GROUP NAME: STOP GROVE SOLAR FARM

GROUP MEMBERS:

[redacted]

INTRODUCTION

We are a group of Bentley residents who object in the strongest possible terms to this planning application. Most of us live directly alongside one of the two sites and our lives will be negatively affected in numerous, significant ways should this go ahead. The remainder of us live near to the sites or in the village of Bentley and, as regular users of the public rights of way that surround the sites or visitors to St Mary's Church and Churchyard, are very concerned about impacts of a development of this nature and scale on our everyday lives.

We understand the need to move to more renewable energy, but not at any cost. We say "no" to an industrial scale proposal here, as we believe the environmental impacts would be far too great. We wish to protect the wonderful environment which has endured at Bentley for so long and upon which so many depend for their quality of life and mental health and to see this "predominantly best and most versatile agricultural land" (as the applicant puts it) farmed as it has been since time immemorial.

We live in a truly remarkable parish, where the historic mosaic of farmland, woodland, houses, farms and other buildings is very largely intact. We are so fortunate to be surrounded by treasures: Grade I and II* listed buildings in abundance, no fewer than 15 separately identified and named ancient woodlands – more than any other parish in Suffolk, preserved initially for their timber and then for their sporting potential by the Tollemache family over many centuries. And at the heart of all this, centrally within the parish, lies ancient Engry Wood and Falstaff Manor. Just to the North lies Grade II* Listed St Mary's Church and the Grade I & II* Bentley Hall complex: the original seat of the Tollemache family.

Babergh's Heritage Officer states in her recent consultation response: "I am not convinced that there is any scope for the proposed solar farm in this location, due to the potential for harm to the significance and setting of several heritage assets".

We entirely agree with her assessment. This is simply not the place to site 100,000 odd solar panels inside 4km of security fencing with innumerable CCTV cameras on 3m masts, innumerable inverters, 11 substantial transformers, and two substations including 7m tall elements.The application site stretches end to end 2 km across our village. It is much too much and cannot be absorbed by our village without very serious adverse impacts, which will change the character of Bentley and its historic core forever.

THE NATURE OF THE PROPOSAL

Operational development

Despite the vast scale of the application documentation, there is in fact very little precise detail about the physical elements of the application.

Local people have been left to calculate the number of solar panels (circa 100,000) based upon the metric referenced in the application documents. There is also no clarity about the total length of 2m plus tall security fencing (which has been measured at about 4km); nor any clarity about the number of 3m tall CCTV masts. Certainty is needed on these matters, as these are all industrializing elements proposed to be imposed upon a very rural context and the applicant must be transparent about the nature of the transformation which they intend to inflict upon us.

There is also no clarity about the need for and distribution of the two sub-stations. Why are there now two substations, when only one was shown at the public consultation? This is not a normal feature of solar applications and is not explained anywhere. What is the justification for the duplication of some of the elements? This is important as these substations are highly industrial in character and wholly inappropriate in a Valued Landscape in the setting of heritage assets. Why does there need to be another major substation (35m in length) east of the railway, generating a need for a new road close to Grade II Listed Maltings House and requiring the felling of a fine Grade A oak tree?

These questions are all unanswered in the application documents.

Time: the fourth dimension

Permission is sought for 40 years, rather loner than the frequently used 25 years for renewables permissions. 40 years is a very long time indeed. For the majority of those grappling with the implications of this this proposal, it undoubtedly means the rest of their lives. Who then will remember what the views to Engry Wood and the Church Tower once looked like or the song of the skylarks over the wide open fields?

The application says[1] the site will be decommissioned after 40 years "unless planning permission is secured for its continued operation". Of course, once the infrastructure is all installed, paid for, the connections to the grid in place and functioning, the case for continued operation in perpetuity would surely be very difficult indeed to resist.

This is made abundantly clear in the NPPF, which expressly addresses this situation[2], advising that local planning authorities should:

"in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable." (emphasis added)

So, for all relevant purposes, it seems to us that this must be regarded as a de facto permanent installation, with speculation of a return to agricultural use at some long distant date being a matter to which very little weight can attach.

OUTPUT FROM THIS SOLAR INSTALLATION

There have been many claims about how many houses and indeed settlements a 40MW facility could power.

Much of this overlooks the essential truth that "40MW" is simply a headline expression of the theoretical capacity of this plant in optimal conditions, ie midsummer with a clear sky with the panels orientated to maximum effect. Of course, for a great deal of the year, this is not the case. In winter months, daylight hours are short and, even summer months, skies can be grey for prolonged periods with minimal opportunity to harvest solar energy.

Last year's Renewable Energy Statistics published by the Government reveal the seriousness of the problem with solar energy[3]. In Q3 2023, renewable generation was 6.8% higher than 2022 and a record for Q3. However solar generation was down on 2022 due to "shorter average sunlight hours", notwithstanding the highest ever solar PV capacity (with 1.1GW new solar coming on stream over the previous 12 months).

Thus, what is relevant for solar PV is its efficiency rating over the course of a year. Representatives of the applicant told members of the public at the consultation in the Bentley Village Hall that their proposals would have a 12% efficiency. This is close to industry averages. This means that only 4.8MW would be generated on average, certainly not enough for some of the extravagant claims made for the development. This puts the headline figure of "40MW" into context.

[1] PADS 1.3.1rRqQ
[2] NPPF, para.163(c)
[3] renewablestatistics@energysecurity.gov.uk

PLANNING POLICY CONTEXT

What is the correct policy Framework for the consideration of this application?

The application PD&AS devotes many pages to passages from the (then Draft) NPS on Renewable Energy and appears to accord it great status in the determination of this application, which has been made under the Town & Country Planning Act 1990.

However, this is not the correct approach, as the Overarching NPS for Energy EN-1 makes clear.

It provides as follows[4]: "In England, this NPS, in combination with any relevant technology specific NPSs, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)."

It continues: "Whether the policies in this NPS are material and to what extent, will be judged on a case-by-case basis and will depend upon the extent to which the matters are already covered by applicable planning policy." (emphases added)

In this case, the Parliament has provided that a planning application made pursuant to the Town and Country Planning Act 1990 shall be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the up to date Babergh & Mid Suffolk Joint Local Plan, which was only adopted in November 2023 and the very current Bentley Neighbourhood Plan 2022. Regard must also be had to the NPPF as updated in December 2023. None of the above is "trumped" or "out-ranked" by the NPS on Renewable Energy which has been published to provide a framework for the determination of development consent orders for NSIPs promoted under the Planning Act 2008. This is not such an application and is not for nationally significant infrastructure.

The newly re-issued NPPF is content to leave discretion very much with local planning authorities. Para 163(b) provides merely that applications for renewable development should be approved if its impacts are "acceptable" or "can be made acceptable". This is the normal approach to most forms of development and does not amount to any sort of presumption in favour of renewable development; there is no lessening of scrutiny; nor is there any suggestion that a lesser weighting be given to material adverse impacts when the planning balance is being weighed.

The principal impacts are now addressed briefly in turn.

Page 7 – Landscape Impact and Visual Impact to Residents and Public Rights of Way

Page 15 – Heritage

[4] NPS EN-1 para.1.2.1

Page 21 – Loss of BMV Farmland

Page 25 – Noise

Page 27 – Biodiversity

Page 31 – Traffic

Page 34 – Disturbance to Mainline Railway

Page 35 - Alternative Site

Page 37 - Conclusion

Landscape Impact and Visual Impact to Residents and to Public Rights of Way

The applicant claims the site is in the 'best possible location… avoiding or minimising environment harm' and that the 'characteristics of the site are well suited to accommodating a commercial solar array.' The applicant also claims a 'strong level of enclosure' is present and that 'there are no long distance views across the study area'. This account is completely fanciful and should be rejected by the local planning authority.

Landscape Character

We understand that this issue is being addressed by Alison Farmer Associates on behalf of Bentley Parish Council. Alison Farmer is a renowned landscape specialist and has particular expertise and experience in the landscapes of the Shotley Peninsula and Dedham Vale, having acted for national bodies and local authorities on numerous occasions in relation to these landscapes. We defer to her expertise.

However, it is necessary to mention the single greatest surprise contained within the LVIA submitted with the application, namely that it is overlooks arguably the most important relevant development plan policy and supporting landscape character assessment of all.

The application site is located entirely within the Suffolk Coasts & Heaths AONB Additional Project Area (the SC&H AONB APA"), designated in the 1970's alongside the AONB. The SC&H AONB APA was an obvious candidate for valued landscape assessment, following the injunction of the NPPF that planning policies and decisions must inter alia "protect and enhance valued landscapes"[5].

Accordingly, a Valued Landscape Assessment of the SC&H AONB APA was commissioned and formed part of the evidence base documents for the recently adopted Babergh LP. Under Policy LP18 AONB, the development plan provides[6]:

"The Suffolk Coast and Heaths AONB also has a project area which encompasses the Shotley Peninsula. Whilst these project areas do not benefit from the same protection as the AONBs, development proposals in these areas should conserve their special qualities as identified in the Valued Landscape Assessments ("VLA")…" (emphasis added)

Policy LP18 (3) provides "Development within the AONB Project Areas should have regard to the relevant Valued Landscape Assessment", so the reader is directed expressly to the VLAs.

The SC&H AONB APA VLA of March 2020 is readily available and provides a very detailed assessment of the APA, dividing it into character areas, first of which is the Western Wooded Plateau, which includes the application site[7].

[5] Now NPPF
[6] Para.15.25
[7] Pages 15-18

It is not necessary to repeat this verbatim, but the assessment concludes:

Special Qualities:
• ***Hall/church complexes*** along with ancient woodland and rural lanes reflect patterns of the medieval landscape.
• ***Remnant areas of parkland and notable veteran trees throughout area*** impart an established character.
• ***Sinuous lanes and patterns*** created by wavey edges to ancient woodland, rural winding lanes and old park boundaries and enclosure patterns.
• ***Wooded skylines defined by ancient woodlands*** and highly valued for biodiversity.
• ***Attractive open views across rural farmland*** to individual or clusters of vernacular buildings.

These qualities are particularly well expressed in the following geographical areas:
• **Around Bentley Hall and Church**

So it is clear beyond any shadow of doubt that the application site is not only part of a **"**valued landscape**"**, but right at the heart of the areas where the special qualities of this landscape are best expressed. National and local policy enjoin that such areas should be protected and conserved.

The application is proposing to cover a vast area within this landscape with alien "industrial character" infrastructure and - because this development is alien and ugly in a rural context - seeks to shut down and close off views by the use of extensive screen planting, which will transform the area yet further in due course. Yes, it proposes some new hedges, but these are not even fragmentary compensation for what will be lost in the Valued Landscape.

There are many hedges already and wonderful ancient woodlands. Trees and vegetation frame virtually every view in this part of Bentley. It is not a denuded landscape and there is no need to disrupt fundamentally and sacrifice over 100 acres at its core and where its special qualities are most evident for some new hedges.

This gives rise to a serious and significant conflict with policy – which is not even mentioned in the application LVIA. [Nor is it addressed by the Place Services response for the Council.] This is an omission of great consequence. Had these matters been properly considered and addressed, it is difficult to understand how this application would ever have been submitted.

Visual Impact

To recap, the application asserts: 'characteristics of the site are well suited to accommodating a commercial solar array". A 'strong level of enclosure' is present and 'there are no long distance views across the study area'.

This is all entirely incorrect. See accompanying PDF document of maps and images of long views taken in at least 20 positions at residential property and on public rights of way taken in both summer and winter.

The 2 sites are in plain view of at least 30 residential properties and are in the immediate vicinity of at least 10 other homes/key buildings including the Grade II* St Mary's Church - which has a thriving congregation, many of whom walk to services along Church Road. All are sufficiently close to the site that if it were to go ahead these homes would look out over an industrial site and sea of 100,000 3m+ high solar panels with associated glint and glare, 11 transformer stations, over 4 km of tall fencing, 3m tall CCTV posts, 2 substations, 3 ancillary buildings, car parking and access roads rather than the existing open, unspoilt, productive agricultural landscape.

The plans for the Main Site do not mention at least 16 wide gaps in hedgerows and areas of no screening at all that give long distance views. The planning submission admits 'in relation to landscape character, the Proposed Development would result in short term landscape effects ranging from major/moderate adverse to moderate adverse... utilitarian development would have a degrading influence at localised level.' This is all correct apart from the short term aspect. The major adverse and degrading effect on the locality and setting for multiple heritage sites and buildings will be permanent and long term.

The plans for the substation site admit 'major to moderate effects on landscape fabric' with the removal of trees, but claims 'long term effect would remain moderate' because of 'proposed replacement planting.' Realistically any new planting will take many years to establish and will not equal what will be destroyed.

