

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 June 2023

Item: 2

Application No.:	22/02095/FULL
Location:	Horizon Honey Lane Hurley Maidenhead SL6 6RJ
Proposal:	Design and construction of a rooftop and ground mounted Solar Photovoltaic System and associated accessories, including associated ancillary infrastructure.
Applicant:	Mr Stanton
Agent:	Szygy Renewables
Parish/Ward:	Hurley Parish/Hurley And Walthams

If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk

1. SUMMARY

- 1.1 This application is for solar panels on the roof of the existing office building and on two separate undeveloped pieces of land/fields to the east and west of the office building. The solar panels are sought in order to make the existing building carbon zero.
- 1.2 The proposed solar panels on the two fields are considered to be inappropriate development in the Green Belt, which would cause harm to the openness of the Green Belt. They would also be visually intrusive in the landscape and be harmful to the character and appearance of the rural area.
- 1.3 The applicant has not submitted site specific ecology information to demonstrate there would be no harm to protected species and have not demonstrated that there would be a biodiversity net gain. The applicant has not submitted sufficient information to show that the proposed development would not give rise to additional surface water run-off.
- 1.4 The applicant has not submitted details concerning surface water drainage.
- 1.5 There is not considered to be a case of very special circumstances (VSC) to overcome the harm to the Green Belt through inappropriateness and the any other harm.

It is recommended the Committee refuse planning permission for the reasons given in Section 11 of this report:

1)The development represents inappropriate development in the Green Belt. It would result in a visual and spatial impact on the openness of the Green Belt. There is not a case of very special circumstances which clearly outweighs the harm to the Green Belt and the other harm identified in reasons for refusal 2 and 3.

2)The applicant has not submitted a site-specific ecology appraisal and has not demonstrated bio-diversity net gain on the site.

3)The applicant has not submitted information regarding surface water drainage.

2. REASON FOR PANEL DETERMINATION

Head of Planning delegated powers to determine the application as it is a major application. The decision can only be made by the Committee as the site area exceeds the 1 hectare set out in the constitution.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies to the north of Henley Road and to the east of Honey Lane. The site is within the Green Belt.
- 3.2 The existing office building is three storeys and has a flat roof. There are two separate pieces of land on which the solar panels are proposed. One is open land to the northwest of the building on a sloping corner plot adjacent to Honey Lane and Henley Road. The other piece of land is to the east of the main office building on a sloping field adjacent to the public footpath. On the planning application form the site area (outlined in red) is given as 11956 sq metres (1.1956 hectares).

4. KEY CONSTRAINTS

- 4.1 The site lies in the Green Belt.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for solar panels on the roof of the three-storey office building and on two parcels of land to the northwest and east of the main building.
- 5.2 The applicant's Design and Access Statement advises that the planning application is for the proposed combined system of 1,325 kWp Solar PV installation at Horizon Hurley, Honey Lane.
It is understood that the proposed solar generation is expected to offset approximately 100% of the electricity usage for this site. The proposed installation of the units combined solar system is expected to have 2,512 panels (905 @ 400Wp, 1,607 @ 600Wp), deployable to a system size of 1,325kWp.
- 5.3 The main building has a flat roof where the Solar PV panels will be mounted up at 10-degree pitch, facing East/West. The D&A statement advises that the solar panels on the building will protrude a height of 70mm approx. from the roofs – this includes the height of the panel and the mounting clamp. However, the note on the submitted drawing 1040-SYZ-EL-01 V1 states that the solar panels will be hidden by the parapet wall around the edge of the roof.
- 5.4 The ground-mount solar in each field will be mounted at a 25-degree pitch to the South. The ground mounted panels would be arranged to face directly south and would extend to a maximum height of 2,692mm (this includes the height of the panel and mounting). Within the east field there would be 9 rows of solar panels and within the west field there would be 6 rows, stretching across almost the entire width of the fields. The panels are designed to absorb sunlight to maximise electricity generation and have anti-reflective coating to minimise any glint and glare from the panels.
- 5.5 The D&A also advises that the system inverters will likely be located inside the building in the plant room, or if this location is not viable, at ground level. During installation, a temporary compound will be in place including storage and personnel welfare. This will be located within the site boundary, although its exact location has yet to be established by the construction contractors and the site management team.

