

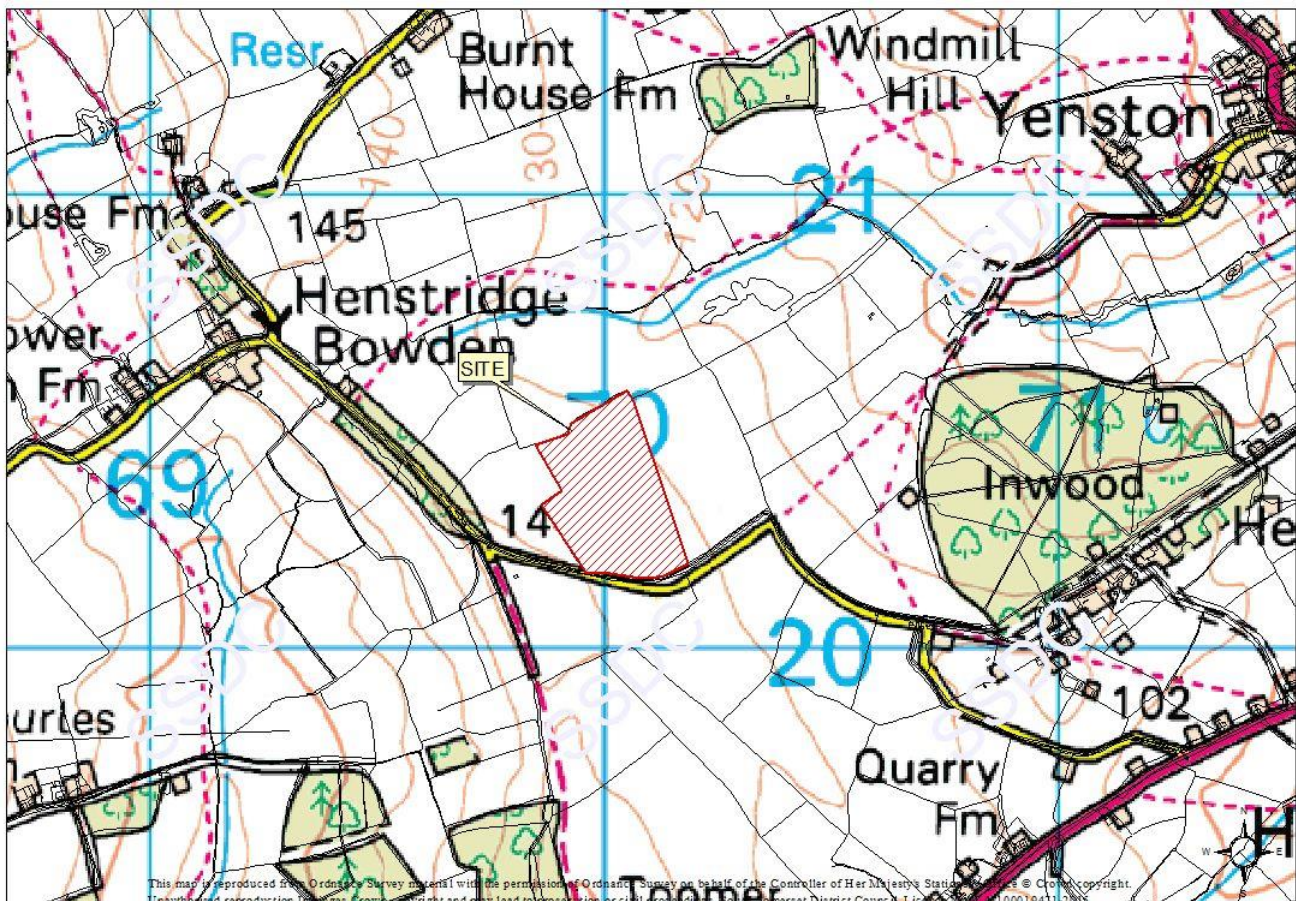
## Officer Report On Planning Application: 17/00242/S73A

