

22/01639/FUL

Applicant Rushcliffe Borough Council

Location Rushcliffe Oaks Main Road Stragglethorpe Nottinghamshire NG12 2PY

Proposal Installation of freestanding Solar Photovoltaic Generation system and associated works

Ward Cotgrave

Full details of the proposal can be found [here](#)

THE SITE AND SURROUNDINGS

1. The application site relates to an area of land on the corner of Stragglethorpe Road and Main Road, Cotgrave which has planning permission for the development of crematorium and memorial gardens with associated access, parking and landscaping which was granted planning permission on appeal under ref 18/02821/FUL. Work is well advanced on site
2. To the south east of the site is a large solar farm granted under 15/017776/FUL with a public footpath separating the two sites. The eastern boundary of the site is the embankment of the old railway line which is now in use as a multi user route.

DETAILS OF THE PROPOSAL

3. Full planning permission is sought for the installation of a free standing solar photovoltaic generation system comprising four rows of panels each with a total length of approximately 43m. The depth of the panels are approximately 1m with a total width including spaces between the panels being approximately 5.5m. The low pitch of the panels (at 10 degrees) are such that they will only have a height of 38.5cm above ground level. The application includes the details of the ducting to link in with the substation serving the Crematorium.
4. A statement providing justification for the proposal has been provided. This explains why the supports the application has now been received. In summary the following points are made:-
 - The roof of the building would only allow a limited number of panels which in turn would only cover 10% of the base load of the building (excluding the cremator)
 - Conflict between the proposed panels and the ventilation systems to the building has been identified which would reduce the number of panels further
 - It is important that the new facility offsets its carbon impact during its operation and therefore need to maximise the user of PV panels

- By having the panels located on the ground it allows for an area of 175sqm (excluding the cremator) and will cover the baseload of the building (excluding the cremator)
 - Location set at the south east of the site gives best opportunity for maximum yield, provides a discrete location from member of the public and users of the site whilst being within reasonable proximity of connection to the substation.
 - Suggests complements the solar farm adjacent
 - PV panels will have a shallow pitch and be further screened by post and rail fencing and hedgrows
 - Additional planting is proposed to also mitigate any visual impact from visitors to the Crematorium
5. The application is before the Planning Committee as the Council is the applicant

SITE HISTORY

6. Full planning was granted by appeal under planning reference 18/02821/FUL for the Development of crematorium and memorial gardens with associated access, parking and landscaping.
7. Non Material Amendment applications have been considered for minor changes to the external appearance and internal layout of the building and car parking, pedestrian access arrangements and overall landscaping layouts for the site.

REPRESENTATIONS

Ward Councillor(s)

8. Councillor Healy has no objection
9. Councillor Butler has no objections

Town/Parish Council

10. Cotgrave Town Council has no objections

Statutory and Other Consultees

11. Nottinghamshire County Council as the local highways authority has no objection
12. Nottinghamshire County Council Rights of Way Officer confirms that the development has recognised the existence of the RoW and has considered and mitigated the impact upon the bridleway by incorporating hedge screening into the design and raises no objection to the scheme. They recommend informatives be attached to any permission to note the need for the footpath to remain unobstructed at all times.
13. RBC Landscape Officer has no objections and notes that the solar panels will be installed at a low angle and as a result will only be 385mm high, the bund they are installed upon is only 400-500mm above the height of the adjacent

public footpath which will be screened by a wide native hedgerow. The hedgerow will be 600-800mm high when planted, so the panels will be partially screened at completion of the works and the screening will only improve with time, within 2-3 years the panels should be fully screened from view. The landscape plan was recently amended to include additional trees and a beech hedge to help obscure the rear of the panels from the exit of the Crematorium.

14. RBC Ecology and Sustainability Officer notes that the PV array is to be developed within the area covered by planning permission 18/2821/FUL which has addressed ecological issues on the site and as an ongoing development site is unlikely to have any ecological impediments. Following confirmation that grass will be maintained under the PV panels and noting that the revised landscaping scheme proposes further planting he is satisfied that Biodiversity Net Gain has been demonstrated.
15. RBC Environmental Health Officer has no objections.

Local Residents and the General Public

16. No comments have been received

PLANNING POLICY

17. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF) (2021), the National Planning Practice Guidance (the Guidance)

Relevant National Planning Policies and Guidance

18. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.
19. Achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives
20. Two of the core planning principles state that planning should:
 - a) Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
 - b) support the transition to a low carbon future in a changing climate and encourage the use of renewable resources (for example, by the development of renewable energy).

