



## **Position statement: PV Solar arrays**

**June 2016**

### **1. Context**

1.1 The UK Government's energy policy identifies the need to reduce carbon emissions by encouraging the development of a range of renewable sources of energy, including solar energy.

1.2 The Climate Change Act 2008 also commits the UK to an 80% reduction of greenhouse gases by 2050 and a 34% reduction by 2020 based on 1990 levels. To meet these statutory targets it is anticipated that more than 30% of the electricity generated in the UK should come from renewables. In 2014, renewables accounted for 19% of all electricity generation and 7% of total energy consumed in the UK.

1.3 Diversifying the sources of electrical energy generation is also cited as an important means of improving the nation's long term security of energy supplies given the forecasted shortfall as older nuclear and coal fired stations come to the end of their economic / operational lives and before replacement generating capacity is available.

1.4 The development of solar energy electrical generation and the incentives to do so therefore form a significant element of the agenda to develop alternative sources of renewable energy in the UK.

1.5 Against this background and the fact that Wales is a net exporter of electricity, CPRW has produced the following position statement. This acknowledges in principle that a range of actions are needed if a significant reduction of carbon emissions is to be achieved and the impact of man-made global warming is to be reduced.

### **2. Current status of solar power installations in Wales**

2.1 The total installed capacity from 23 operational solar farms in Wales is currently 200MW. This compares with an installed capacity of about 7,800 MW across the UK<sup>1</sup>. Recently however the generation of electricity by means of solar power has been steadily increasing both in terms of the number of field scale sites being proposed and a recognition of the as yet unrealised potential capacity which exists across Wales as a whole, particularly at a domestic scale, for the use of smaller solar panel installations.

2.2 Currently the average capacity of an operational solar farm in Wales is 8 MW. (Although there is a wide range of generating capacities and corresponding land areas which range between 1 and 100 acres). About 25 acres of land is required for every 5 MW of installed capacity.

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<sup>1</sup> (This figure probably includes all installed capacity including roof top panels.)

2.3 The current financial mechanisms to facilitate the development of solar energy and the planning framework in Wales to determine them are set out in Appendix 1.

### **3. CPRW Position on solar energy**

3.1 CPRW recognises and understands the UK national requirement to develop the generating opportunities that renewable energy sources including solar power offer.

3.2 Depending on the size and location of solar power installations, there will be many circumstances where solar panels can be accommodated within the built environment and can contribute, at a domestic scale, to the generation of renewable energy. In many of these circumstances, the need to obtain planning consent will be unnecessary as their provision is not subject to planning consent, their installation being classed as Permitted Development

3.3 In those instances where solar arrays are subject to planning consent, their scale, siting and the land on which they are located will be decisive in determining how successfully they can be accommodated into their surroundings without creating unacceptable visual intrusion.

#### **Domestic scale solar installations**

3.4 CPRW generally supports the installation of domestic scale roof installed solar panels systems.

3.5 In those circumstances where their installation requires planning consent, CPRW will support such a proposal where it can be demonstrated that it

- **will not significantly harm the defining qualities, integrity or setting of any building, feature or area designated or notified because of its acknowledged architectural or historic importance.**

#### **Large scale solar arrays**

3.6 Where significantly larger non domestic schemes of solar arrays are proposed, CPRW will support such a proposal where it is both

- **Located on derelict land, a suitable brown field site or forms an integral part of an industrial development on land allocated for that purpose.**
- **Connected off site either underground or by another unobtrusive means to the local electricity grid without detriment to the visual amenity of that surrounding area.**

3.7 When schemes are proposed on undeveloped agricultural land in a non-urban location or in an open area of the countryside, a proposal will only be supported when all the following criteria are met

- **It is located on land which is not classified as 'Best and Most versatile (BMV) Agricultural land, i.e. land classified as Grades 1, 2 and 3a**