Parts of Potash Lane and the lane to Church Farm are ancient, sunken lanes meaning the height of the solar panels, fencing and buildings will be further exaggerated. The main site field to the east of Church Road is undulating, meaning panels will appear above the height of the screening hedging even when fully grown. The site of the substation appears from footpath 18 to be on raised land.

Not only are the distances between residential property and the perimeter fence and panels not confirmed in this application, but the applicant also says the following: 'Due to the nature of the proposed development the final position of the panels, support frames, cable runs and transformer stations may move slightly in response to the detailed design of the facility and constraints identified during construction. As such a micro-siting allowance of 25m has been requested to assist in mitigating any environmental /physical effects that cannot be identified until the construction stage.'

25m is a significant distance. We can assume, therefore, that the development could move even closer to residential property than the applicant's vague plans already show.

Distance (m) to residential property	No. Dwellings as planned	No. Dwellings using 25m micro-sighting allowance
40-50		1
50-60		6

60-70	3	
70-80	3	6
80-90	1	
90-100	1	6
100-110	4	
110-120	4	2
120-130	1	1
130-140	4	
140-150	2	1
150-160		
160-170		2
170-180		
180-190		
190-200	1	
200-210	1	
Total	25	25

We are also concerned about the fact that this application makes no reference to batteries and battery storage. Every other solar farm of this size that we could find includes battery storage. So, we can only assume that this addition will be slipped in somewhere along the line.

The applicant's plans directly contradict multiple aspects of the new Bentley Neighbourhood Plan (passed by majority of 90% in a referendum in December 2022), the specific objective of which is to maintain the rural nature of the village *'to protect and enhance our natural, built and historic environment'* to 'enhance our rural nature and agricultural surroundings …for generations to come' and *'to maintain and enhance a strong rural identity and sense of place (with) sensitive small scale development'* stressing the *'attractive landscape and distinctive views'*. The planning application incorrectly dismisses most of the Neighbourhood Plan as only relevant to residential buildings and makes many omissions and mistakes in this area.

Glint and Glare

Glint and glare would impact the residential amenity and the amenities of all people and animals in the area.

The map below shows all the properties that will be most affected by Glint and Glare.

Glint and Glare are sometimes grouped under the term 'solar reflection', which is what causes them. Glint is a momentary flash caused when sunlight hits a smooth, glassy surface such as a solar panel. The effects range from distraction at best, to at worst flash-blindness which can cause brief loss of vision. Glare is diffused light caused by the reflection of the sky on smooth, glassy surfaces (no solar panel absorbs 100% of incoming light); it is less intense than glint, but the effect may be experienced continuously for long periods.

Glint and Glare are phenomena which can give rise to significant adverse visual effects, and negatively affect people's quality of life and well-being. Both are unpleasant at a distance, and highly disturbing and disorientating at close quarters, especially when experienced regularly and for long periods of time.

Currently, there is no formal guidance for carrying out Glint and Glare assessments, only high-level guidelines from the Civil Aviation Authority (CAA). However, most experts in the field seem to use guidance published by Pager Power, (Independent Solar Photovoltaic & Building Development – Glint & Glare Guidance 3rd Edition (3.1) (April 2021), Pager Power). This is also the company that carried out the applicant's survey.

Para. 6.1 the applicant states, 'Local residents are a key stakeholder within the local environment when proposing a solar PV development. This is because residents will be living in close proximity to the solar PV development whilst also potentially having views of the solar panels for its lifetime. Where a view of the solar panel exists, a solar reflection may be possible which may impact upon residential amenity'(p41)

Indeed, there are 54 dwellings which will have their residential amenity impacted. Yet the survey concludes that there is no significant impact.

The Glint and Glare report in the application refers to reflection (glint). For receptors (dwellings) 4 and 130-137 there would be glint somewhere on Potash Lane at the following times:

05:22 - 06:10 mid March to beginning October
18:09 - 18:32 mid April to end of September
Dwelling 132 has no screening at all and it is predicted
05:27 - 06:10 mid March to beginning October
18:09 - 18:31 mid April to late August

This is 65 minutes per day over 4 months which is above the threshold of at least 60 minutes over 3 months. (7.5.1 in the Glint and Glare report.)

From the survey 'existing screening is predicted to significantly obstruct the visibility of the reflective area of all 54 affected dwelling receptors. Therefore, no impact is predicted, and no mitigation is required.' Anyone who has travelled along Potash Lane or Church Road knows that the present screening is totally inadequate and in places nonexistent. Even if hedges were planted, it would be 10 years until the vegetation reached the suggested height – and that is assuming all plants grew, and it would be inadequate to screen the panels at 3.25m. There would be very little screening in winter of the glare.

The applicant's survey has not considered the users of adjacent roads and rights of way. Only the A137 has been considered. There would be glint along Potash Lane, Church Road and the bridleway and very likely more which would severely impact drivers, walkers, riders and cyclists. There would also be constant glare. None of this has been taken into consideration by the applicant.

A further omission in the report is the reflection caused to drivers along Church Road of headlights at night. The assumption is that this has the potential to cause problems for drivers travelling north at night.

The figures in the applicant's report cannot be taken as reliable as all the calculations are based on the panel information of height of 1.9m and an angle of 17.5°. The application states that the panels are to be angled at 15-20° which means that the height of the panels would range from 2.67m - 3.25m. Potentially, the panels could be 35cm higher and the angle could vary up to 2.5° and these 2 factors would significantly alter the results published.

Also, as noted above, the application has requested a micro-siting allowance of 25m so again this margin would significantly alter the results as the panels may not be in the location on which the glint calculations were based.

This report was done by computer modelling and it is apparent that a site visit was not undertaken. The report expresses that existing screening is predicted to significantly obstruct the visibility of the reflective area. However, there are many breaks and spaces in the hedges which would not obstruct the reflections; nor would a fully grown hedge.

During the 8-18 month build phase, the negative visual impact will be huge.

Aside from the traffic, construction, excavations, machinery, HGV, workers, compound fencing, car parking, ' Artificial lighting would only be used during the hours of darkness...Appropriate lighting would be installed and operated to ensure that:

access/egress points are clearly visible during operational hours; staff and visitors can move safely around site; site security can be monitored and maintained; and sufficient area lighting is provided for the Site office and laydown areas.' This appears to mean overnight lighting in multiple locations.

There will be an overwhelmingly negative impact on the footpaths and public rights of way that almost completely surround the 2 sites.

Church Road is much used for walking, horse riding and cycling between the village and the church, the school, the shop and the pub at all times of year and all times of day. School children walk from the school to the church along the section of Church Road that will have new permanent new access openings for HGV between the Main Site fields. These access openings are in addition to leaving the existing openings. Long views to Engry Wood and Church Farm to the west and across undulating countryside to the east will be lost for the long, dominating view of 100,000 tall solar panels, 11 transformer stations, chain link fencing, danger of death signs, CCTV on tall posts, the consumer substation and ancillary buildings and new roads. In addition, these new openings are situated on a corner. HGVs will be crossing here and this will be extremely dangerous. Church Road is a single track designated Quiet Lane that prioritises recreational enjoyment of the countryside and landscape. Heavy traffic of various types will inevitably be moving between the two sites on Church Road, as this is the only access - because of the railway line. The access past the church and multiple residences has steep hills and sharp corners. We cannot see how the use of this route between the two construction sites can be prevented.

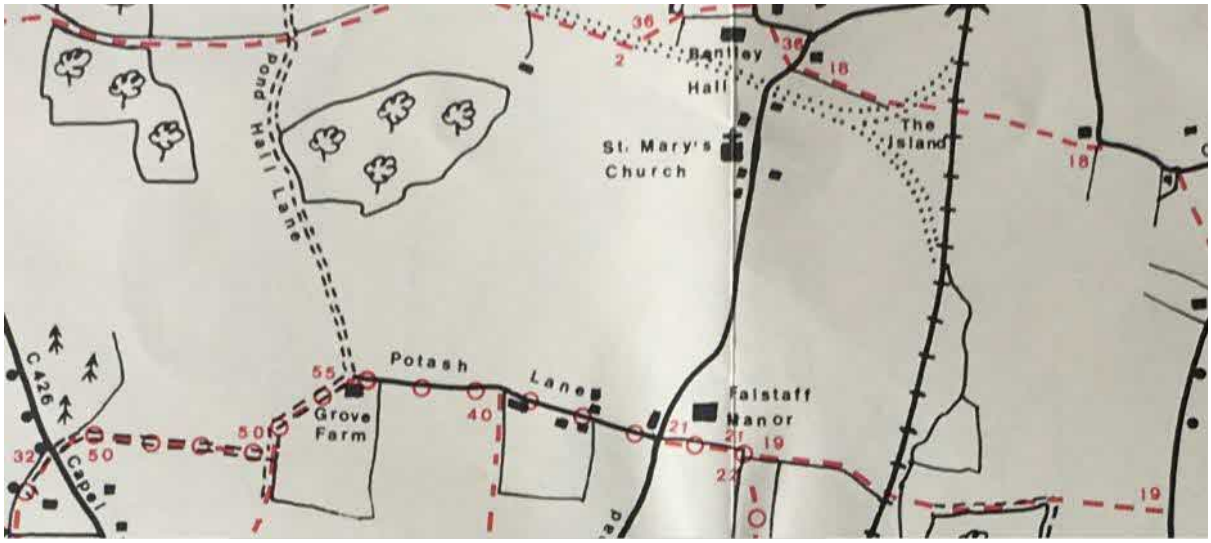
In addition, we do not see how it is remotely possible that HGV traffic can safely negotiate the very narrow, bendy section of the road with steep banks and poor visibility from the A137 past Maltings House, Farm and Cottage to the new access point for the new road to the DNO substation. Church Road is fundamentally ill suited to this sort of traffic. This is not addressed in the planning application.

4 out of 6 of Michael Anderton's ever popular '6 Country Walks from the Case is Altered' include Potash Lane, which is used very regularly by walkers from the village and surrounding villages. 'The walks will take you through some of our most cherished landscapes; ancient woodlands and rolling farmlands with large skies and long-distance views. Some take you to neighbouring villages, some use our designated 'Quiet Lanes' to connect to the footpath network and some are in the recently extended Suffolk Coast and Heaths Area of Outstanding Natural Beauty. We hope you enjoy walking them' says the Bentley Parish Council website. Potash Lane is a very pretty, single track lane that will be the main access point for the main site build via a new access road to be built along the route of a popular footpath from Capel Road (incorrectly referred to as Station Road in the planning application).

Pond Hall Lane bridleway and footpath and 7 other footpaths numbers 50, 55, 40, 21, 19, 18 and 22 to the south and north of Church Road and south and north of the railway line where the DNO substation will be located. See footpath map below.

In a recent survey of Bentley's residents, our footpaths were voted the second most valued asset in the village after the shop.

Additionally, we have learnt that in April 2025 the pedestrian crossing over the railway line at The Island will be closed and Footpath 18 will be diverted to join Church Road at the railway bridge, exactly along the path of where the new DNO substation access road, gates and fencing will be built. How will this work if there is to be a road and security fencing there? The footpath will then cross the bridge and follow the railway line on the west side back to the woods.



Heritage

The submitted Heritage Impact Assessment ("HIA") is frankly superficial and suffers greatly from the absence of critical winter views, which appear to have led to erroneous and incomplete assessments - and therefore to erroneous and incomplete conclusions.

Indeed, the HIA is mistaken and inaccurate in a number of important respects.

The baseline assessment is adequate as far as it goes, but it plainly does not go far enough.

The mosaic of woodlands, farmland and scattered buildings in the central part of the parish of Bentley is remarkably intact, even if some fields have been combined to create larger fields so as to facilitate more efficient farming. There has been very little intervention in terms of 20th century urbanisation. The ratio of farmland to woodland; the disposition of both in the landscape and the relationship of the latter elements to built development appears to be largely unchanged since the Medieval period. The special quality and rarity of the Bentley Hall and Church grouping in its original landscape setting is commented upon by the SC&H AONB APA VLA 2020 (see p.18), which is entirely overlooked by the HIA.

The ingredients of this ensemble are also remarkable in themselves.

<u>The Ancient Woodlands of Bentley</u>

The surrounding ancient woodlands are mentioned in the HIA, but the rarity of their survival is not assessed. The grouping of ancient woodlands at Bentley is indeed remarkable. They were assembled by Tollemache family by inheritance and acquisition between 1200 and 1540.

Whilst the family temporarily disposed of much of its landholding at Bentley in the 1660s, the woodlands were all retained well into the 20th century and many were held by the family (latterly in the person of the Hon Peter Strutt (1924-2007), son of Angela Tollemache) until 21st century, at which time their significance was realized and the moment of danger from over-aggressive arable farming practices had passed.

In the 1660s, the Tollemache family's fortunes were much depleted by supporting the Royalist cause in the Civil War and land at Bentley had to be sold to raise funds in 1662 and 1668. However, Ptolemy Tollemache, Agent to his cousin Sir Lionell Tollemache (3rd Bart), persuaded him (in letters which survive) that the sale of these ancient family woodlands should not be contemplated.