21. Chapter 9: 'Protecting Green Belt land' states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

A copy of the National Planning Policy Framework 2021 can be found [here](#)

Relevant Local Planning Policies and Guidance

22. The Rushcliffe Local Plan Part 1: Core Strategy, (LPP1) in particular Policy 1 (presumption in Favour of Sustainable Development), Policy 2 (Climate Change)

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

23. The Rushcliffe Local Plan Part 2: Land and Planning Policies, (LPP2) in particular Policies 1 (Development Requirements), 16 (Renewable Energy), 21 (Green Belt)

A copy of The Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

APPRAISAL

24. The main planning considerations in the determination of this application are the principle of the development in this Green Belt location and its visual impact on the area. No highways, aviation or ecological concerns have been raised.
25. The principle of a Crematorium and its supporting infrastructure including car parking has been established by the grant of planning permission under ref 18/02821/FUL. The Planning Inspectorate considered that very special circumstances existed to grant planning permission for such a development in the Green Belt including a building of this size, height, siting, and level of car parking.
26. This application is now for additional supporting infrastructure on the site and the starting point is to establish whether the proposal is acceptable on Green Belt grounds. Para 149 and 150 of the NPF set out forms of development which are not inappropriate in the Green Belt. Para 151 confirms with respect to renewable energy that: -
- '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.'

27. It is therefore considered that the development comprises inappropriate development in the Green Belt. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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, is clearly outweighed by other considerations
28. In this case, the proposal would represent a relatively small renewable energy development comprising four rows of ground mounted solar panels which would serve to provide electricity for the base load for the building. Consideration has been given to whether such panels could be incorporated onto the roof of the building currently being erected but this has been discounted for reasons set out above. The NPPF, LPP1 and LPP2 place emphasis on the need to increase the production of energy from renewable sources and, in this case, the proposal would result in a valuable environment benefit assisting to support the Councils commitment to carbon management including seeking to be carbon neutral in its operations by 2030. This weighs in favour of the scheme.
29. As is stated above, in planning policy terms the essential characteristics of Green Belts are their openness and their permanence. It therefore must be considered whether the proposal would have any significant adverse effect on the openness of the Green Belt in this location. The NPPF does not define 'openness'; however, it is considered that openness means the absence of buildings, structures or other features, including roads. In this case, the site and surrounding land is relatively flat apart from the embankment of the former railway line along part of the eastern boundary and the site is screened to some extent by boundary hedgerow and trees with new landscaping required under the overall scheme for the site.
30. The solar panels and frames would be relatively low with a maximum height of 38.5cm. This part of the site is proposed to be landscaped with native hedgerow and new tree planting and whilst the arrays are proposed to be sited on top of a low bund it is not considered that this would be overly prominent in the landscape particularly when the proposed additional hedgerow and tree planting have matured and considering the existence of the backdrop of the old railway embankment to the east and the solar farm to the south. It is noted that the Borough Councils Landscape Officer has no objections to the proposal. A degree of harm to the openness by the introduction of structures into an area of the site not proposed to incorporate development must be acknowledged although this is mitigated against with landscaping.
31. In view of the above it is considered that the proposal would not result in a significant interruption to the openness of the Green Belt in this location. On balance the wider environmental benefits associated with increased production of energy from renewable sources to serve the development as set out above outweigh the totality of harm by reason of its inappropriateness and other harm and the very special circumstances necessary to grant planning permission exist and a favourable recommendation is forthcoming.
32. Pre application advice has been sought in relation to the introduction of renewable energy production on the site and the application has been submitted taking into account the need to minimise visual impact and to provide evidence

to support the application. This has resulted in a scheme that has been able to be recommended for approval in a timely manner.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development shall be undertaken in accordance with the following approved plans :-
D200008-CDS-EN-ZZ-DR-L-002 SITE CONCEPT = block plan
D200008-CDS-EN-ZZ-DR-L - 092-001- REV 1 section details
Solar Plan Floor Plan

[For the avoidance of any doubt and to ensure an acceptable development in accordance with Policy 1 of the Local Plan Part 2: Land and Planning Policies].

NOTES TO APPLICANT

The site adjoins a public footpath to the south of the site. The footpath should remain unobstructed to the full width, open at all times, and be kept upon its legal alignment. Any foreseen works likely to cause an obstruction should be discussed in advance with the RoW team at NCC (Via) so a temporary closure or diversion order can be agreed where necessary.

The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks notice is required to process the closure and an alternative route on should be provided if possible

Please ensure that you have the necessary consents to undertake works in relation to any easements that may affect the site