- 5.6 The construction period of the proposed development is anticipated to last for approximately 3 months. Please see below for an outlined description of each stage of works: Site Set-up – 1-2 weeks Construction – 10-12 weeks Commissioning / Site Clean-up – 1-2 weeks.

History

- 5.7 There are no recent relevant planning applications for this site which relate to provision of solar panels.

6. DEVELOPMENT PLAN

Borough Local Plan: Adopted Feb 2022

Issue	Local Plan Policy
Green Belt	SP1, QP5
Character and Appearance	QP1, QP3
Trees and Ecology	NR2, NR3
Environmental Protection	EP1, EP3, EP4
Managing flood risk	NR1
Energy generation	NR5

Hurley and the Walthams Adopted Windsor Neighbourhood Plan – Policy Env 1

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving Sustainable Development
 Section 4 – Decision-making
 Section 6 – Building a Strong, Competitive Economy
 Section 9 – Promoting Sustainable Transport
 Section 12 – Achieving Well-Designed Places
 Section 13 – Protecting Green Belt
 Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Section 15 – Conserving and Enhancing the Natural Environment

Other Local Strategies or Publications

- 7.1 Other Strategies or publications material to the proposal are:
- RBWM Landscape Character Assessment
 - RBWM Parking Strategy

8. CONSULTATIONS CARRIED OUT

- 8.1 A total of 14 properties were directly notified. 7 letters of objection have been received. These are summarised in the table below;

- 8.2 A site notice was posted near the site entrance on 17th October 2022 and the application was advertised in the Maidenhead Advertiser on 20th October 2022.

Comments	Where considered in the report
Adverse visual impact on landscape. Solar panels will have an industrial appearance and damage natural beauty and rural character of Hurley. The building itself already looks out of place.	Paragraphs 9.7-9.15
Roof of building provides sufficient space for solar panels and there is plenty of land closer to the building to site solar panels. Scope and proportionality of development exceeds the need for this single commercial building. Since 2020 decline in people using the building. Development is not justified. 2000 solar panels provides no added benefit to the local community.	Noted.
Misuse of meadow land – negative impact on wildlife and biodiversity. Rural fields in the Green Belt should not be used for the proposed development.	See paragraphs 9.2-9.15
Direct adverse and negative impact on 13 nearby houses. Concerns about noise (through rain falling on panels, operation of cooling fans/air conditioning units required to maintain inverter operation), visual impact, reflection of light from glass panels, adverse impact on health of local residents , pollution (battery chemicals).	See paragraphs 9.16-9.20
Objection to solar panels which will be at a higher level than roof tops of Toll Gate Cottages. Residents will be looking at underside of solar panels and the solar panels.	See paragraphs 9.16-9.20
Area is prone to flooding with water runoff onto lower ground. Heavy rain already causes flash flooding. New hardstanding will hinder infiltration and exacerbate drainage issues. Field west of Horizon used a soakaway for rainwater from Horizon building and associated carparks.	See paragraphs 9.35-9.37
Concerns about increased surface water run off from field east of Horizon, towards Toll Gate Cottages.	See paragraphs 9.35-9.37
The Green Belt area to the rear of Toll Gate Cottages is highly visible from the public foot path	See paragraph 9.10

Consultee	Comment	Where in the report this is considered and officer comment.
Parish Council	<p>Hurley Parish Council is sympathetic with the concept of renewable energy / panels and does not object to the proposals for those on the buildings or the eastern field.</p> <p>However, Parish Councillors do object to the proposed use for the western field on the grounds that it is highly visible, would be an industrial appearance and harmful appearance and openness of the Green Belt, it could adversely impact its current use as water run-off from the hill as highlighted by</p>	See main report paragraphs Paragraphs 9.2-9.42

	the objectors, and its proximity to residential properties. The western field is highly visible to villagers, walkers, road users, other visitors and this proposal would therefore be harmful to their enjoyment. This element should be rejected.	
Highways	No objection raised. Need further details about glare	See paragraphs 9.21-9.23
Lead Local Flood Authority	Further information required	See paragraphs 9.35-9.37
Ecology	Lack of survey work. The applicant has not demonstrated bio diversity net gain	See paragraphs 9.24-9.34
NatureSpace	No comments to make (re. GCN)	Noted
Environmental Protection Team	The applicant has submitted a noise report. Having reviewed the information the Environmental Protection Team has advised they have no comments to make.	Noted