These woodlands contributed directly to England's naval strength during the Dutch Wars of the 1660's and 1670's, when substantial quantities of timber were purchased from Bentley by Samuel Pepys and the Admiralty Board and taken to Ipswich and Harwich dockyards to build ships of war. There are also extensive records of sales following selective coppicing and felling the 1700s, largely to support shipbuilding on the Orwell and Stour.

In the 1820's the Steward of all these woodlands was Golding Constable, brother of John Constable, who had recommended Golding for the post, which was in the gift of his own patron, Lady Dysart, then head of the Tollemache family. John Constable was known to have visited the woods and sketched in and around them at Bentley during his brother's time as Steward, when he would have had unrestricted access to these woodlands.

In 1843, a detailed survey of all the woodlands was made and hand drawn and coloured plans drawn up (now held at Bentley Manor). At this point, all these woodlands were formally retained by the branch of the Tollemache family seated at Helmingham, whereas other holdings outside Suffolk were distributed differently.

In the 1890s, the second Lord Tollemache sold some of the northern woodlands to his brother the Hon. Stanhope Tollemache, who had by 1900 re-established a substantial agricultural estate at Bentley, centred on Bentley Hall and Bentley Manor. Nearby Bentley Park continues to be held by a direct descendant of the original Tollemache family, whose grandmother was the Countess of Dysart. The most recent member of the Tollemache family to be interred in the Churchyard was Miss Ina Tollemache in 2014, marking over 800 years of continuous association of the family with the parish, the Church and the Hall.

Engry Wood

Engry Wood was one of the core woodlands in the Tollemache holding and expressly mentioned as "Ingry Wood" in a Charter made under the Great Seal of Henry VIII in 1544.

The importance of Engry Wood as a heritage asset is insufficiently addressed in the HIA. Open views to Engry Wood cross the western part of the site will be lost forever.

The proposed fragmentation of this western field as part of the development does not follow historic precedent, but is based on a recognition that glint and glare impacts and impacts on residential amenity to properties on Potash Lane to the south would be so severe that some setbacks are essential and so scattered new field parcels have been created around the periphery, which are almost certainly too small to be farmed efficiently, thereby wasting the Best & Most Versatile farming resource which they represent.

Turning to the impacts of the setting of nearby heritage assets which are addressed by the HIA, the following response is necessary.

Matters of approach

The HIA is focused on "intervisibility". However, setting of a heritage asset is NOT dependent on intervisibility. It is "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve"[8]. So both a view across land to a heritage asset or a progressive approach to a heritage asset are perfectly capable of being directly relevant to the setting of that asset. These elements receive scant attention in the HIA.

Grade II* Listed St Mary's Church, Bentley

The Church & Churchyard are located very close to the northern boundary of the site - probably little more than 50m away. Interestingly, the HIR notes[9] that photographs from midway through the 20th century show "the level of vegetation cover along the northern boundary of the site was significantly lower" then with "the Church of St Mary being very

[8] See NPPF Glossary
[9] Para.5.8.5

clearly visible within its churchyard" (emphasis added). The Applicant has not reproduced these photographs. The HIA then goes onto state on multiple occasions that the subsequent growth of vegetation means that that the Church cannot be seen from within the site and that "the Church's location within the hamlet does not allow it to be seen from across the landscape[10]". This is incorrect and there are numerous opportunities to see it from Potash Lane to the south: see example below:

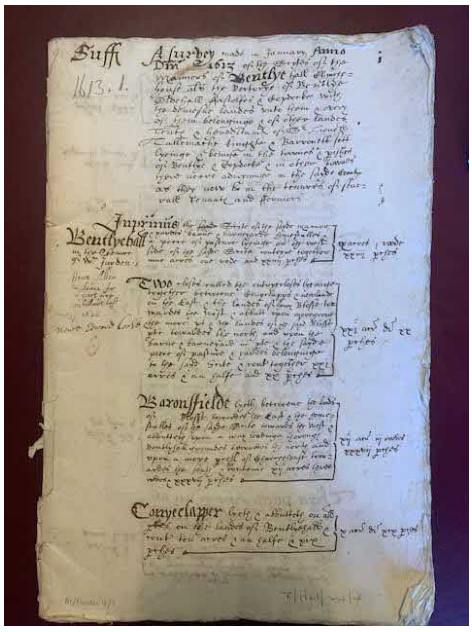
What is more, this reliance on growth of vegetation in the last 50 years or so has prompted some investigation of the vegetation which has started to reduce visibility of the Church in views from the south. It transpires that much of this vegetation comprises overgrown conifers and other ornamental garden trees outside the control of the Applicant which were planted (as was the vogue) in the 1970's, but are now seriously in need of attention: several are interfering directly with domestic power lines and need to be felled or drastically pruned and others have just been neglected and are now in need of severe pruning in the interests of their own vigour and longevity. These works have already been identified as necessary by the owners and are in contemplation (see objection submitted to Babergh DC on behalf of the owners of Bentley House). When these works are completed, it will be necessary to review once again the visibility of the Church Tower from locations to the south. In the meantime, there are already views from the south (see above) and these are likely to increase significantly in the short term.

Notwithstanding all the above, the HIA ultimately accepts that the wider setting of the Church would not be preserved by the proposed development[11] and would cause a "level of harm" which is considered to be "less than substantial" in NPPF terms. This assessment appears to be the product of a single day "on site" in September 2022 and simply fails to grapple with the significance of the approach to the Church from its village to the South and the fact that the final approach to the most ancient building in Bentley will be made along the narrow "causeway" of Church Road through a "sea" of 100,000 solar panels on both side of the Road which will be up to 3.25m tall. It greatly underplays these impacts - which will not be "low level" (as the volume of local opposition to this proposal attests).

[10] Para.6.2.8
[11] Para.6.2.8

Grade I & II* Bentley Hall complex: Hall, Brewhouse & Court Barn

This is a truly outstanding grouping and highly important in a national context. It is closely related to the Church a little to the south, where many members of the Tollemache family are interred. It is also closely related to Falstaff Manor (see below), which was for centuries held by the Tollemache family, as a subsidiary manor to the Manor of Bentley Hall. The Tollemaches acquired Falstaff Manor from the Broke family of Nacton, who themselves acquired it by marriage into the Falstaff (or Fastolfe) family. Thus, in 1613, when an extensive Field Survey was undertaken of the Bentley Estates of Sir Lionell Tollemache, Falstaff Manor and all its lands are included[12]. The first page is reproduced below.



This substantial seigneurial complex has survived remarkably intact, with virtually all the land which supported it still actively farmed in units which can be traced directly back to the 1613 Survey, made over 400 years ago. Bentley Hall is not, contrary to the erroneous assertion in the HIA, "currently in use as a weddings and events venue"[13]; nor has it ever been.

The notion that introducing "industrial character"[14] development on the 116 acre application site – as the HIA puts it – will only have a "Neutral impact" and "no harm" on the significance of this nationally significant ensemble of heritage assets is manifestly incorrect and, in fact, a judgment which casts doubt on the validity of the entire HIA.

[12] The opening title reads: "A Survey made in January Anno Dom 1613 of the Scytes of the Mannors of Bentlye Hall Church-house [alias the Rectorye of Bentlye] Oldehall Fastolfes & Copdocke with the demesne lands unto them & every of them belonging & of other lands rents & hereditaments of Sir Lionell Tallemache Knight & Barronett sett lyinge & beinge in the townes & parishes of Bentlye & Copdocke & in other townes there neare adjoyninge in the sayde countye as they now be in the tenure of several tenants and farmers"

[13] Para.6.2.11

[14] Para.6.2.7

Grade II Listed Maltings House

The HIA accepts that the wider setting of Maltings House "would not be preserved"[15], but only finds "at worst a low level" of harm, notwithstanding the "industrial and utilitarian appearance"[16] of the DNO Substation. This assessment fails to consider the well-used public footpath from which the DNO Substation and Maltings House will be experienced at the same time.

Nearby Buildings of Local Significance: Little House, Bentley House, Glebe Cottage, Uplands Farmhouse, Falstaff Manor, Red Cottages & Potash Cottages

Bentley House, Little House, Glebe Cottage (a grouping around St Mary's Church)

Bentley House is the old vicarage of St Mary's Church. However, before that and until a land exchange of 1843, it was known as Bentley Church House and was in fact the principal residence associated with one of the four Norman Manors of Bentley (of that name), passing down through the centuries with the Bentley Church House Estate. The vicarage was elsewhere in the buildings now known as Church Farm.

Bentley Church House (now Bentley House) is, accordingly, a property of great antiquity, for many centuries held by the Tollemache family with rest of their Bentley estate and recorded in detail in the 1613 Survey (see above). It plainly warrants much greater study and assessment.

The HIA is oblivious to this association and in the absence of any approach to the owners for access and/or any winter site inspection, the makes the erroneous statement "the Proposed Development is thought to be unlikely to be visible from any of this group of three buildings". This is woefully inaccurate as there are undoubtedly clear winter views over the application site from these properties and their immediate curtilages.

The notion that the effect its significance will be "neutral" when the entire (historically agricultural) landscape to the south will become a sea of 100,000 solar panels ringed by 4km of security fencing is fanciful.

Uplands

The HIA states: "The Proposed Development will not impact upon the immediate setting within which this building is situated.....the level of effect upon this building is assessed to be, at worst, neutral..."

Anyone who has visited Uplands House and seen the strongly south facing focus of the house and garden will wonder how this conclusion can possibly be justified. Winter views south from Uplands and its carefully designed gardens look straight across the eastern field which is proposed to contained serried rows of panels, rising up the contours, which are particularly pronounced at this location.

Again, the prediction of an "at worst neutral effect" is not a credible assessment.

[15] Para.6.2.16
[16] LVIA

Falstaff Manor

The first question is why the proposed development has not been named "Falstaff Manor Solar". The application site has always been farmed from Falstaff Manor; this is the address of the landowner/farmer behind the application and this is one of the properties against the curtilage of which the solar array will sit. It can only be assumed that a strategic decision was taken to call the proposal "Grove Farm Solar" to distract attention from the directly affected Falstaff Manor.

Moreover, the HIA states[17]: "the grounds of Falstaff Manor were not accessed due to being private property". This is surely disingenuous, as the owners of Falstaff Manor are directly responsible for this planning application being made and could plainly have granted access had they chosen to do so. The HIA is supposed to assess impacts on heritage assets. However, it devotes barely one paragraph and no images to Falstaff Manor, a building of great interest and antiquity, whose setting will be rendered unrecognisable once the "industrial character" solar array and substation have been wrapped around it nearly on three sides. The assessment of "at worst low-level effect" is conducted on the most flimsy basis.

Falstaff Manor has not been assessed or analysed in any detail as a non-designated heritage asset and identified Building of Local Significance, although the image above suggests that that the house has a Medieval core with a late eighteenth/early nineteenth century wing attached to the east. The omission of a thorough assessment of the significance of this plainly important heritage asset is considered to have been entirely avoidable.

Church Farm and Church Farm Barn

These interesting and historic non-designated heritage assets are identified in the Bentley Neighbourhood Plan as Buildings of Local Significance. They are mentioned in the Asset Gazetteer (No.68), and they immediately adjoin the application site to the north. There can be no doubt that the setting of these assets and the approach to them down an ancient

[17] Para.6.2.22

unadopted roadway running alongside thousands of solar panels will be directly affected by the proposed development, but there is no apparent assessment of these impacts in the HIA and they are omitted from the discussion of Buildings of Local Significance at pp.35-37 of the HIA.

Loss of Highly Productive BMV Farmland

ALC gradings Grading on the MAFF 1:250,000 scale Provisional ALC map indicated the site is located on ALC Grade 2 land.

The applicant conducted their own grading of the proposed site, (DC_23_05656-AGRICULTURAL_LAND_CLASSIFICATION_REPORT-8437293) which Graded 66% of the area as within the BMV ALC grading (ALC Grade 2 or Grade 3A). It is completely misleading to refer to Grade 3. Grade 3a is Best & Most Versatile Land.

Even in the applicant's own report, there were no limitations for the ALC grading across: Overall climate, Local Climate, Gradient, Microrelief, Flooding, Soil Texture and Structure, Soil Depth, Soil Stoniness, Chemicals in Soil, Wetness or Erosion. The ONLY factor limiting the ALC grades was 'slight to moderate droughtiness limitation for both wheat and/or potatoes'. In other words, this land is highly suited for cultivation and can produce high yielding crops or root vegetables. Anyone who has lived locally will have seen this land farmed very productively for decades.

We accept there is a need for renewable energy but NOT at any cost. Sacrificing BMV land when there are alternatives is completely counterproductive. Solar panels should be placed on brownfield sites, industrial buildings or poor quality land where food production does not have to be sacrificed. New BMV farmland cannot be created.