- Its scale and layout, especially if located on rising ground, does not significantly harm the existing visual character and quality of the area in which it is located, the amenity of any residential properties in its proximity or results in the removal of any characteristic landscape features.
- The proposal does not compromise the distinctiveness or special qualities of any valued or nationally designated landscape or area of recognised nature or heritage conservation importance.
- It does not result in the obvious extension of an adjacent built up area into the open countryside or compromise the integrity of land designated as open space.
- It does not result in any significant or long term detrimental impact to the recognised wildlife or biodiversity or historical values of the site or its surroundings.
- All site and ancillary works are undertaken in a manner which minimise the impact of the development on its surroundings and enables the land to be restored to its best former condition and quality when generation ceases or when the site's operational permission expires.<sup>2</sup>
- Access to the site for construction and maintenance can be provided in an unobtrusive manner
- The nature of any external boundaries and /or essential security equipment are compatible with the scale and character of the surrounding landscape.
- Any onsite external lighting is restricted to that required for essential operational purposes and its non-obtrusive nature does not affect the amenity of the surroundings.

3.8 In addition CPRW will also seek to amend national and local planning policy to ensure that

- *The justification for the construction of solar farms on agricultural land classified as the "Best and most versatile" is not claimed by the developer to be a "temporary" land use by virtue of the finite operational time scale of the scheme as permitted by its licencing period.*
- *All Planning Authorities are required to publish a landscape sensitivity appraisal of their area to evaluate the potential of its landscapes to accommodate different forms and scales of renewable energy developments, including solar arrays.*
- *The compatibility of any renewable energy proposals in relation to this landscape sensitivity assessment is expressed as a specific criterion in the relevant renewable energy policies of a Local Development Plan*

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<sup>2</sup> : Also see TAN 6 – Planning for Sustainable Rural Communities Paras 6.2.1 and 6.2.2, 6.2.6 regarding the implications of loss of land to a farm holding.

- *This landscape sensitivity analysis forms the basis for Supplementary Planning Guidance to be used in the determination of any future renewable energy application.*

#### 4. Evaluating the acceptability of large scale solar ground mounted arrays.

4.1 Prior to the determination of any application, screening should be robustly undertaken by the LPA, (against the criteria in the EIA Regulations) to establish whether such a proposal requires an Environmental Impact Assessment (EIA). In nearly all cases of greenfield development, a comprehensive landscape and visual impact assessment (LVIA) will be required to assess the effects of the development on the landscape in which it is located.

Notwithstanding the above, when judging the desirability of any large scale scheme, the following issues<sup>3</sup> should be considered and accounted and used to inform any eventual Branch representation regarding the acceptability of a large scale ground mounted solar array.

**a) Current land use**

What is the current use /classification of the land to be used? What is its status in any extant Local Development Plan? Is the land agricultural land beyond a development boundary? WG policy guidance clearly indicates Higher grades of agricultural land (Grade 3a and above) should be safeguarded from use for non-agricultural purposes.

**b) Character**

What contribution does the site make to the character of the area in its undeveloped state? Is it part of a recognisable / important pattern of landscape elements / attributes specific to that area? Does the site contribute to the area's sense of place and distinctiveness?

**c) Capacity** - what scope is there for change in the existing landscape character without detrimentally affecting its character? Has the site / surrounding landscape the capacity to 'absorb' the development? Will the development stand out from any viewpoint? Will landscape views be degraded?

**d) Quality** - in what condition is the existing landscape? Is the site brownfield land? Is it of high quality in purely landscape or natural beauty / historic terms?

**e) Alternative sites** Has a sequential search of the surrounding area been undertaken to identify any other more suitable sites. Has the developer provided reasons why their selected site is justified rather than any other which may be more obviously suitable?

**f) Value** - is this landscape valued by people, local community, and visitors? Has it special cultural or historic associations? Is the area covered by a landscape, ecological or

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<sup>3</sup> Based on the BRE/Cornwall Council's '*Planning guidance for the development of large scale ground mounted solar PV systems*' : <http://www.bre.co.uk/nsc>

historic designation? Is the landscape recognised, locally, regionally or nationally?  
What is the value of the site in agricultural and/or biodiversity and wildlife terms?