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Impact on openness and other purposes of the Green Belt.
- iii Character, appearance and impact on rural area
- iv Neighbouring Amenity
- v Highways and parking
- vi Ecology
- vii Drainage
- viii Other considerations (EIA)
- ix Planning balance and conclusion

i Green Belt

9.2 The entire site lies within the Metropolitan Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 149 and 150 of the NPPF (2021) states that new buildings and certain other forms of development in the Green Belt would be regarded as inappropriate development with some exceptions. The Borough Local Plan policy QP5 also sets out appropriate development in the Green Belt.

9.3 The proposed PV panels on the roof of the existing building, would be considered as an alteration/extension of the building that would not result in a disproportionate addition to the original building, and as such this element of the proposal would be an

exception to inappropriate development in the Green Belt in line with paragraph 149 of the NPPF and policy QP5 of the Adopted Local Plan. With regard to the PV panels proposed on the two fields, there is not a specific exception for this type of proposed development within Paras 149 and 150 of the NPPF (2021) nor within Policy QP5 of the Local Plan. These elements of the proposal are therefore deemed to be inappropriate development and would be, by definition, harmful to the Green Belt. The NPPF is clear that any harm to the Green Belt is given substantial weight.

- 9.4 Paragraph 151 of the NPPF (2021) goes on to say: *'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources'*.

ii Impact on openness and other purposes of the Green Belt

- 9.5 In terms of openness, the judgement of *Europa Oil & Gas Ltd v Secretary of State for Communities and Local Government* (2014) confirms that the mere presence of development where there is currently no development should not be taken as a breach of the proviso of preserving openness. A broader interpretation of the preservation of openness should therefore be applied.
- 9.6 Further to the harm by inappropriateness, in particular the solar panels within the two fields and associated ancillary equipment would have a visual and spatial impact on the openness of the Green Belt. Given the scale, siting and extent of the proposed development on these fields the impact upon the openness of the Green Belt would be significant. In addition, the solar panels in the field to the east would be highly visible from the public right of way next to this site. When considering the five purposes of the Green Belt, it is considered the development of the two pieces of land (which are currently undeveloped) would result in encroachment into the countryside.

iii Impact on the character, appearance or the rural area

- 9.7 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Local Plan Policy QP1 and QP3, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.
- 9.8 Whilst the addition of solar panels to the roof of the building may not be considered to have such a significant impact on the character and appearance of this rural locality, there is significant concern about the impact of the provision of solar panels on the two areas of open fields.
- 9.9 The open field/piece of land to the west is sloping ground which is readily visible from the Henley Road and Honey Lane as there is no meaningful intervening screening. This site commands a very prominent position on the approach roads to Hurley Village. The proposed rows of solar panels would be very dominant and obtrusive in the street scene (Henley Road and Honey Lane) and as such they would have a harmful impact on the character and appearance of the site and the surrounding area.
- 9.10 The proposed rows of solar panels on the undeveloped piece of land to the east of the main building, would also be very dominant and obtrusive in the landscape. There is a public footpath to the east of the site from which the proposed solar panels would be

readily visible. The footpath ascends markedly in elevation towards the south and from the high ground there would be very clear, uninterrupted views of the rows solar panels within the undeveloped, natural rural landscape. The solar panels would be very intrusive in the natural landscape.

9.11 Adopted Borough Local Plan policy QP3 requires new development to contribute towards achieving sustainable high quality design in the Borough. A development proposal will be considered high quality design and acceptable where amongst other things it achieves the following design principles:

b. Respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials;

e. Respects and retains existing high quality townscapes and landscapes and helps create attractive new townscapes and landscapes;

9.12 It is considered that the proposed solar panels would not respect or enhance the natural character of the environment or the landscape.