The views of the government and other environmental bodies are clear on this point. Government guidance currently encourages local planning authorities to focus on using previously developed land and non-agricultural land for large scale solar farm development and promises to "safeguard our cherished landscapes". We expect Babergh DC to act on this.

'On my watch, we will not lose swathes of our best farmland to solar farms. Instead we should be making sure that solar panels are installed on commercial buildings, on sheds and on properties' says Rishi Sunak (Daily Telegraph August 2022).

'Rishi Sunak plans to restrict the installation of solar panels on swathes of British farmland... (and) Ministers are understood to believe that food security should be on par with energy security' (Guardian Oct 2023)

There is a need to strike a balance between food security and climate ambitions. It is important that large-scale solar farm development is located on lower quality agricultural land, avoiding the most productive and versatile soils' Tom Bradshaw NFY Deputy President Oct 22.

It is also worth noting that because there are so many homes surrounding the main site, multiple pockets of buffer land between residential property and the Main Site will be leaving BMV farmland sterilized and entirely out of use because of the poor siting of this proposed development. Measurements for these pockets are not confirmed and should be.

This productive farmland is urgently needed for food production. The already UK imports just under 50% of the food that we eat. The proposed development would take 116 acres of BMV farmland out of food production for at least 40 years or the equivalent of an estimated 260 tons of wheat a year equating to over 180,000 loaves of bread per year.

The Solar Campaign Alliance has announced that a potential fivefold increase in solar farms covering up to 350,000 acres of farmland in the UK is posing a major threat to the security of the UKs food production capabilities. Over 119km2 of farmland has been lost to development and urbanisation in Suffolk alone from 1990-2015. That's an area 3 times as big as Ipswich (UK Centre of Ecology & Hydrology) placing additional pressure on food security.

On 8 December 2023 the House of Commons Environmental Audit Committee published its report into food security in the UK calling on the government to urgently implement key measures regarding the UK's preparedness and resilience to future food supply stresses and shocks caused by climate change and biodiversity loss and publish a strategy by 19th December 2023.

The report calls on the Government to implement the following key measures:

Publish the Land Use Framework no later than the 19th December 2023 and integrate food security as a central principle

Designate food security as a public good

Provide more clarity on its plans for baseline metrics in food sustainability

Publish a strategy for innovative food production technologies

The UK Warehouse Association report has huge potential that must be unlocked in order to stop the land grab:-
As the warehousing sector possesses approximately a third of all commercial roof space, it has the potential to double UK's solar PV capacity, which means the warehousing sector alone could deliver the entire UK requirement for 2030 forecast by the National Grid future energy scenarios (FES).
According to this report, UK warehousing has the roof space for up to 15GW of new solar power, which could:

Double UK's solar capacity
Reduce carbon emissions by 2 million tonnes/year
Cut warehousing electricity costs from between 40-80%
Save the warehousing sector £3bn/year
Provide a more secure power supply
Enable the sector to become a net producer of green electricity

It is our understanding that there are currently 14 operational solar parks in Suffolk (184MW total). In addition the table below shows that in Babergh and Mid Suffolk alone there are a further 4 with recent approval, 5 awaiting a decision and 3 more recently submitted

applications. This gives an alarming insight into what the cumulative impact of so many solar parks and the consequent loss of productive farmland on the Suffolk countryside will soon be.

Current Solar Farm Planning Applications - Babergh and Mid Suffolk		
DC/21/00060	Burstall/Flowton/Somersham -	granted
DC/21/04711	Land North Of Tye Lane Bramford Suffolk	granted
DC/21/06825	Land To The South Of Suggenhall Farm Church Lane Rickinghall	refused, appeal submitted
DC/22/01243	Land South Of Tye Lane Bramford (Part In The Parishes Of Flowton And Burstall)	awaiting decision
DC/22/01530	Badley	refused
DC/23/02118	Land To The South Of Church Farm, Somersham IP8 4PN And Land To The East Of The Channel, Burstall Suffolk IP8 4JL	granted
DC/23/04644	Earl Stonham	awaiting decision
DC/23/05127	Boxted	awaiting decision
DC/23/05426	Land North Of Lion Road Palgrave Part In The Parishes Of Wortham And Diss	awaiting decision
plus another 3 potential solar farm applications recently submitted		

In summary, Best and Most Versatile (BMV) farmland cannot be created. It is a finite resource and should be prioritised for food production wherever possible. The Government has repeatedly stressed the need to avoid the loss of BMV land – and Babergh must act to secure this objective.

Noise

It is now clear that the applicant's noise report is lacking in many areas and the noise impact from an estimated 120 inverters, fans and 11 transformer stations are far more significant than has been portrayed.

It is very difficult to see exactly where the inverters will be located. See below a table demonstrating the proximity of homes to transformers, calculated from information found in the planning application:

	Within 250 metres	Within 300 metres
transformers	Dwellings	Dwellings
1	4	3
2	8	4
3	3	1
4	4	12
5		1
6		2

The noise impacts of the development have been considered by an eminent noise expert, who has submitted his Report directly to Babergh. He has found the applicant's submitted Report to be seriously deficient in number of key respects. The full Report needs to be read, but the Conclusions are set out below:

Assessment conclusions

3.1 The principal matters of note and a summary of what I believe are the applicant's assessment errors and omissions are set out below.
3.2 The applicant's noise consultant has assessed using the provisions of BS 4142. This is reasonable to an extent (but see below).
3.3 BS 4142 requires an assessment based on a comparison of the background sound level (preexisting, i.e. in the absence of the source being assessed) with the rating sound level generated by the assessed noise source, in this case string inverters and transformer plant on the solar farm.
3.4 The applicant's noise assessment uses the wrong representative background sound level at survey location M1 (aka MP1), Church Farm. For the 'sunrise period' of 0500 to 0700 hours the assessor has used a background sound level of 33 dBA when their own histogram shows that they should have used a level of 24 dBA perhaps with a sensitivity test at 31 dBA.
3.5 A sound level of 24 dBA is half as loud as the 33 dBA assumed by the applicant. This is a significant error that would have fundamentally changed the assessment conclusions reached by the applicant.
3.6 Noise emission levels from the site will be dictated by the string inverters – both because of their relative sound levels and their number (approximately 126).

3.7 The applicant has used the wrong source noise emission level from the inverters. It has used a level of 62 dBA at 1 metre whereas the specific datasheet for the chosen string inverter – the Sungrow SG350HX - shows the level to be 74.0 to 75.6 dBA at 1 metre.
3.8 In the sunrise period, a 'significant adverse impact' will be apparent at Receptors R1, R2, R3 and R4. There would be a lesser though still significant noise impact at R5 Maltings House. R5 Garden House will not be impacted by noise.
3.9 The noise impacts during the day will be less than during the sunrise period. However, the noise impacts at assessment locations R1, R3 and R4 will still be significant.
3.10 The noise impact at assessment location R2 Uplands will vary between 'significant adverse impact' and 'adverse impact' depending on precise location.
3.11 The impacts at R5 will be 'adverse' (Maltings House) but 'low' at Garden House.
3.12 In conclusion, the proposed solar farm would result in a significant adverse noise impact to the majority of residential properties around the site. There will only be a few properties in the assessment area where impacts will be adverse or low.
3.13 The noise and vibration report states at paragraph 7.4 that: Proposed Solar Farm, Bentley Page 13 'In order to ensure protection of amenity and to maintain levels that are well below sleep disturbance absolute criteria, we have proposed that during daytime and sunrise periods the rating level should not exceed the representative background sound level +3dB at NSRs.'
3.14 This BS 4142 objective of the applicant has not been met at any of the assessment locations at any time save at R5 Garden House.
3.15 Transformers generate low frequency noise at 100 Hz. BS 4142 states that it should not be used to assess low frequency noise - such as that likely from the transformers.
3.16 BS 4142 states that low frequency noise should be assessed using the provisions of NANR45. The applicant has not undertaken a NANR45 assessment of low frequency noise from the transformers. I am unable to undertake my own assessment of low frequency noise as I have not been provided with 100 Hz baseline data for the transformers.
3.17 However, I do have concerns about low frequency noise impact from this proposal. These concerns are based on significant experience of transformer and low frequency noise impact.

Summary

3.18 In summary, I have undertaken a BS 4142 assessment using the correct bsl and with rating levels calculated using the correct baseline noise levels for the string inverters.
3.19 A BS 4142 assessment shows that the proposed solar farm would result in a significant adverse noise impact to the majority of residential properties around the site.
3.20 Low frequency noise from the transformers should be assessed using the provisions of NANR45. The applicant has not undertaken a NANR45 assessment, and I am unable to undertake my own assessment as I have not been provided with 100 Hz baseline data for the transformers. However, I do have concerns about low frequency noise impact from this proposal based on experience.

This representation, concerning noise impact from the proposed solar farm, has also been made by the owners/occupiers of Church Farm:
Church Farm is stated to be survey position MP1 in the Applicant's Noise and Vibration Assessment report (Table 4.1). It is location R1 where predicted noise levels are concerned (Table 6.1)
It has become clear to us that the predicted noise impact, principally from inverters and transformers, has been underestimated in the Applicants noise assessment.
This is of serious concern, living so very close to the Main Site which will contain over a hundred of these items of plant and equipment.
As laymen it is complex task to try and unravel the applicant's noise report, but we have noticed that at Appendix 2 of the Applicant's noise report there is a bar chart showing 'representative background sound levels' at Church Farm.
This bar chart shows that the background sound levels are concentrated ('highest % occurrence') at 24 dB and 31 dB. These levels are in the ''sunrise' period 0500 to 0700 hrs.
We say that it is prudent and appropriate to use the lower background sound level i.e. the 24 dB level in any assessment.
Table 6.1 in the Applicant's noise report states the applicant's predicted rating levels of noise from the solar park for the sunrise period as 29 dB.
The simple fact is that even on the applicant's own figures, the noise level from the solar park is well above (5 dB) the representative background sound level at Church Farm.
This without penalising the noise for its tonality – as we understand is required by BS 4142.
Our own assessment conclusions are contrary to the conclusion reached by the Applicant's noise consultant:
'7.4 In order to ensure protection of amenity and to maintain levels that are well below sleep disturbance absolute criteria, we have proposed that during daytime and sunrise periods the rating level should not exceed the representative background sound level +3dB at NSRs'.

Biodiversity

The application overpromises in this area and takes little account of the level of disturbance which the development will cause.

There is very heavy reliance on the BNG Calculator, but this is an extremely blunt and unsophisticated instrument. Closer examination reveals that the factor accounting for most of the differential between the baseline and predicted cases for the BNG Calculator is the use of a higher multiplier by the applicant's consultant for the grassland which is expected to grow under and around under the solar panels (notwithstanding the grass under the 100,000 panels will be starved of the sun's rays and of water) and the lower multiplier considered by the applicant's consultant to be suitable for the well-established grassland already on the site (notwithstanding that this is already grazed by cattle and sheep). These assumptions are disputed; they distort the calculation and need full evidential support if they are to be retained.

The other matter of critical importance under this head is that the application site and its surrounding area is already awash with ecological interest. There is no empirically derived imperative to introduce artificial pockets of additional biodiversity at this location as a quid pro quo for a vast solar installation. There will be many far more ecologically impoverished areas where solar could be sited and which might benefit to a much greater degree from additional hedges or grassland.

Engry Wood is already a County Wildlife Site and is part of Bentley's prized inventory of Ancient Woodland with a rare, important and diverse ecology that spills out onto the fields of the Main Site, Church Farm lane, Church Road and Potash Lane.

The professionals sent in by Green Switch capital for 'Look See' evaluations were here for a matter of hours. The planning application claims 'An extended habitat survey was untaken 28 Feb – 1 March', which is one day.

The existence and yearly proliferation of wildlife (mammals, birds, insects) that find and flourish in the undisturbed, ancient habitats here and that move freely in and out of the woods and across the fields of the Main Site are fostered and encouraged by the quiet rural landscape.

Spring 2022 and 2023 Nightingales have nested in the hedgerow/trees between Church Farm and the Main site field. Dated recordings from May 2023 to prove this. The UK's Nightingale population declined by 53% in the years 1995-2008 (Breeding Bird Survey 2008) and presumably at a similar rate since then. The reasons? Loss of habitat and disturbance. Nightingales are only found in a few places in the south and east of England. It is unarguable that they will not come here to breed again if it becomes a building site and beyond that the continued level of disturbance is likely to stop them returning.

Barn owls are regularly seen crossing the Main Site. Barn owls are notoriously threatened and disturbed by humans and need open fields within 1km of their nesting site to hunt. Other varieties of owl are also present annually.

Brown hares cross the fields and inhabit Engry Wood and the hedgerows of Church Farm Lane. They are often seen in the Main Site field.