- g) **Visibility** Where will the scheme be seen from? Is it visible from well used roads, public vantage points, footpaths or access routes? Will it affect the amenity of any residential properties or the enjoyment of existing public open spaces?  
Where relevant, has a glare and glint assessment been undertaken to establish the implications of the proposal on any relevant receptors (residential areas, public spaces, airports/airfields) in the area where the proposed solar farm is to be sited?
- h) **Ancillary considerations.** What will be the implications of any ancillary features required or associated with the development either on or offsite e.g. access/ construction routes, working compounds, fencing, lighting development. How will the electricity generated be connected to the local grid network (underground/overhead cabling) and what are the landscape implications of the route chosen for this connection?
- i) **Cumulative impacts** Do the impacts of the proposal in combination with other such schemes or developments in the area create a significantly unacceptable cumulative visual impact / effect on the wider surroundings.
- j) **Environmental implications:** What are the likely environmental wildlife /losses or potential gains which arise from the use or reuse of the proposed site? What is the nett impact?
- k) **After use of the site.** Is it clear whether and how the site can be restored to its current use / status or reused at the end of its operational life.

## 5. Evaluation

### 5.1 Taking all these factors into consideration

- **To what extent will the scheme change the existing character and appearance of the site/ area?**
- **To what extent will the public amenity of the site / surrounding area be detrimentally affected?**

### 5.2 Based on the same judgements Branches use when evaluating other large scale development proposals

- **What in objective terms, is likely to be the overall impact of the proposal on the locality's landscape character / amenity and status of the site and its surroundings?**

**- How does the proposal conform to any relevant National and / or Local Development policies, or the expected requirements of any adopted Supplementary Planning Guidance.**

5.3 If the overall detrimental effects of the proposal can be demonstrated to outweigh the renewable energy generation benefits of developing the site, then any subsequent representation should provide strong and objective planning reasons to substantiate this fact and hence support the justification for refusing the proposal.

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## Appendix 1

### 1. UK Government's financial mechanisms to encourage solar energy

- 1.1 Solar farms are encouraged by the UK Government by two mechanisms
- 1.2 The Renewables Obligation (RO) requires UK electricity suppliers to source a specified proportion of the electricity they provide to customers from renewable sources. The Feed in Tariff (FiT) ensures electricity generated by solar farms and supplied to the national grid is purchased at predictable prices above the market rate.
- 1.3 From 1<sup>st</sup> April 2015 the RO no longer applies to solar farms above 5 Megawatts (MW) capacity.

### 2. The current Planning policy framework in Wales

- 2.1 Although the financial incentives to encourage the generation of solar energy is a centralised function of the Westminster Government in England and Wales, the regime for securing planning consent for solar installations is devolved to Wales except in the case of exceptionally large schemes over 50MWs
- 2.2 Solar panels mounted on residential buildings or land with some exceptions are deemed Permitted Development and though they do not require planning permission, they must comply with Building regulations and other conditions. Solar farms located elsewhere, especially in the countryside, are however subject to the normal Local Authority planning procedures and processes.
- 2.3 In a strategic context Planning Policy Wales (PPW Jan 2016) makes no direct reference to solar farms referring only to the need to encourage the use of appropriate forms of renewable energy sources. What it does clearly recognise however is that higher grades of agricultural land (1, 2 and 3a) should only be developed for alternative uses where it can be demonstrated there is an overriding need. The main source of planning guidance is ***Practical Guidance: planning implications of renewables and low carbon energy development***, published by the Welsh Government.
- 2.4 Case law however has not been helpful in providing a definitive interpretation of the cut-off point for the use of Grade 3a agricultural land for such developments. The protection of such land in a number of instances has been compromised by Planning Appeal decisions which have allowed development on high grade agricultural land because such development was deemed to be of 'temporary' nature. This precedent has been interpreted by some LPA's as weakening their grounds for refusing applications and instead they have resorted to granting consent by imposing conditions to ensure the structures are time limited.
- 2.5 Current guidance indicates the cumulative impacts of clusters of solar farms is an important and material consideration. Where proposals for solar farms are clustered

around suitable connections to the local grid network, not only the individual but cumulative implications of the proposal should be taken into account.

## References

- ***Solar Farms in Wales March 2015.*** A research note for Welsh Assembly members and their support staff.
- ***Planning guidance for the development of large scale ground mounted solar PV systems*** Building Research Establishment (BRE) -.
- ***Welsh Government planning portal-Solar panels***  
*solar*<http://www.planningportal.gov.uk/permission/commonprojects/solarpanels/>