9.13 The application site is identified in the RBWM Landscape Appraisal as 13a Bisham and Hurley and its landscape type is described as 'Settled Farmed Floodplain'

The Key Characteristics (in addition to landscape type)

- Floodplain contained by steep wooded valleysides of the Chiltern Outliers
- Historic hamlets with linear settlement patterns
- Traditional flint and stone villages and monastic foundations of great historic worth
- Network of minor roadways and footpaths
- Long distance views from the floodplain are contained and channelled by the steep escarpments, with views of the historic houses and manors perched on the chalk scarp and plateau above
- Commercial equestrian activities

9.14 Under the heading 'Description' it states at 3.13.30:
'The historic landscape of the Bisham and Hurley area has a rural and relatively peaceful character.'

9.15 The proposed solar panels would represent an uncharacteristic intrusion into the attractive rural of open fields and grassland.

iv Impact on the amenity of neighbouring properties

9.16 Paragraph 130 (f) of the NPPF (2021) and Policy QP3 of the Local Plan states that development works should not cause an unacceptable impact on the amenities of the immediate neighbouring properties.

9.17 Houses to the east of the western field would have clear and direct views of the proposed rows of solar panels from their first-floor rear elevations. However, the loss or change to a view would not itself be a reason for refusal. Furthermore, at a distance of approximately 35 metres it is considered that it would be difficult to argue that the proposed solar panels would adversely affect outlook on the nearby houses to the east.

- 9.18 The row of houses 1-4 Toll Gate Cottages are set at a much lower level than the land in the eastern field where solar panels are proposed. Between these houses and the eastern field is a steep grass bank and a group of trees on the edge of the field. The ground level of the field increases from north to south and at the lowest part the ground is estimated to be at the height of the first-floor windows.
- 9.19 During the summer months it is considered that it may be difficult to see the solar panels from first floor windows in the rear elevation. However, during the winter months when leaves on the trees are sparse it is likely that the solar panels would be visible to some extent from the rear of numbers 1-4 Toll Gate Cottages. Nevertheless, the nearest solar panels would be in the order of 49 metres from the rear elevation of these houses. At this distance, it is considered that it would be difficult to maintain the argument that outlook from the rear of 1-4 Toll Gate Cottages would be adversely affected.
- 9.20 It is considered that the solar panels on the roof of the building would not result in any direct loss of outlook to any neighbouring property. The Environment Protection Team has not raised concerns about noise nuisance from the solar panels.

v Highways and parking

- 9.21 The Highway Officer has raised no concerns about the principle of the scheme however has asked for confirmation regarding the amount of glare from solar panels on the western plot of land to users of the highway. It is noted that the D&A states that the solar panels will be coated in an anti-glare finish.
- 9.22 The applicant's agent has advised that they have not commissioned a glint and glare assessment because they have not always found that one is necessary. The agent comments that Photovoltaic (PV) panels are designed, by their very nature, to maximize absorption of sunlight with a dark, light absorbing material specifically selected to minimize reflection. Panels are also coated with an anti-reflective material which has the dual effect of not only making the panel more efficient in converting sunlight to electricity, but also reduces the reflectivity of the panels themselves to around 2%. The agent adds that this is comparable to water, at around 2% reflectivity also, and much lower than other surfaces such as bare soil (30% reflected) and vegetation (50%). The nearest solar panels would be within 40 metres of the Henley Road and 17 metres of Honey Lane.
- 9.23 It is considered it may be difficult to maintain an argument that the proposed solar panels would cause difficulties or danger to users of the highway.

vi Ecology

- 9.24 The site is located in a rural area and surrounded by arable fields, lines of hedges and woodland/scrubby areas. There are trees on and surrounding the parcel of land to the east of main building. There is a risk that the proposals may impact upon protected species and an ecological appraisal (comprising an extended Phase 1 Habitat and Species Scoping Survey, and any phase 2 surveys) should have been submitted prior to the determination of the application.

Survey requirements

- 9.25 Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and

Environmental Management and / or are licensed or accredited by Natural England to survey protected species.