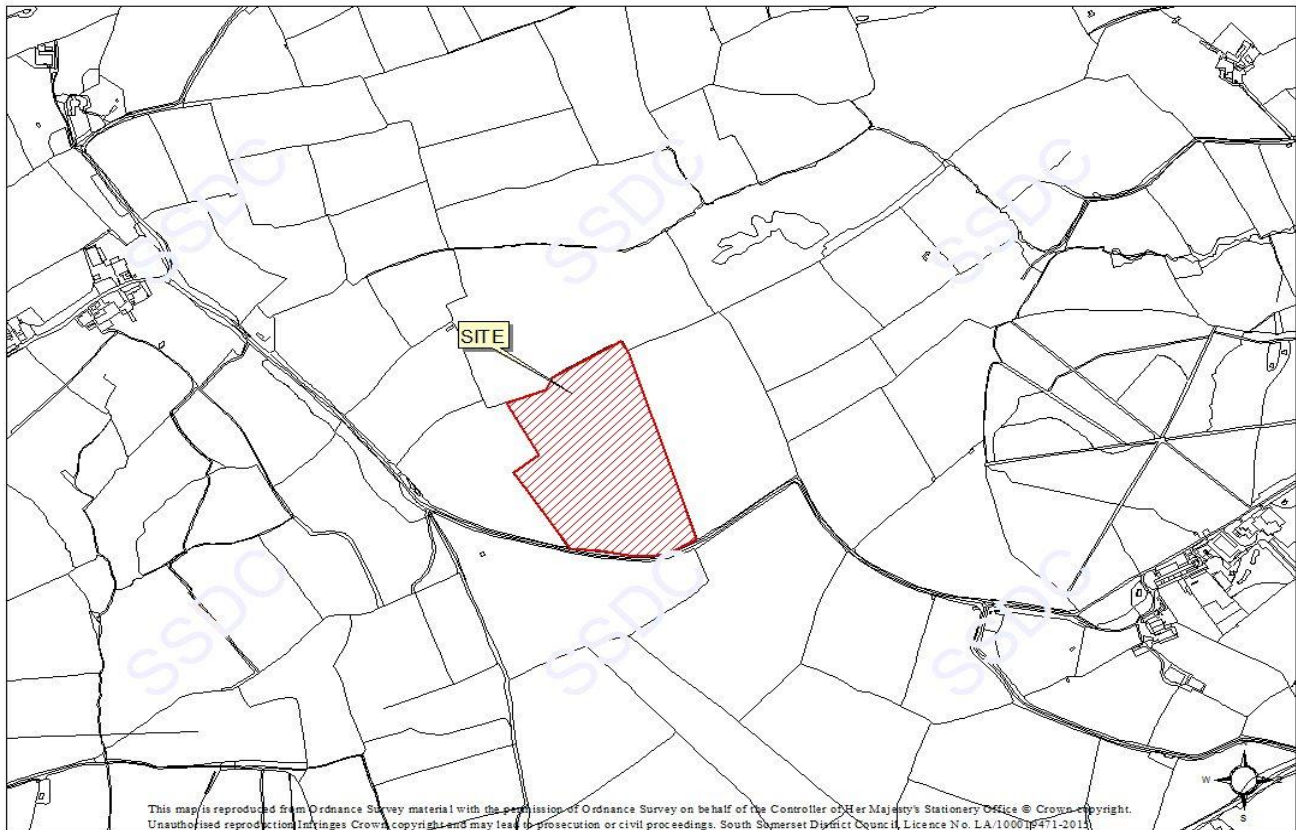
<b>Proposal:</b>	Application to vary planning condition 3 of approval 15/02718/FUL to allow the developer a 25 year period from the date of first generation of the solar park and not from the date of the planning permission
<b>Site Address:</b>	Land OS 0034 Bowden Lane Henstridge
<b>Parish:</b>	Henstridge
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr Tim Inglefield Cllr William Wallace
<b>Recommending Case Officer:</b>	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
<b>Target date:</b>	20th April 2017
<b>Applicant:</b>	Bowden Lane Solar Park Ltd
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Major Other f/space 1,000 sq.m or 1 ha+

### REASON FOR REFERRAL TO COMMITTEE

The application relates to a 'large scale' major development which, due to its size, must be referred to Committee for determination if the case officer is recommending approval of the application, which is the case in this instance. The original permission was granted by Area East Committee at its meeting on 14 October 2015.