Engry Wood is the habitat for the endangered Hazel Dormouse that breeds there. The Hazel Dormouse is legally protected under the Countryside and Wild Life Act 1981 (as amended).

Golden Plovers wintered on the Main Site 2021/22.

Even the applicant's survey admits three territories of skylarks and yellow wagtails on the site, which require open ground to breed. This will be lost to the far the more enclosed environment of a solar array.

Whilst the planting of hedges is often cited as increasing biodiversity, this should be measured against what is being lost from the existing ecological environment. It is worth noting that there are already well established (3m+) hedges within the site, which is also surrounded by several of Bentley's many, mature County Wildlife Sites. So, in reality, planting of hedgerow whips will bring limited additional benefits.

By erecting 100,000 solar panels on this 116 acre area, there will be a loss (or at best a diminishing) of 468,000 m2 of habitat for ground nesting birds including Skylarks and Yellow Wagtails - amongst many, many others. Continued farming, in the form of sheep grazing on the site will also restrict the possibility of ground birds nesting. The width of the hedge planting will be approximately 1 metre and go round the 4km boundary, creating 4,000 m2 of saplings (this equates to less than 1% of the land area being lost for ground breeding birds) that will be unable to support any meaningful wildlife for the first 15 years of their life and after which will add little to wildlife diversity as there are already large, well established 3m+ hedges in the area.

Many of the birds mentioned in the applicant's report are known for their highly sensitive reaction to a changing environment and the proposed development will discourage a number of highly endangered breeding birds from this area. The planting of thin rows of saplings is not sufficient to offset this loss and is on a scale that is tokenistic at best.

On the Green Switch Capital website it shows a photograph of sheep grazing on a solar farm. This is a stock image that is available online and can be traced back to a site in Eastern

Europe. How, in reality, will 'sheep graze' the Main Site when the solar panels are angled on piling structures and are only a max of 80cm off the ground at the front? There appears to be very few if any solar developments in England where currently sheep are being grazed.

Farmers Weekly article 17/10/22 clarifies the reality of the situation with sheep grazing solar farms saying:

Only small breeds are suitable as some are too big to graze underneath the solar panels.
Space between rows of panels is limited so only a quad bike can pass through.
The figures for grazing on a solar farm studied in Pembrokeshire: summer 12, winter 5 sheep per hectare. Compared to figures from National Sheep Association which states summer 25-36 and winter 15-25 sheep per hectare.
It is not possible to reseed the land, so there will be a nutritional penalty going forward, and the shade from the panels diminishes the sugar content of the swards, too.
Over time, stocking rates need to be reduced as the quality of the grass becomes poorer.
You need good, steady dogs for getting the sheep on and off the fields, and the dogs must get used to the panels too. Rounding up is kept to a minimum to reduce the risk of injury from the mounts.

Sheep grazing is also in conflict with skylark nesting as they nest up to 4 times per year.

The Suffolk Wildlife statement is inadequate and it appears that they have not thoroughly read this application and spotted all the errors and omissions as to the scale and nature of existing habitats and wildlife on and around the site, especially considering that SWT's own guidance states quite clearly that, when planning applications such as this are to be submitted, extensive research should be undertaken into existing wildlife and the present environment and that prime agricultural land should not be used for solar farms, going on to say that some low grade land which requires heavy fertilisation to grow crops could be used. This site is "predominantly BMV" land - even according to the applicants.

Traffic and Access

Construction Traffic

Though the volume of construction traffic and assumed programme appears to be of a reasonable order, there is no specific evidence provided in the Transport Assessment to support the construction traffic figures. In particular, it is most likely that there will be periods of concentrated activity in the form of deliveries that may result in impacts that are significantly greater than those presented. Such periods of intensified activity should be quantified, either through surveys of past construction or by assessment of a detailed construction activity programme, to enable suitable consideration of peak environmental and traffic impact.

Safety Records

It is noted that the Transport Assessment has relied on Crashmap data for 2017-2021 for the purposes of undertaking a safety review. This period includes the Covid hiatus and it is suggested that a full accident data report should be sourced from Suffolk County Council, who would hold comprehensive and up to date records, to ensure post covid conditions are suitably considered. It is known that this data set omits a fatality on a key section of the access from the A137.

Use of Quiet Lane for construction access

Quiet Lanes are nationally recognised designations of single-track road where visitors and locals can enjoy the natural surroundings and use them for activities such as cycling, horse-riding, jogging and walking.

They have advisory signs at either end to show motorised users clearly that the road is a shared space. The sign is included in the Highway Code (Rule 218) and indicates to drivers that other more vulnerable users may be using the road. The guidance in the Highway Code to drivers - '..You should drive slowly and carefully and be prepared to stop to allow people extra time to make space for you to pass them in safety'.

It must be noted that designation as a Quiet Lane does not bring about any enforceable restrictions nor does designation prohibit use by any types of vehicle or regulate their speed.

There are only a limited number of quiet lanes in Suffolk and only 3 in Bentley District. They would have been selected because they have established use for leisure and also carry very low levels of traffic. They are fundamentally unsuitable for an access to a construction site not simply because of their designation but because of their very nature; based upon geometry and usage. Quiet Lanes are minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles. The aim of Quiet Lanes is to maintain the character of minor rural roads by seeking to contain rising traffic growth that is widespread in rural areas.

As noted above, the use of the quiet lane for construction access is inappropriate and an alternative access arrangement to the construction site should be sought. The change in nature of this lane would be a significant environmental impact.

Geometry of access arrangements

The physical geometry of the access designs appears reasonable for anticipated frequency of deliveries and likely nature of delivery vehicles. However the proposed visibility splays are questionable.

At 3.2.16 it states:

> "Nonetheless, to allow suitable visibility splays and to minimise the impact of the proposed site access on surrounding vegetation, a 30mph temporary speed limit will be put into place and enforced during construction of the site."

It is suggested that this is based on a flawed assumption in that there will be no practical enforcement of any temporary speed limit as the police will not be willing to allocate resources and speed camera usage would not be supported by DfT Circular 01/2007.

There is little evidence that speed limits in rural locations have any significant impact on vehicle speeds as drivers base suitable vehicle speeds by their individual judgement of road geometry and risks. Drivers tend to drive faster on very lightly trafficked roads. Signposts that show speed limit do not automatically imply that drivers will match the indicated speed limit and generally are only effective at sites where the hazards are obvious, and drivers understand and accept the speed limitation.

It is suggested that all visibility splays should be designed for currently observed 85th percentile vehicle speeds and would then need to be deliverable within the public highway or land suitably controlled by the applicant for the access arrangement to be acceptable.

The applicant's traffic planning is confused, has many mistakes corrected in blue below, which inevitably begs many more questions about the applicant's thoroughness and accuracy:
'Construction access to the Main Site would be via the existing access track from Station Road (actually Capel Road) (to the west, with a direct crossing of Church Lane (actually Church Road) to the eastern field of the Main Site. No traffic would be routed along Church Lane (do they mean Church Road? Traffic will certainly be crossing Church Road and will have to move along it between the 2 sites).

Construction access the Substation Site would be via a proposed access track from an unnamed road (actually Church Road, a Quiet Lane), with access in turn from the A137 (access cannot be direct from the A137 but must come along Church Road)

The distance between the turn off from the A137 to the applicant site entrance near the railway bridge on Church Road is 0.634 miles.

This is a Quiet Lane and is single track with many tight bends as seen by the map of this area.

The average speed a car, unimpeded by other traffic, would average 18mph* across this distance.
The average speed of a lorry, unimpeded by other traffic, would average 14mph^ across this distance.

(*Source: Based on a real example of travelling down the 0.634 miles of road, outlined above, at a safe speed. ^Estimated speed of a 18m lorry relative to a car.)

Based on the above speeds, if traffic were stopped across this distance, the time needed to allow traffic to safely pass through this area would be:
For Cars: 2 minutes, 7 seconds;
for Lorries: 2 minutes, 43 seconds;
+ allowing at least a 20 second additional allowance (both ways) for slower than average vehicles

This equates to a MINIMUM time of 5 minutes 30 seconds for one cycle of single direction traffic to pass over this distance.

The use of Traffic lights would need to be set up on the A137 in order to regulate local traffic and site traffic through this single lane road. This would have an effect of blocking the A137 for miles in both directions as it is a key local trunk road with average waiting time outlined above.

With the assumption that the A137 traffic light option outlined above is unacceptable, then the remaining option would be to close Church Road for the duration of the works.

That would effectively block the road for the duration of the works and it is NOT acceptable to expect local residents, walkers, bicyclists and horse riders that regularly use this Quiet Lane to lose this important and much valued local amenity for the duration of the build.

Disturbance to the Mainline Railway

We have talked to the area crossings manager from Network Rail who had no knowledge of this planning application. NR have said that the applicant's plan to run cabling beneath the railway line to the DNO substation is unlikely to be feasible – given the level of strong foundation necessary for trains travelling at high speeds on the main line between London and Norwich. He specifically said that boring under the foundations of the main line to line to London would not be acceptable to NR.

Alternative Sites

Policy LP25 of the Babergh & Mid Suffolk Joint Local Plan adopted less than 2 months ago (after detailed examination by expert Inspectors) requires, where harm to the setting of a heritage asset is found to exist, as the applicants accept here, that an applicant must demonstrate that there are no alternative sites for a proposal available within the district.

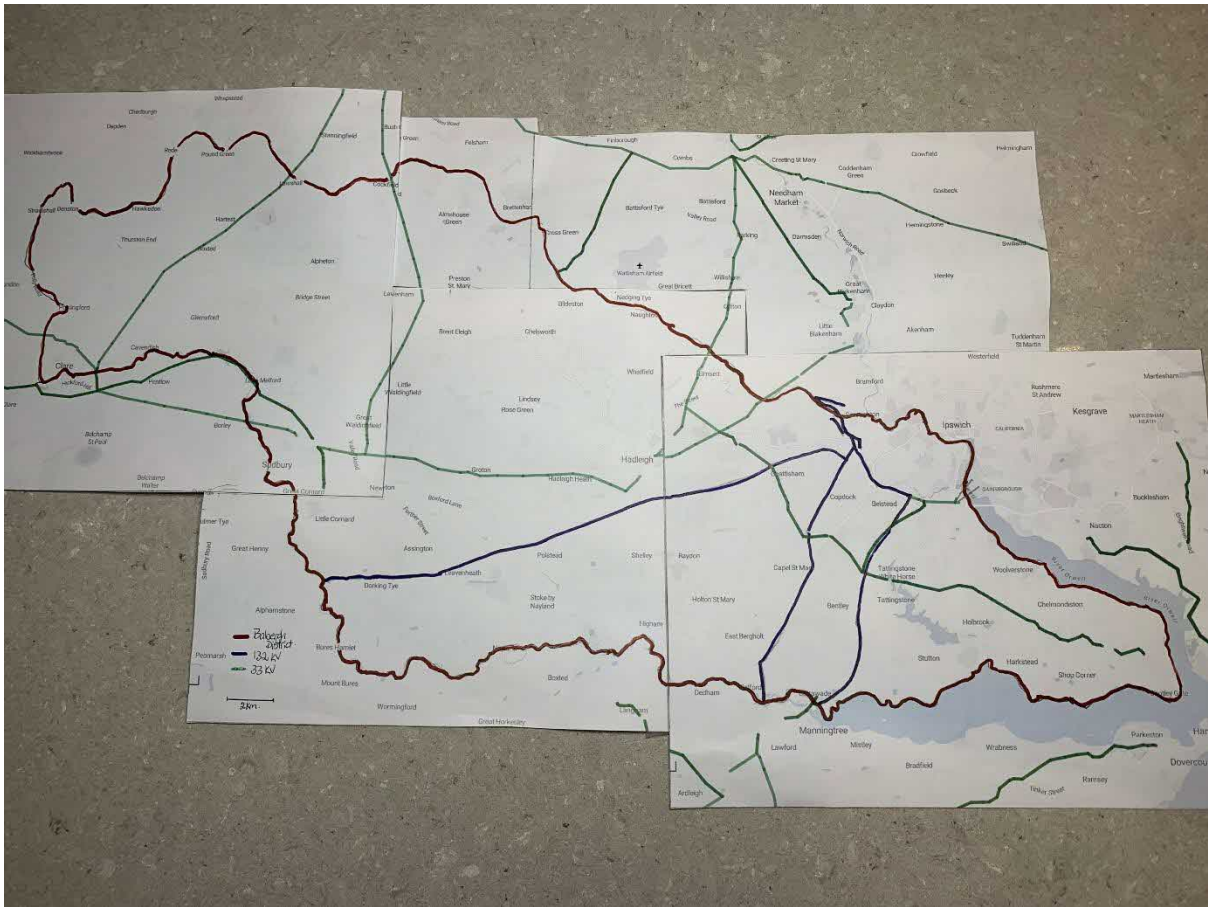
The applicants have submitted what they call an "Alternative Site Assessment" ("ASA") which concludes not only that there are no alternative sites, but that this is "the best possible site" – presumably in Babergh. Rarely can such a bold proposition have been supported on such insubstantial foundations. It is clear that this report has been produced in a hurry in response to the recently adopted policy.

