

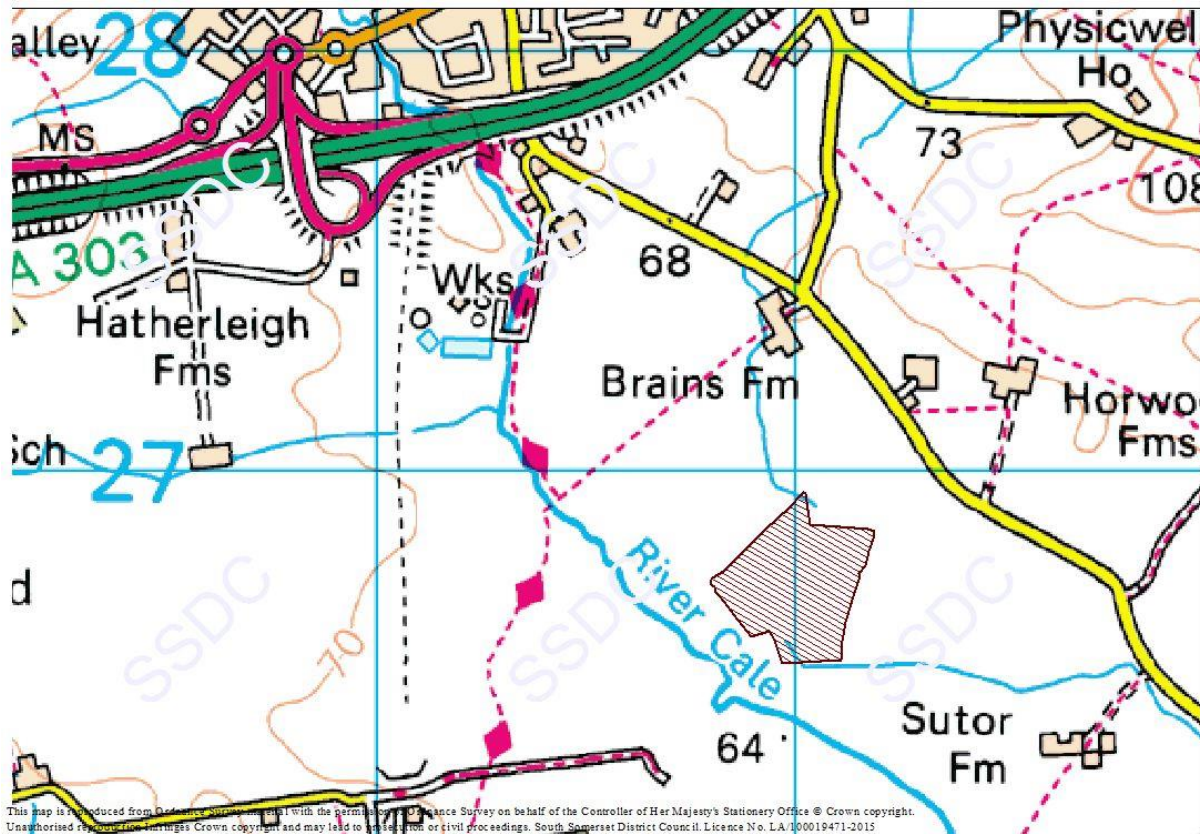
Officer Report On Planning Application: 16/03675/S73A

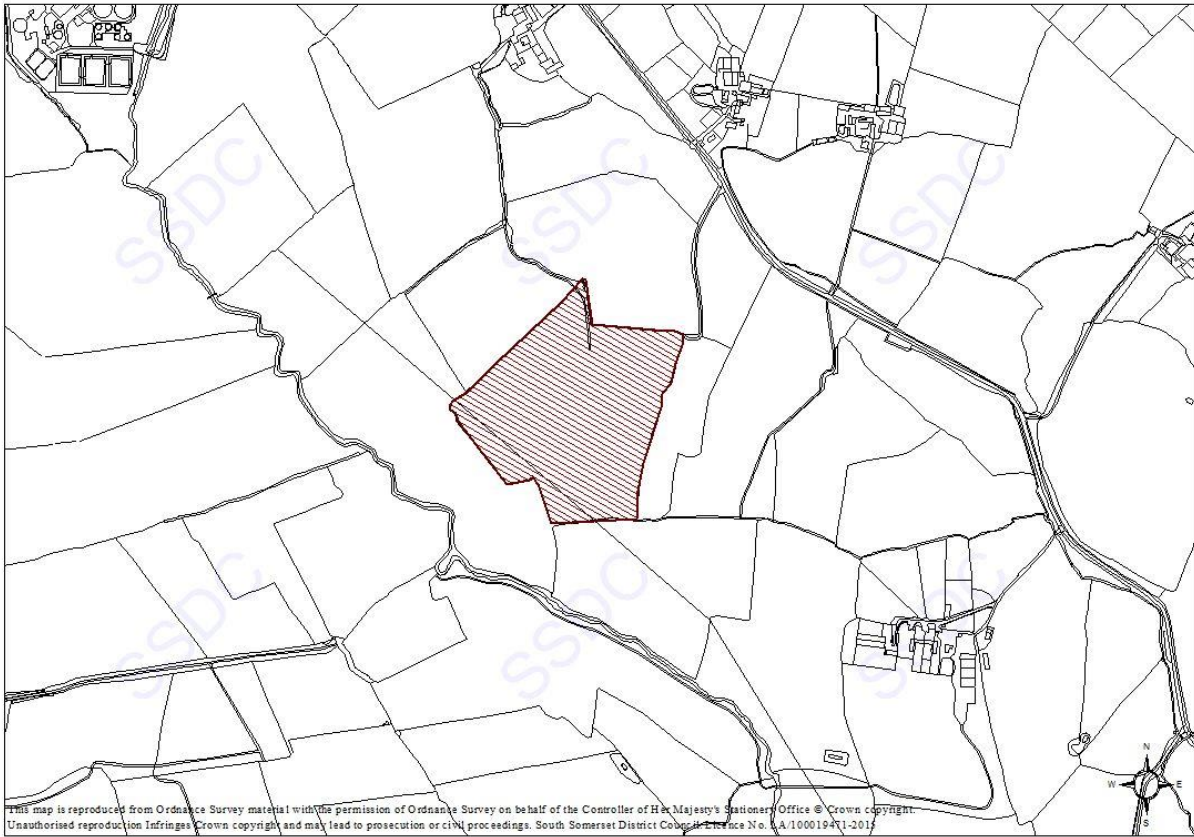
Proposal :	Application to vary condition 2 of planning permission 14/05472/FUL to require restoration of the land within 30 years of the permission rather than 25 years as originally permitted.
Site Address:	Solar Site At Sutor Farm Moor Lane Wincanton
Parish:	Wincanton
WINCANTON (SSDC Member) Ward	Cllr Nick Colbert Cllr Colin Winder
Recommending Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Case	
Target date :	29th November 2016
Applicant :	Pfalzsolar
Agent: (no agent if blank)	Mr Diccon Carpendale Brimble Lear & Partners Wessex House High Street Gillingham SP8 4AG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

