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Our Ref : MMG/CD1/324055/0001
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Submitted through the portal
and sent Via email LittleCrowSolarPark@planninginspectorate.gov.uk

Dear Sirs

Little Crow Solar Park
Reference: 20027039

Following the publication of the Notice of Variation of Examination Timetable and the ExQ4 on 7 September 2021, we now, on behalf of our clients Infocus ID Ltd, Fenswood Motors Ltd, ManDown Support Ltd, Richard Fenwick Johnson and Katie Teresa Holmes submit below our response to ExQ4.1.1.

The implication of Consultation Versions for reviewed energy National Policy Statements

The Consultation Versions for reviewed energy National Policy Statements have supported the points raised in our earlier submissions in that the Government has clearly emphasised and reinforced the importance of consideration of the adverse impact of energy infrastructure projects.

Paragraph 1.2.1 of the Draft Overarching National Policy Statement for Energy (EN-1) (hereafter referred to as C.EN-1) highlights that this new version may be a material consideration in decision making for new applications and Paragraph 1.6.3 of C.EN-1 refers to the fact that the contents of the consultation versions are capable of being important and relevant considerations in the decision making process of applications such as that for Little Crow Solar Farm, that were already being considered before the introduction of these consultation versions of the NPSs.

As such, it is illustrated throughout C.EN-1 that regard should be given in this application to the impact the proposed site will have on our clients and the focus on the Government is not merely that of the need for energy infrastructure.

Increased regard for the impact of “Good design”

Paragraph 4.6.2 of C.EN-1 reiterates the point made in paragraph 4.5.2 of the existing Overarching

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National Policy Statement for Energy (EN-1) (hereafter referred to as (EN-1) in that “good design in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise.” However, the new paragraph 4.6.2 within C.EN-1 has expanded on this by ensuring this point is one that should be considered from the outset of the project. This emphasises the importance placed upon the need to consider the impacts of any proposed project.

The Government has also expanded on the range of impacts they consider to be mitigated by “Good Design” by including the “visual impacts on the landscape or seascape” to paragraph 4.6.3 of C.EN-1 from the previous version of the requirement in paragraph 4.5.3 of EN-1. This consideration of the wider impacts of a development is further supported by paragraph 4.6.4 of C.EN-1, which, in replacing paragraph 4.5.4 of EN-1, has introduced the idea that “many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process.”

These policy changes illustrate the shift in focus of the Government towards how a proposed development will impact the surrounding area and the neighbours to the proposed site.

Landscape and visual

C.EN-1 repeats the significance of the potential impact on the landscape in paragraph 5.10 and expands on this by the introduction of the need for consideration of “noise and light pollution from construction and operational activities on residential amenity...” in paragraph 5.10.8 in C.EN-1.

C.EN-1 supports the points made within our submissions. Three key paragraphs contained within EN-1 highlight the importance the Government places upon the need to protect agricultural land and the countryside.

Paragraph 5.11.8 states the importance of minimising the impact on the best and most versatile agricultural land, such as the 36.6 hectares of grade 3a agricultural land that will be lost in this development.

Paragraph 5.11.3 illustrates how the countryside can be protected by re-using previously developed land for new developments.

Paragraph 5.11.14 further emphasises this by confirming that the “Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification”.

Noise and Vibration

C.EN-1 has further supported our concerns with respect to the wide-ranging impacts of excessive noise during the construction and operation of the proposed project (paragraph 5.12.1) by repeating those paragraphs referring to the factors to be considered by the Secretary of State (paragraph 5.12.3) and by confirming that the Secretary of State should also consider the noise caused by traffic movements on the road (paragraph 5.12.6).

Moreover, the Government has expanded on the focus on the wide-ranging impact of excessive noise by introducing a new requirement in C.EN-1 paragraph 5.12.9. This ensures that due regard is given to “the relevant sections of the Noise Policy Statement for England, the NPPF, and the Government’s associated planning guidance on noise.” This is further expanded upon by paragraph 5.12.11 to state that mitigation of noise is relevant to “the construction, operation, and decommissioning of the energy infrastructure development.” It is apparent from these new sections that the Government has placed even greater weight on the negative impact of noise from energy projects throughout the entirety of the project. This supports our concerns regarding the impact of the noise created by the project itself, as well as by the construction of the solar farm and by the increased traffic related to construction and maintenance.

Yours faithfully

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