Extended phase 1 habitat & protected species scoping survey

- 9.26 An Extended Phase 1 Habitat Survey is a standardised technique for environmental audit and involves classifying and if required mapping habitats on and adjacent to the application site. The survey is then 'extended' and any features or habitats that are likely to be of importance for notable or protected species, and or prove to be a constraint to development are investigated further and described.

Phase 2 ecology surveys

- 9.27 If the surveys show that the site contains habitats suitable for protected species further surveys for species such as reptiles may need to be carried out.

Bat survey

- 9.28 With regard to the PV panels proposed on the roof of the building, a survey to identify if bats (a protected species) are present should have been undertaken. A presence / absence bat survey is normally undertaken in two stages, firstly a preliminary roost assessment (or bat roost potential survey), whereby the inside and outside (from ground level) of the building and any trees to be removed is thoroughly searched for bats and signs of bats, this survey can be undertaken at any time of year. If no signs of bats and few features such as cracks and crevices in which bats could roost are found and the building and/or trees have negligible potential to host roosting bats then further surveys will not be required. However, if bats are found or the buildings and/or trees have features suitable for use by roosting bats, further emergence and or dawn surveys during the bat active season (i.e. between May and the end of August/ sub optimally until mid-October) may need to be carried out to confirm the presence or absence of bats and, if bats are present, to characterise the roost and establish mitigation requirements.

Planning policy

- 9.29 Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document has not been revoked by the National Planning Policy Framework) states that:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted'

- 9.30 In this case, since the extent to which protected species will be affected by the proposals has not been established, and there appear to be no 'exceptional circumstances', the application would not be in accordance with the above planning policy.

Biodiversity Net Gain

- 9.31 Policy NR2 of the Borough Local Plan (Biodiversity) reads:
'Development proposals will be expected to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance. Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green

corridors, stepping stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric'.

- 9.32 The applicant should submit a net gain calculation, using the DEFRA 3.1 metric to demonstrate how a net gain in biodiversity units will be achieved. At present it has not been demonstrated that there will be a 'net gain in biodiversity' and as such that the proposals comply with policy NR2 of the Adopted Local Plan.
- 9.33 To summarise the ecology considerations. The application site may contain habitats that are suitable for use by protected species, and surveys to confirm their presence or absence would need to be undertaken. A net gain calculation, using the latest DEFRA metric to demonstrate how a net gain in biodiversity units will be achieved should have been provided.
- 9.34 At the time of writing the report, the applicants have not yet submitted a site-specific ecological appraisal or demonstrated bio-diversity net gain. The absence of an ecological appraisal, and failure to demonstrate net biodiversity gain can be achieved would give rise to reasons for refusal.

vii Drainage

- 9.35 In line with Paragraphs 167 and 169 of the NPPF and Borough Local Plan NR1 there is a requirement for the provision of a sustainable drainage system as the site is over 1 hectare in area. The Lead Local Flood Authority (LLFA) has commented on this application. The proposed development seeks to introduce impermeable surfaces within current greenfield land to the west and the east of the Horizon building. It has not been demonstrated that this increase in impermeable surface will not increase surface water discharge and volumes from the site, with potential detrimental consequences for lower lying areas.
- 9.36 The applicant is required to show what mitigation measures are proposed to offset any increase in flood risk. The proposed PV systems to be erected on the roof will not lead to an increase in hardstanding and therefore it is not considered that they will have any detrimental impact on the areas flood risk.
- 9.37 It is understood that the applicant may be submitting additional information to address the LLFA concerns. However, at the time of writing this report, no drainage details have been submitted.
The absence of a satisfactory drainage scheme would constitute a reason for refusal.

viii Other considerations (EIA)

- 9.38 The proposed development is not considered to require an Environmental Impact Assessment (EIA). Under the EIA regulations proposed solar panels are not classed as 'Schedule 1' development, for which all proposals will require an EIA. As such, a criteria based approach is used to determine if 'Schedule 2' development requires EIA. In Schedule 2, Part 3 (a), the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, defines what is classified as Schedule 2 development in relation to the proposed form of development. Column 1 - Description of development: '(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);' Column 2 - Applicable thresholds and criteria: 'The area of the development exceeds 0.5 hectare.'