The application as a 'major major' application and recommended for approval in accordance with the council's scheme of delegation is referred to committee.

SITE DESCRIPTION AND PROPOSAL





Planning permission was given on 12 March 2015 for the location of a 5MWP Solar Farm on a 9.3 hectares site with associated works that would generate annual electricity the equivalent of consumption of approximately 1400 homes, over a 25-year period.

The application site is located in a single field that is 1km south of Wincanton. The field is a broadly level site. The River Cale is located a short distance to the south-west, and to the north-east Moor Lane passes at its nearest point some 300m away. The land classification is Grade 4 (poor quality). The development is complete.

The proposal seeks to vary condition 2 attached to planning permission 14/05472/FUL to require restoration of the land within 30 years of the permission rather than 25 years as originally permitted.

Condition 02 reads:

'The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.'

It is proposed to simply remove reference to '25' years and replace it with '30' years.

RELEVANT HISTORY

14/05472/FUL - Construction of a 9.3 hectare solar park with associated works, Approved.

13/02070/EIASS - Proposed Solar Park - Enlarged site. EIA not required.

12/03380/EIASS - Proposed Solar Park. EIA not required.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

National Planning Policy Framework - March 2012:

Chapter 1 - Building a strong, competitive economy

Chapter 3 - Supporting a prosperous rural economy

Chapter 7 - Requiring good design

Chapter 10 - Meeting the challenge of climate change, flooding and coastal change

Chapter 11 - Conserving and enhancing the natural environment

CONSULTATIONS

Wincanton Town Council - Recommends approval

County Highway Authority - No observations

Landscape Architect - No landscape issues with this extension of time proposal.

REPRESENTATIONS

None

CONSIDERATION

Principle of development

The National Planning Policy Framework (NPPF) states that local authorities should have a positive strategy to promote energy for renewable and low carbon sources, and design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. The expectation should always be that an application should be approved if the impact is (or can be made) acceptable (para.98 of the NPPF).

The proposal was not particularly controversial when originally permitted (2015) while an additional 5 year period is of limited overall duration and in consequence there is support 'in principle'.

Landscape character

The issues of landscape character remain largely the same. It is noted that the landscape architect has not raised objection to an extension of time, neither has the Town Council. The extension of time is not considered to give rise to detrimental impact in terms of character and appearance.

Highway Safety

There are no highway safety implications in supporting the extension of the time.

Residential amenity

There are no dwellings in close proximity to the site. It is not considered that any harm would result to the amenity of the residents given a 5 year extension of time.

Other Matters

The original planning conditions need to be re-attached and/ or up-dated, as appropriate.

RECOMMENDATION

Approve

01. The benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact originally envisaged of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, and Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 12 March 2015.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be removed and the land restored to its former condition within 30 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

03. Details of the consolidated and surfaced access shall accord with those agreed in the council's letter of 22.12.2015 (ref: 14/05472/FUL) to be maintained at all times for the life of the development.

Reason: In the interests of highway safety further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

04. The development hereby permitted shall be carried out in accordance with the following approved plans: 12073-1 Rev c; WSP-0091-GA-600-ST234 Rev C, DNOC SEP-131004-roo, and 1014/PL10 received 9 December 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

05. The approved on-site planting scheme (Drawing No. 1014/PL10 received 9th December 2014) shall be implemented in the first planting season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character further to policy EQ2 of the South Somerset Local Plan (2006- 2028), and the NPPF

06. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of landscape character and visual appearance further to policy EC3, ST5 and ST6 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan and the NPPF.

07. The scheme of off-site landscaping along the eastern boundary of the site shall accord with details agreed by the council's email of 24.11.2015 (ref: 14/05472/FUL). Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan, and the NPPF.