the above objection, it must be acknowledged that there are considerable public benefits to the proposal through the provision of green energy – it is stated the solar farm would be able to provide power for up to 19,000 homes. Planning policy relating to the provision of green energy and its potential public benefits that may overcome the harm to heritage assets, in accordance with Para 208 of the NPPF, are changing rapidly.

The landmark 2023 decision to grant permission for 400 Solar PV panels on the roof of the Grade I listed Kings College Chapel, Cambridge University, has changed the landscape for the consideration of harm to the character or setting of heritage assets vs public benefits. Historic England objected to the proposal but did not call in the decision of the council to approve.

There has also been recent amendments to the NPPF (Dec 23) and the 2015 GPDO regarding the use of PV Panels in Conservation Areas (CA), where it is now becoming possible to mount PV on roadside facing roof planes within a CA, if it is not found to be ‘practicable’ to install the roof on any other roof planes.

The term ‘practicable’ is open to interpretation – indeed on the 3rd January 2024 the Secretary of State published: *Adapting historic homes for energy efficiency: a review of the barriers*, in which it found the decision making process between Local Planning Authorities (LPA) is inconsistent and there are significant discrepancies in the decision making process from one local authority to another.

However, the changes made by central government, which has led to a relaxation and confusion around the installation of PV Panels in the historic environment, relates directly to rooftop and wall mounted solar – government policy now places an increased emphasis on ensuring that renewable energy **is located at the point of consumption (ie rooftops)**

Thus, recent changes to government policy do not relate to the industrial scale provision of green energy on a large scale, at the expense of heritage assets. This is reflected by the following applications for solar farms that impacted on the setting of heritage assets and were dismissed at appeal:

November 2022 Appeal Ref: APP/M1005/W/22/3299953 Land north west of Hall Farm, Church Street, Alfreton DE55 7AH

The Inspector found that the panels “would present as a starkly industrial mass of metal” given their prominent location, visible from as far away as 4-5 kilometres. The development would have a significant effect on landscape character and would be significantly out of scale with the landscape and attractive valley landform. While new 3 metre hedging would, in time, screen the development from footpaths through the site, that itself would be an adverse impact – in “stark contrast” to the prevailing situation. The Inspector found that there would be harm to the settings of a listed church and manor house and that the heritage significance of Alfreton Park would be seriously

compromised. He also found a degree of harm to the more distant, but Grade I listed, Wingfield Manor given the visibility of the site from the west

May 2021 APP/K2420/W/21/3266505 Hangmans Hall Farm, Twenty Acre Lane, Sutton Cheney, Nuneaton

In this case, the Inspector found that: “Taken together, I do not find that these public benefits outweigh the less than substantial harm to the significance of the designated heritage asset through changes to its setting”.

July 2020 APP/D1265/W/19/3241953 to Land at Higher Farm, Fifehead Magdalen, Dorset

The Inspector comments in the final paragraphs of the Decision Notice that: “I find that the benefits of the proposal, including the production of energy from a renewable resource and the wider environmental benefits, are insufficient to outweigh the totality of the harmful impacts to the character and appearance of the area and to the significance of various designated and non-designated heritage assets.

Feb 2017 APP/J1860/W/16/3142020 Land at Woodhall Farm, Wichenford, Worcestershire

the Inspector concludes as follows: “According to the Framework where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use. Although the production of a substantial amount of electricity and the limited life of the development would constitute public benefits I do not consider these outweigh the harm I have identified to the heritage assets”.

Conclusion

MBC Conservation is not in a position to sufficiently quantify the level of public benefits that may outweigh the harm identified by the proposed Belvoir Solar Farm, following the submitted amendments that are captured in the applicant’s document: P19-2022 | EF/PB | March 2024 .

However, the harm to the relevant heritage assets has been identified above. A conclusion is reached that the approval of this application, if overturned by Public Inquiry, would irreversibly harm the open green nature of the Vale of Belvoir, which makes such an important contribution to the setting of the Grade I listed Belvoir Castle. Once a precedent is set – that it is considered acceptable to screen a solar farm with tall hedge planting – it could easily lead to further piecemeal erosion of the open nature of the Vale of Belvoir.

The words of the Planning Inspector in the recent 2022 appeal: APP/M1005/W/22/3299953 are considered most pertinent to this application, when stating: *while new 3 metre hedging would, in time, screen the development from footpaths through the site, that itself would be an adverse impact – in “stark contrast” to the prevailing situation.*

From: ExternalDevelopmentControl <[REDACTED]>
Sent: 11 Apr 2024 12:27:30
To: [REDACTED]
Cc:
Subject: [R] FW: 22/00537/FUL Consultee Response
Attachments:

From: SM-NE-Consultations (NE) [REDACTED]
Sent: Tuesday, April 2, 2024 11:28 AM
To: ExternalDevelopmentControl [REDACTED]
Subject: 22/00537/FUL Consultee Response

Dear Sir or Madam,

Our ref: 470120
Your ref: 22/00537/FUL

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our response dated 30 May 2022, our reference number 392576.

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Julian Clarke
Consultations
Natural England
Hornbeam House, Electra Way
Crewe Business Park
Crewe, Cheshire CW1 6GJ

[REDACTED]



www.gov.uk/natural-england

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From: Phil Jordan <[REDACTED]>
Sent: Thursday, April 25, 2024 3:15 PM
To: Lianne Bowyer [REDACTED]
Subject: Consultation on amendments to the proposed development (Full Planning Application for the Construction of a Solar Farm together with all Associated Work, Equipment and Necessary Infrastructure)

Dear Lianne,

South Kesteven District Council note the amendments to the above scheme. Further to our comments made on the initial application, it is noted that the Canals and Rivers Trust did not raise any objection to the version of the scheme that was refused planning permission and that impacts on the canal did not form a reason for refusal.

South Kesteven District Council therefore have no further comments to make.

Phil Jordan MRTPI
Development Management & Enforcement Manager

South Kesteven District Council
Council Offices
The Picture House,
St Catherine's Road,
Grantham NG31 6TT



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