9.39 The thresholds are meant to be indicative for the purposes of assessing whether an EIA is required and are not definitive. In this particular case given the overall area of the site as outlined in red (1.1956 ha) and given the nature of the proposal it is not considered that the development requires the submission of a separate EIA Statement. Indeed, the proposal can be adequately assessed via a planning application.

ix Planning balance and conclusion

9.40 It is considered that the proposal would represent inappropriate development in the Green Belt, the harm to which is afforded substantial weight. In addition, the proposal is considered to result in significant harm to the openness of the Green Belt, and would result in encroachment into the countryside, which conflicts with one of the 5 purposes of the Green Belt. There is no satisfactory case of 'very special circumstances' which clearly outweighs the harm to the Green Belt, and the other harm identified, which is the harm to the rural character of the area, potential harm to ecology and potential issues with additional surface water runoff, and the failure to demonstrate that biodiversity net gain can be provided.

9.41 The Council's Environment and Climate Change Strategy was approved by cabinet on 17th Dec 2020. This strategy sets out the Council's Vision and actions to achieve the borough's net-zero carbon emissions target by 2050 and the five year approach to working in partnership with local communities to tackle this challenge, which includes a target to increase renewable energy generation capacity within the borough to 130,670 MWh by Dec 2026. It is acknowledged that the proposed solar panels at this site (Horizon) would make the office building carbon zero and would constitute a decent increase in renewable energy generation within the borough and could be delivered prior to Dec 2026, given the importance of the climate emergency are recognised within Council policies this is afforded substantial weight in the Green Belt balancing exercise. However, substantial weight needs to be given to the harm to the Green Belt through inappropriateness, adverse effect in terms of the visual and spatial impact on the openness of the Green Belt and rural character of the area. Significant weight also needs to be given to the potential harm to ecology and biodiversity and surface water drainage implications.

9.42 In this case, based upon the information contained within the application the benefits associated with increased renewable energy generation is not considered to outweighs the harm to the Green Belt and other harms.

10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Plans and Elevations

11. REASONS for REFUSAL

1 Paragraph 148 of the NPPF (2021) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The proposed development is inappropriate development in the Green Belt which and is by definition harmful; this harm is afforded substantial weight. In addition, the proposed solar panels on the two areas of open land are considered to cause harm to the openness of the Green Belt (visual and spatial impact), and represent

encroachment into the countryside. There is not considered to be a case of Very Special Circumstances which clearly outweighs the harm to the Green Belt and the other harm arising (to character and appearance of the rural landscape and potential adverse impact on ecology and surface water drainage.) Therefore, the development is considered contrary to be Section 13 of the NPPF (2021) and Policy QP5 of the Local Plan (2022).

- 2 The proposed solar panels sited on the two open pieces of land would be visually intrusive, over dominant and out of character with the rural landscape. The development is contrary to policies NR5, EP1, QP3, QP5 of the Borough Local Plan and Hurley and Walthams Neighbourhood Plan policy Env 1.
- 3 In the absence of any site specific ecology report, survey work or details of mitigation measures it is not possible to conclude that there would not be a material adverse effect on protected species. Furthermore, the applicant has not demonstrated compliance with adopted Borough Local Plan policy NR2. This policy requires proposed developments to achieve a net gain in biodiversity (demonstrated through a net gain calculation using the DEFRA 3.1 Metric). If this shows that there will be a loss in Habitat or Linear Biodiversity Units and the scheme cannot be modified to ensure that it does not, then the applicant would need to identify a mechanism for delivering biodiversity net gain off site. Such information has not been submitted. The proposed development would be contrary to adopted Borough Local Plan policy NR2 and paragraph 180 of the NPPF.
- 4 The applicant has not submitted sufficient information to demonstrate that the proposed solar panel installations would not increase surface water run-off and would not give rise to significant surface water drainage issues. The proposal is contrary to adopted Borough Local Plan policy NR1 and paragraphs 167 and 169 of the NPPF.