

**REPORT FROM:** ASSISTANT DIRECTOR, PLANNING, BUILDING CONTROL  
AND REGULATORY SERVICES

**TO:** NELSON, BRIERFIELD AND REEDLEY COMMITTEE

**DATE:** 3<sup>RD</sup> JULY 2023

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To comment on the attached Burnley Borough Council planning application.

## REPORT TO NELSON, BRIERFIELD AND REEDLEY AREA COMMITTEE ON 3<sup>RD</sup> JULY 2023

**Application Ref:** FUL/2023/0332

**Proposal:** Erection of solar farm comprising 19780 panels, transformer housing, CCTV and boundary fencing.

**At:** Crow Wood Hotel, Crow Wood, Holme Road

This application will be determined by Burnley Borough Council but is brought before the Committee for comment. Those comments will be included in the final response to Burnley Borough Council.

### **Officer Comments**

Thank you for consulting us in relation to the above application. We have given the proposal careful consideration as the development lies in the green belt contiguous with Pendle's green belt. We offer the following comments for you to consider when determining the application.

Based on the information that has been submitted the development is inappropriate and the development falls considerably short of the very special circumstances that must exist for a development to comply with the NPPF.

As set up in the applicant's supporting information the development is not one that is not appropriate in the Green belt. As such very special circumstances need to exist in order for an exception to be made to normal green belt restraint.

The Very Special Circumstances case presented is put forward on two main premises. First is on the basis of the solar array not being conspicuous in the landscape and that it would have a lifespan of 40 years so is not permanent. This is not an argument that should receive any weight. The development either is or is not harmful to the green belt. There is nothing in policy to say that a temporary impact should be given less weight in decision making than a permanent impact. A 40 year lifespan is also not one that should be considered as temporary.

The supporting information mixes landscape impact up with impact on the green belt. The two are different points and must be considered independently.

The application also fails to demonstrate why the production of energy for this scheme should be considered to be very special circumstances. The NPPF at para 151 says that developers will have to demonstrate why very special circumstances exist for new energy developments. There is no policy that automatically assumes all schemes will qualify as special circumstances so it is the individual merits of a scheme that matter and not the fact, they will assist in climate change. Were Government to have wanted all schemes to be included then the NPPF would have stated that. The supporting information does not give any information as to why this scheme is demonstrably different to any generic alternative energy scheme. It is not for example linked to the production of energy that would sustain other facilities (i.e. Crow Wood – the scheme is not linked in any way to the sustainability energy wise of that facility) which may help towards demonstrating very special circumstances, nor does it describe how the scheme may have other characteristics such as a significantly high energy production at a national scale that would help to justify the development being very special.

This proposed large-scale development of the installation of 19780 solar panels and peripheral fencing and transformer would be harmful to the Green Belt as it would be contrary to Paragraph 137, which states that urban sprawl should be prevented and land kept 'permanently open'. The

essential characteristics of Green Belts are their openness and their permanence. The proposed development would be harmful to the Green Belt and therefore inappropriate.

The Design and Access Statement states that the development would be for a 40-year period. A 'temporary' scheme' could not, by definition, leave the site 'permanently open'. This development would cause long-term significant damage.

The applicant misconstrues Green Belt Policy and takes into consideration the visual impact. Whether the development is seen or not does not justify development within Green Belt designate land. Additionally, the applicant states that there would be 'moderate harm' to the Green Belt, which is not a correct way of assessing the impact of the development.

The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl, keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence. This development would not safeguard the openness of the countryside.

The Framework states in Paragraph 151 that when located within 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. There is no local link to state where the energy would be utilised and what would be powered by the solar generated energy. Therefore, there is no viable argument for the public benefit of the local community.

We would object to the proposal, as it falls significantly short of what would realistically be considered 'very special circumstances', having no evidence of benefits to the local community.