The applicants have unilaterally re-defined this test at para.2.1.5 and assert that they only need to consider alternatives that "could utilize the same point of connection" to the network. This is emphatically not what the policy says. It is patently wrong as a matter of law and Babergh must insist that this exercise is revisited and undertaken properly and in accordance with the wording of the policy, as recently adopted.

Quite apart from this structural legal defect, the ASA then adopts the narrowest possible criteria for its sieve exercise and will not stand up to scrutiny either as a matter of law or on its merits. In fact, the filters it uses are so primitive that it actually screens out the application site itself, which is Grade 2 BMV land on the MAFF database!

There are sensible sites for solar on the roofs of industrial and commercial buildings, previously developed land like old aerodromes, or alongside major roads, where the environment is already sadly degraded, but not, we would say, at the very heart of the ancient parish of Bentley, ringed by its ancient woodlands and remarkable assemblage of heritage assets.

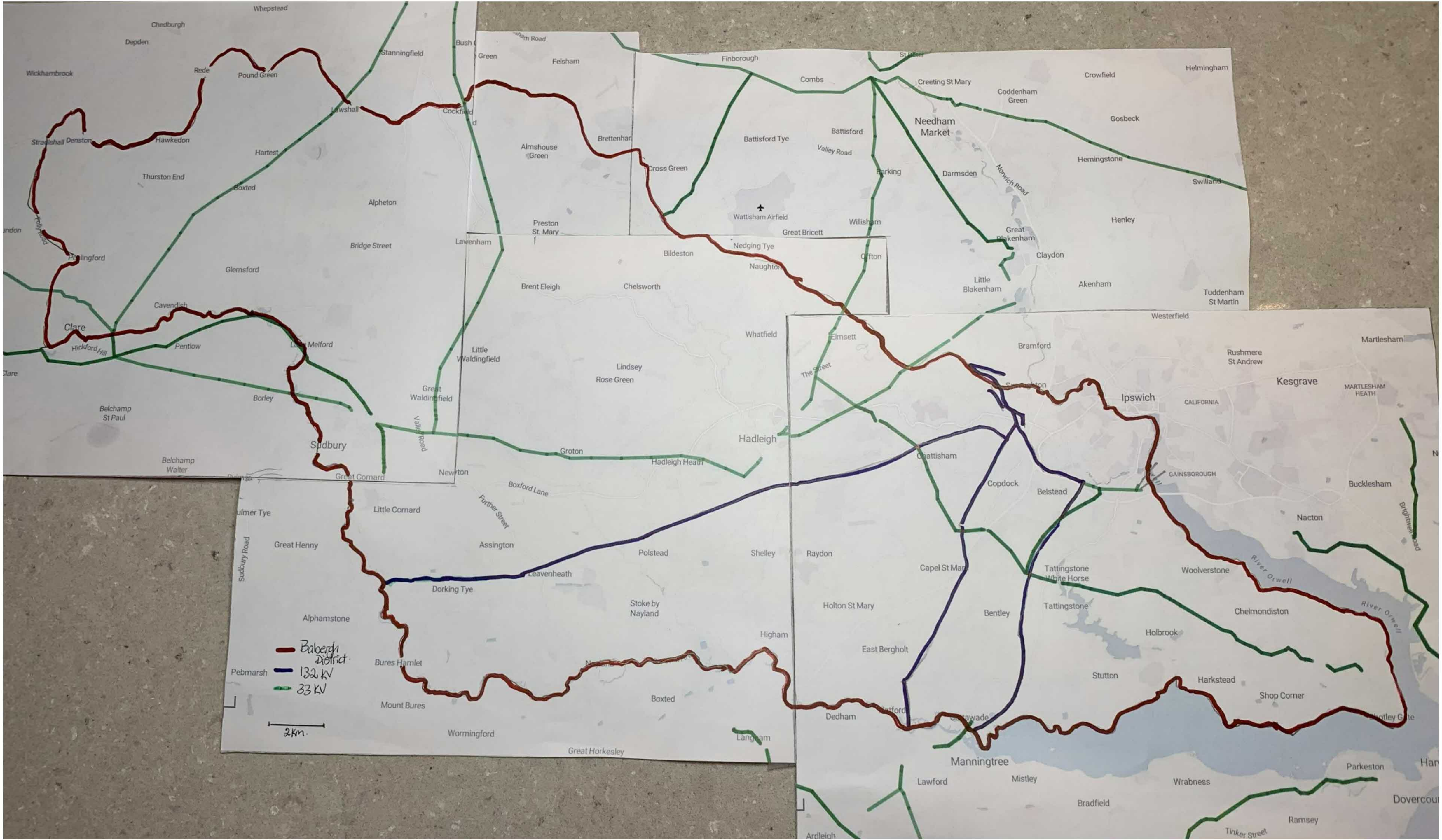
We attach below a plan of all the 132KV and 33KV lines in Babergh. These must all be considered, as must land which is subject to MAFF Provisional ALC Grade 2, as it might transpire that the landowner can have it re-graded to a lower grade if it has potential for solar development. It would certainly be completely illogical to rule out as a "non-starter" agricultural land which has precisely the same designation as the application site.



Red – The district boundary
Blue – 132kV lines
Green – 33kV lines

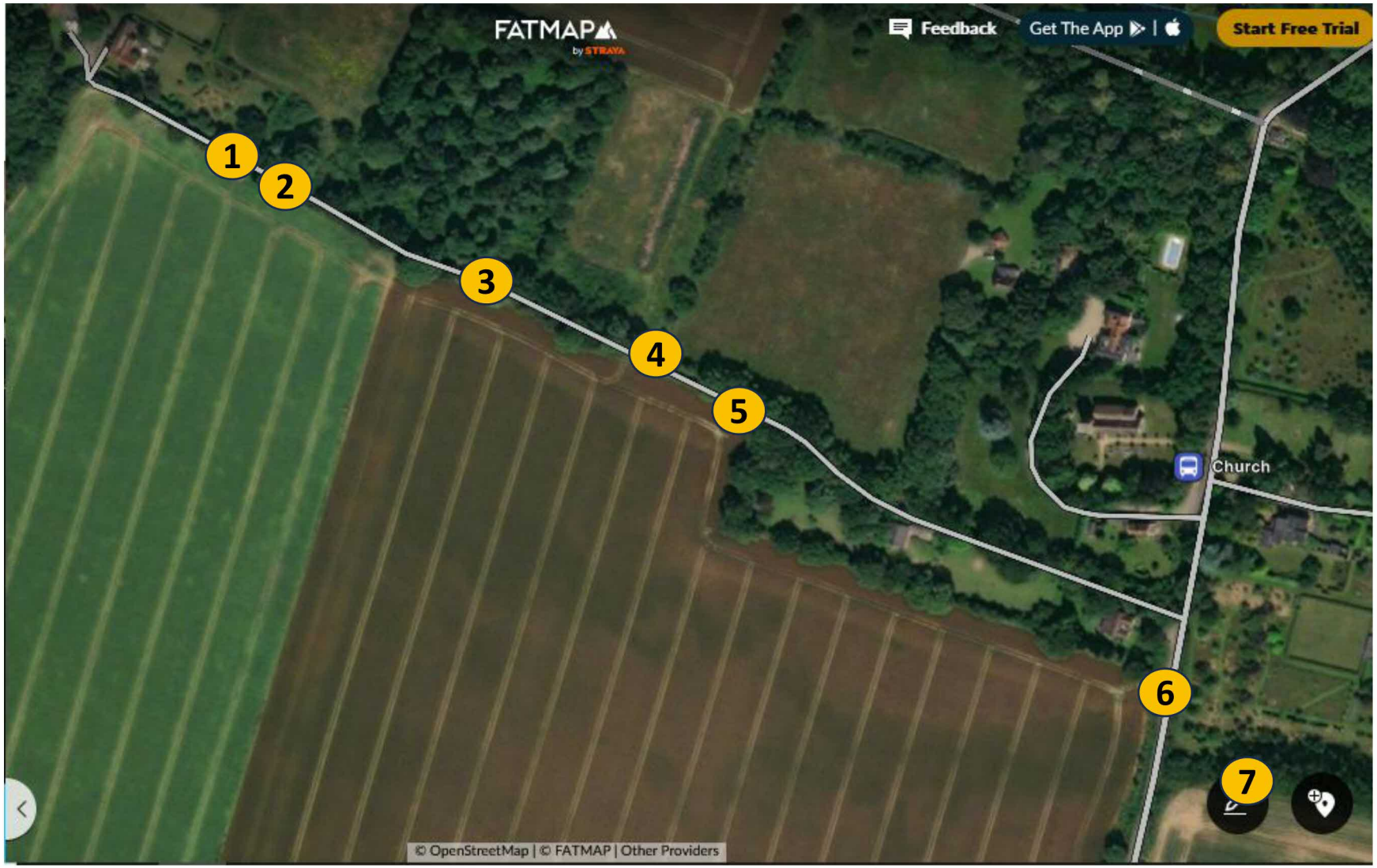
CONCLUSION

This application should be refused for all the above reasons.



Babergh District.
132 kV
33 kV
2km.
Whepstead
Chedburgh
Depden
Wickhambrook
Rede
Pound Green
Stanningfield
Lawshall
Cockfield
Stradishall
Denston
Hawkedon
Hartest
Thurston End
Boxted
Alpheton
Bridge Street
Glemsford
Cavendish
Clare
Hickford Hill
Pentlow
Long Melford
Borley
Belchamp St Paul
Belchamp Walter
Sudbury
Great Cornard
Felsham
Almshouse Green
Brettenham
Preston St. Mary
Lavenham
Finborough
Combs
Battisford Tye
Battisford
Valley Road
Cross Green
Wattisham Airfield
Great Bricett
Barking
Willisham
Creeting St Mary
Needham Market
Darmsden
Coddenham Green
Crowfield
Helmingham
Gosbeck
Hemingstone
Swilland
Norwich Road
Henley
Great Blakenham
Claydon
Little Blakenham
Akenham
Tuddenham St Martin
Bildeston
Nedging Tye
Naughton
Offton
Brent Eleigh
Chelsworth
Whatfield
Elmsett
Little Waldingfield
Lindsey
Rose Green
Great Waldingfield
Hadleigh
Groton
Hadleigh Heath
Newton
Boxford Lane
Further Street
Little Cornard
Assington
Great Henny
Sudbury Road
Polstead
Shelley
Leavenheath
Dorking Tye
Stoke by Nayland
Alphamstone
Higham
Pebmarsh
Bures Hamlet
Mount Bures
Boxted
Wormingford
Great Horkesley
Langham
Westerfield
Bramford
Rushmere St Andrew
Martlesham
Kesgrave
Ipswich
California
Martlesham Heath
Sproughton
Chattisham
Copdock
Belstead
Gainsborough
Bucklesham
Nacton
Raydon
Capel St Mary
Tattingstone White Horse
Tattingstone
Woolverstone
River Orwell
Holton St Mary
Bentley
Chelmondiston
Holbrook
East Bergholt
Stutton
Harkstead
Shop Corner
Dedham
Cattawade
Manningtree
Mistley
Lawford
Wrabness
Bradfield
Parkeston
Ramsey
Dovercourt
Tinker Street
Ardleigh

Map 1: Main Site – long view positions Church Farm lane to Church Road



View 1: from Church Farm driveway/end of garden – long views to Engry Wood and across the field in every direction from wide gap in the sparse hedgerow, not screened or enclosed.






View 2: from Church Farm driveway (long views in all directions across the field, not screened or enclosed)

View 3: from Church Farm Lane long views at all times of year in all directions

View 4: from Church Farm lane long views in all directions at all times of year

View 5: from Church Farm lane – long views in all directions close to Little Bush, Glebe Cottage and Bentley House

View 6: From Church Road outside Little Bush close to St Mary's Church

View 7: From Uplands (private residence) across the Main Site to Falstaff Manor/ railway line and consumer substation site

Map 2: Main Site – long view positions Church Road and Potash Lane

View 8: on Church Road near to St Mary's Church towards Engry Wood. This stretch of road is not screened and the view is seen from every direction

View 9: from Church Road towards Engry Wood, Church Farm and Potash Lane, no screening and wide openings

View 9: from Church Road towards Engry Wood and Potash Lane, no screening and wide openings

View 10a – from Church Road towards the sites of both substations (NB the railway line is invisible from here)

View 10b– same position in the other direction across the main site field to Engry Wood and Church Farm

View 11: Church Road by Falstaff Cottages and Manor, view to Engry Wood and Church Farm

View 12: from corner of Church Road and Potash Lane towards the St Mary’s Church

View 13: from Potash Lane across to Engry Wood and Church Farm

View 14: from Potash Lane long views in all directions towards Engry Wood, Church Farm, St Mary's Church and Church Road

View 14 continued: from an opening on Potash Lane to St Mary's Church and Engry Wood

View 15: from another opening on Potash Lane across to Engry Wood, Church Farm and St Mary's Church
Row 1 winter Row 2 summer

View 16: from another opening on Potash Lane towards St Mary's Church, Church Farm and Engry Wood, row 1 winter, row 2 summer

Map 3: Substation Site – a handful of long view positions Church Road and Footpath 18

View 1 - from Church Road where the new access point and road will be built looking to the Substation site (the trees by the pylon will be cleared)

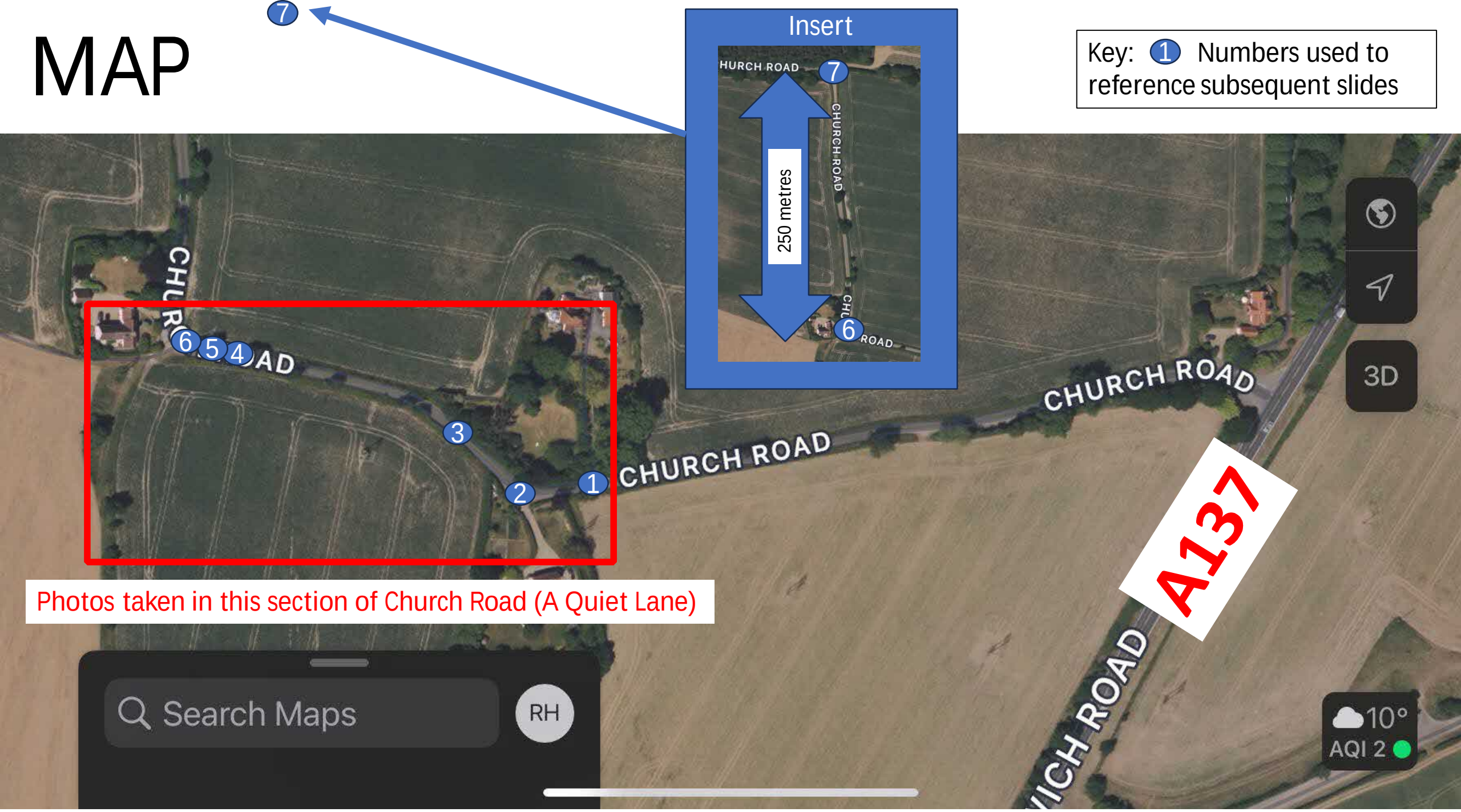
View 2: from Maltings House/Footpath 18 towards i) the new access road site ii) substation site NB railway line is completely hidden from view

View 3: from footpath 18 i) wide view where road and substation will both be ii) towards substation site iii) towards new access road

View 4: from footpath 18 i) towards Substation site ii) towards new access road site

MAP

Key: 1 Numbers used to reference subsequent slides



Photos taken in this section of Church Road (A Quiet Lane)

1.

Distance between silver cans = 2.5metres

(standard width of 10+ metre vehicles)

2.

Distance between silver cans = 2.5 metres

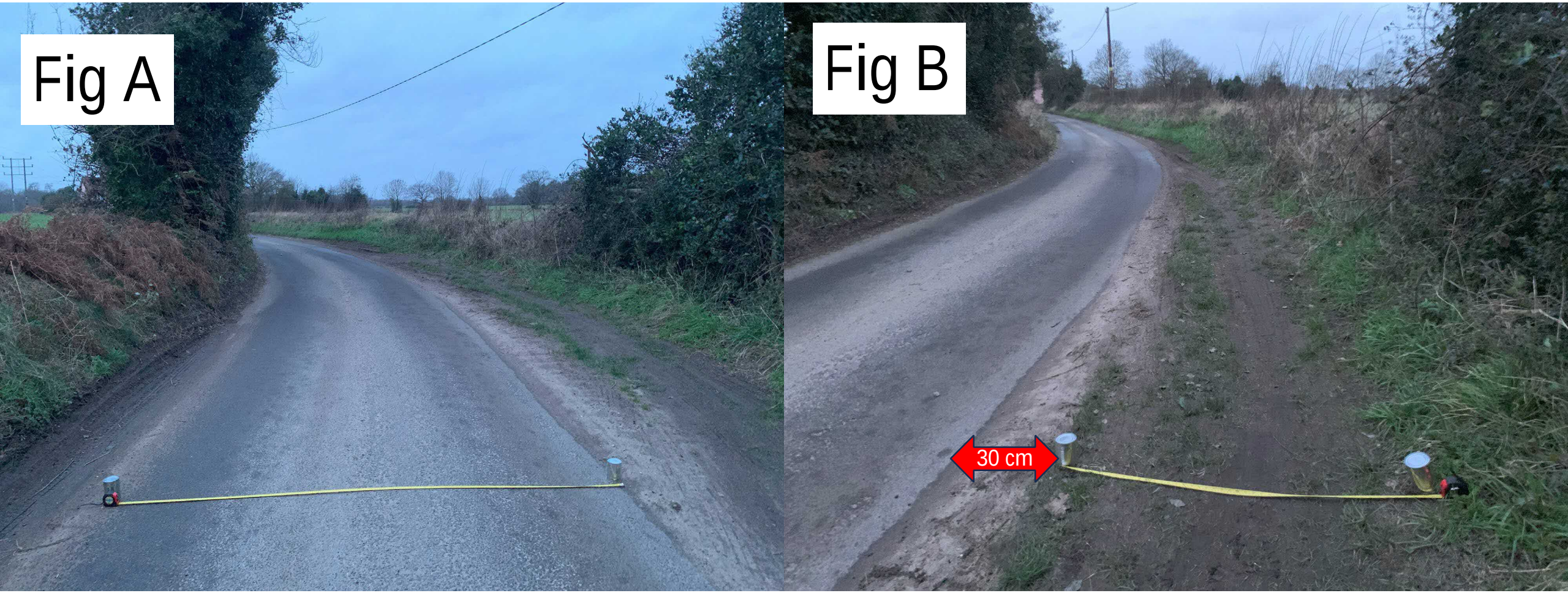
(standard width of 10 metre + vehicles)

3.

Fig A: Distance between silver cans = 2.5metres (standard width of 10 metre + vehicles)

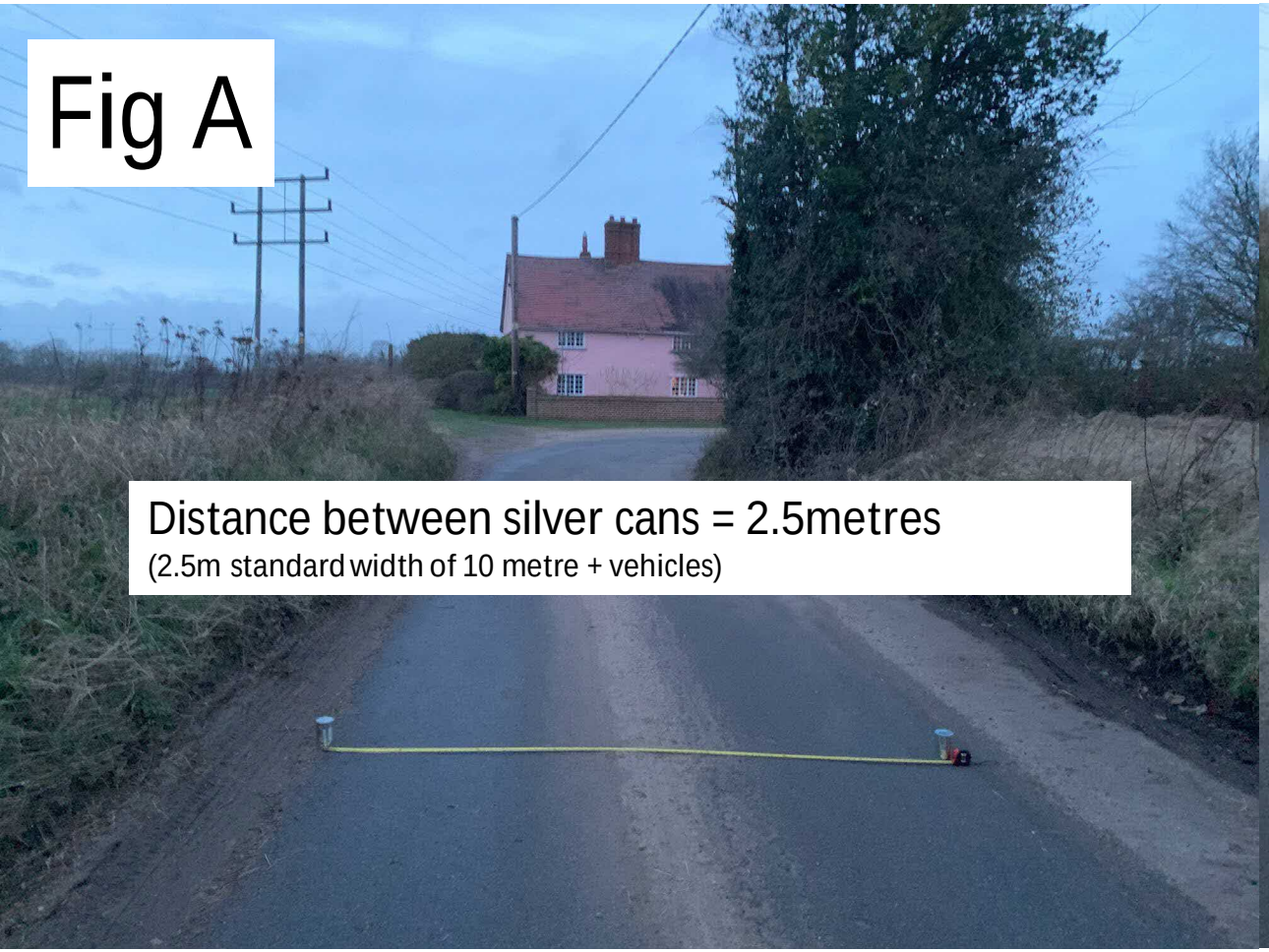
Fig B: Distance between silver cans = 1.2metres (leaving 30cm gap between Fig A silver can and Fig B roadside silver can).

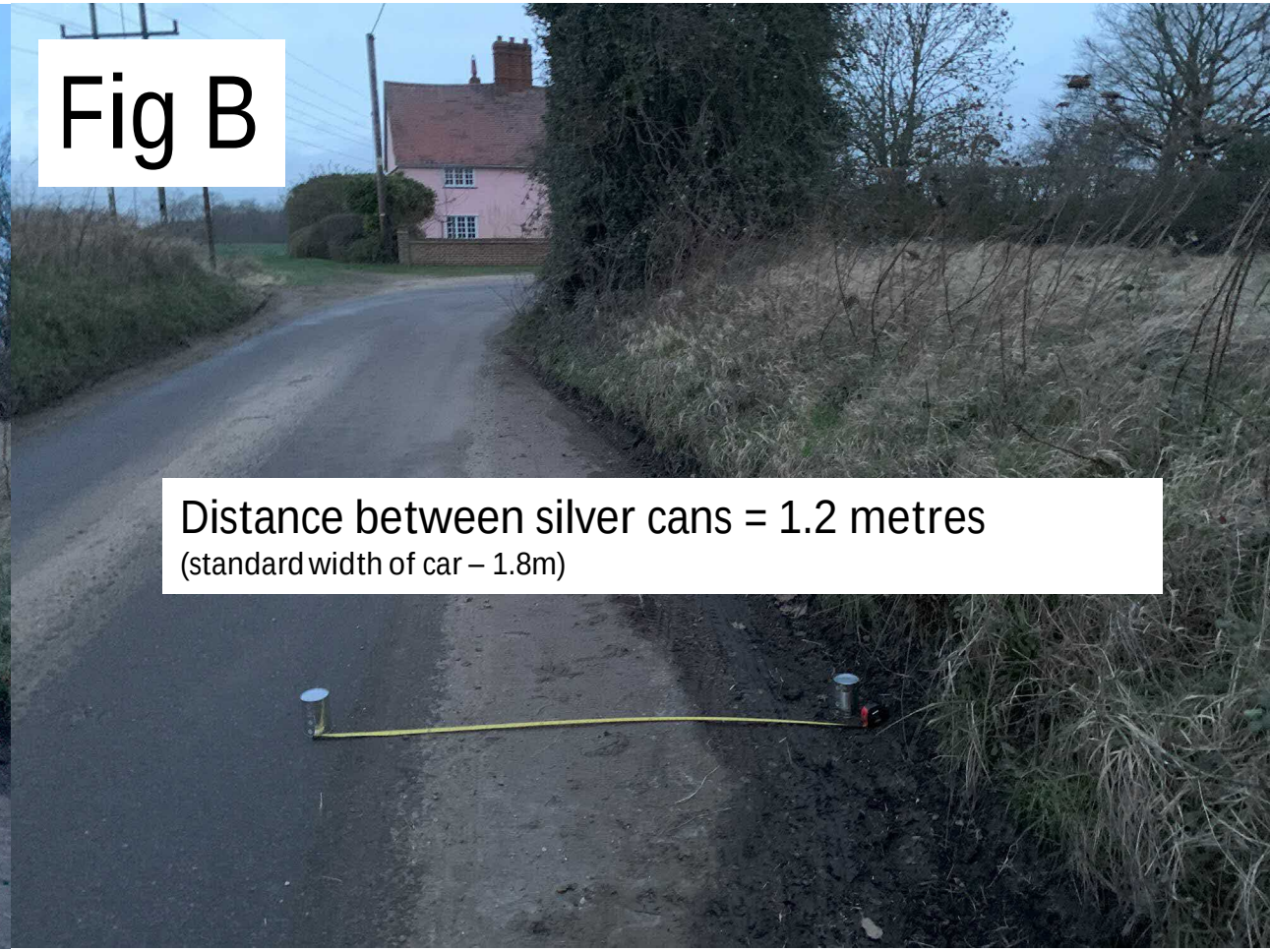
Average car width 1.8m.



It is NOT possible for a car to pass a lorry at this point in the road.

4. A car would have to reverse around a blind corner (picture 3.) and reverse back 90 meters to the next passing point here. This passing point (Fig B) is ALSO too narrow for a car to be passed by a lorry.





It is NOT possible for a car to pass a lorry at this point in the road.

5.

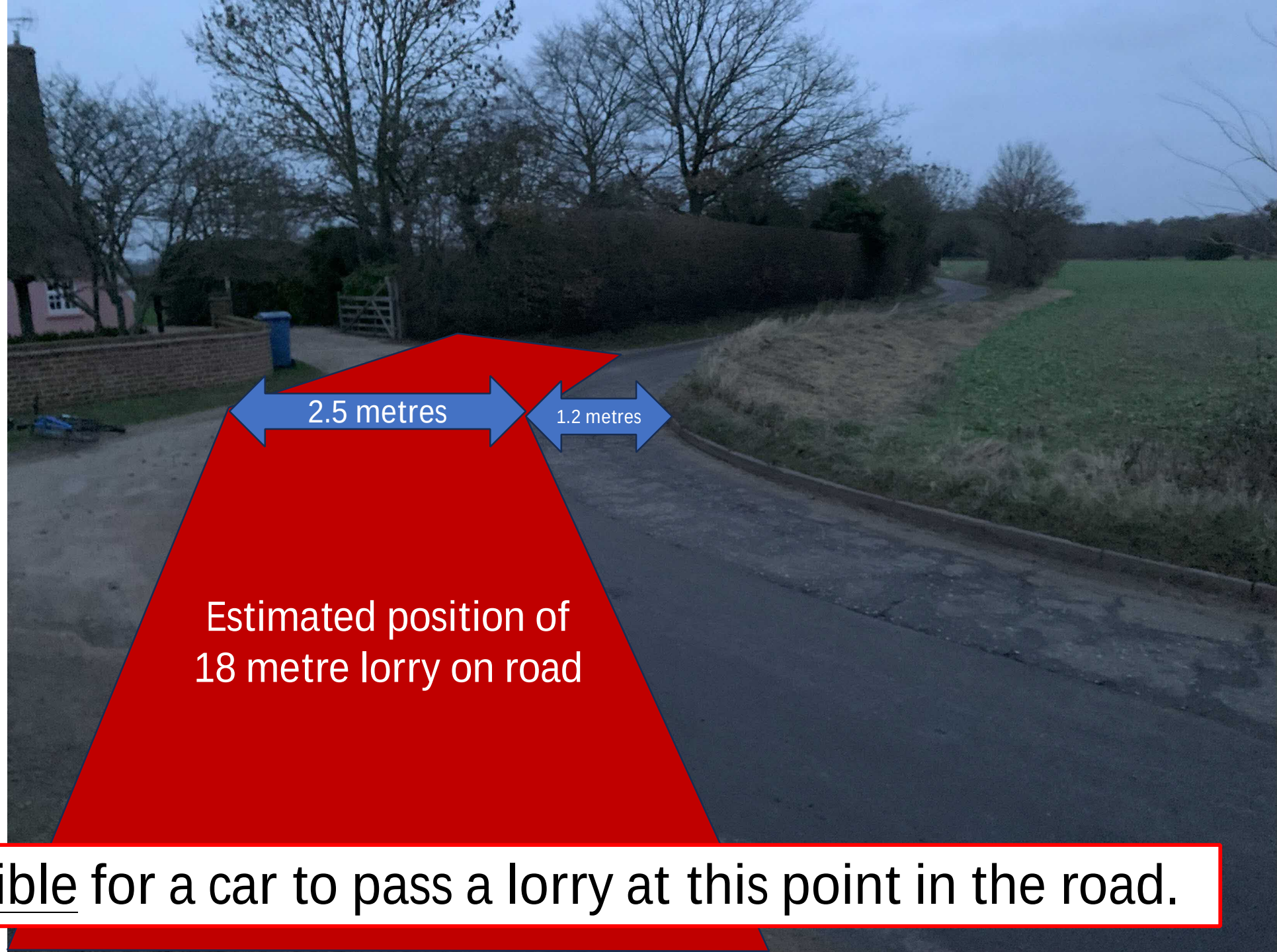
Distance between silver cans = 2.5 metres

(standard width of 10 metre + vehicles)

6.

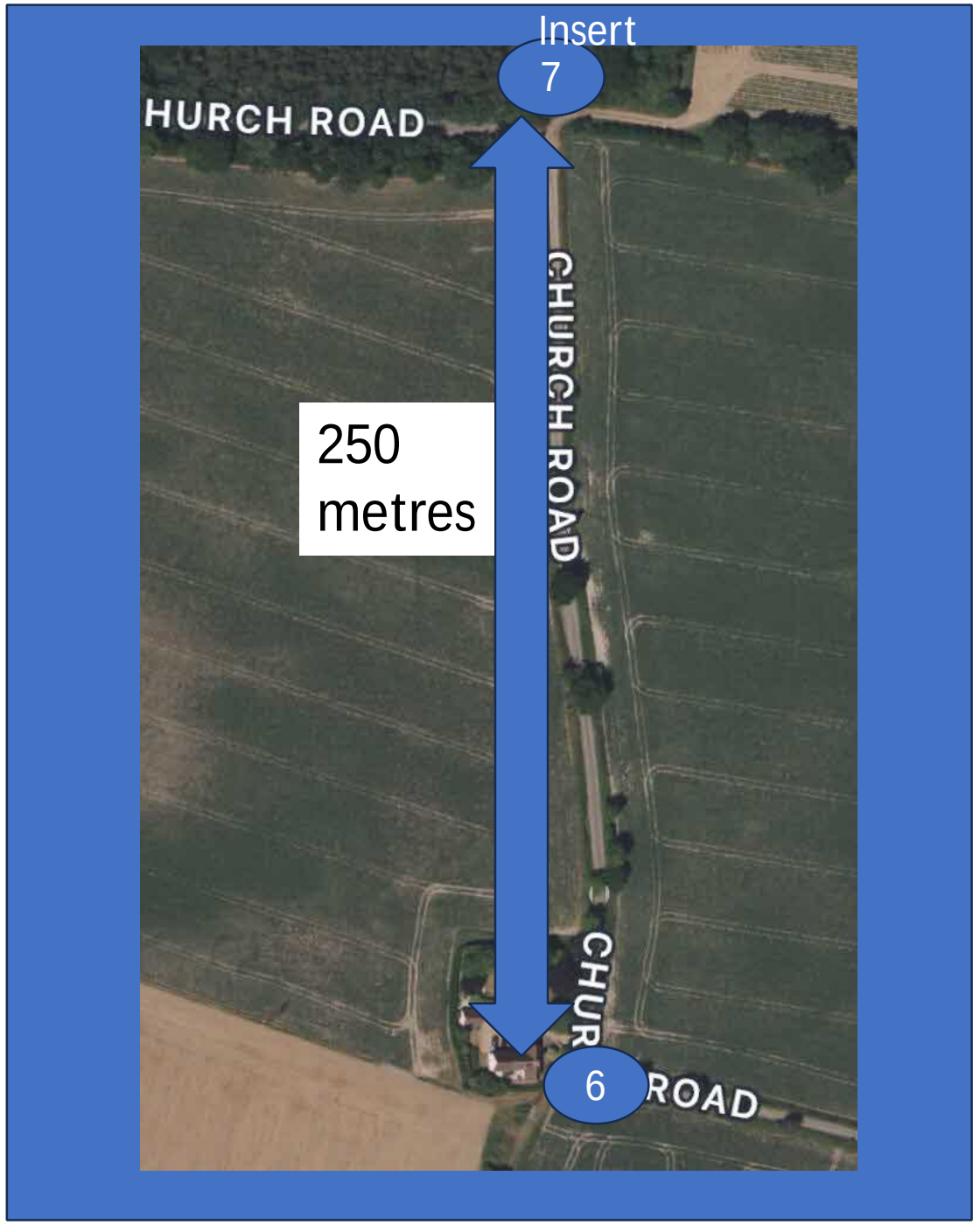
There is not enough room for a car and a lorry to pass at this right-angle bend point in the road.

The next passing place large enough for a car to reverse and a lorry to pass is at Point 7 (see MAP) (250 metres down the road).



It is NOT possible for a car to pass a lorry at this point in the road.

As there is not enough room for a car to pass at the corner (6) a car would have to reverse 250 metres to point 7.



One has to assume the applicant will therefore apply to close the road to allow lorries to travel to the site entrance.

For the reasons below this is NOT an acceptable alternative.

The distance between the turn off from the A137 to the applicant site entrance near the railway bridge on Church Road is 0.634 miles.

This is a Quiet Lane and is single track with many tight bends as seen by the map of this area.

The average speed a car, unimpeded by other traffic, would average 18mph across this distance.

The average speed of a lorry, unimpeded by other traffic, would average 14mph across this distance.

If traffic were stopped across this distance, the time needed to allow traffic to safely pass through this area would be: For Cars: 2 minutes, 7 seconds; for Lorries: 2 minutes, 43 seconds; + allowing at least a 20 second additional allowance (both ways) for slower than average vehicles

= a MINIMUM time of 5 minutes 30 seconds for one cycle of single direction traffic to pass over this distance.

Traffic lights would therefore need to be set up on the A137 in order to regulate local traffic and site traffic through this single lane road. This would have an effect of blocking the A137 for miles in both directions as it is a key local trunk road.

That would effectively block the road for the duration of the works and is COMPLETELY UNACCEPTABLE AS WELL AS TAKING AWAY THE PRINCIPAL AMENITY OF A QUIET LANE.