### SITE DESCRIPTION AND PROPOSAL





The 9 Ha site is located 1.8Km to the south-west of the village of Templecombe, and 1.9Km north-west of Henstridge in open countryside. It comprises a single large field. The nearest dwellings to the north and north-west are more than 500m from the site edges. The land slopes gently northwards from the highway access onto Bowden Lane, which forms the southern boundary. On three sides, the site is bounded by mature hedging.

Permission was granted (15/02718/FUL) for the installation of a solar array across most of the field, aimed at generating 5 MW of power to be connected to the general electricity grid, together with associated inverter stations, switch housing, access track, security fencing and cameras. The permission was for a temporary period of 25 years from the date of approval, 19 October 2015.

Application has now been made to extend the period of temporary operation to cover a period of 25 years from the date of first generation of electricity from the site.

## HISTORY

16/04028/NMA - Application for non-material amendment to planning permission 15/02718/FUL for minor alterations: Reduction in number of panels; Panel height and degree; Inverter specification; Inclusion of two satellites; and Minor alteration to the spares container location - permitted

15/02718/FUL - Construction of a Photovoltaic Park with associated equipment including access track and cable route - permitted with conditions

## POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms

part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ1 - Addressing Climate Change in South Somerset  
EQ2 - General Development  
EQ3 - Historic Environment  
EQ4 - Biodiversity  
EQ7 - Pollution Control

### **National Planning Policy Framework (March 2012):**

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

**National Planning Practice Guidance** - Department of Communities and Local Government, 2014.

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy, March 2012 and September 2013.  
Somerset County Council Highways Standing Advice, June 2013.

### **CONSULTATIONS**

**Henstridge Parish Council:** The application is supported.

**Milborne Port Parish Council:** No comment received at the time of writing - update at Committee.

**North Dorset District Council:** No objections.

**West Dorset District Council:** No comment received.

**Highways Authority:** No observations.

**SSDC Landscape Officer:** No objection.

**SSDC Climate Change Officer:** *Ground mounted Solar photovoltaic farms are designed to be*

*completely demountable to enable the land to be returned to full agricultural use leaving no trace of the solar development. Planning permissions for solar farms have been time limited because it has been assumed that the installation will not be viable after 25 years because the feed in tariff comes to an end and income from the site will then be much reduced. Also, the efficiency of the panels is reduced to around 80% of a new panel.*

*However, based on the performance of the oldest PV panels - a solar farm could still be generating useful electricity well after 25 years. Certainly the panels should be allowed to operate for 25 years from commissioning.*

*I have no objections to this application.*

## **REPRESENTATIONS**

None received.

## **CONSIDERATIONS**

Permission exists for the establishment of a solar array on the site, which has been implemented. The permission was granted for a temporary period of 25 years, which has been the general practice with solar farms in the District, and generally throughout the country.

The solar farm is due to commence operating - i.e. generating electricity for feeding into the grid - on 31 March 2017, a period of 17 months into the 25-year permission. The applicants have requested that the period for operating the solar farm be extended to accommodate the delay between obtaining the permission and commencement of generation.

As noted by the Climate Change Officer, it is likely that the installation will operate for 25 years, and it is not unreasonable to extend the formal permission accordingly.

The applicant has noted that certain minor changes to details approved under Discharge of Condition applications will need to be made during the final stages of completion, and the revised conditions relevant to these matters reflects this (making it possible to revisit the discharge of the original conditions).

## **Conclusion**

The permission for a temporary period of 25 years, extended to allow for the construction and installation period, is considered acceptable, and has no material impact on the temporary nature of the permission, or the likely impact on the setting and local environment. The application is accordingly recommended for approval.

## **RECOMMENDATION**

Grant permission.

01. Notwithstanding local concerns it is considered that 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 the proposal will have on the local landscape character. As such the proposal accords with the aims and objectives of Policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Planning Layout Drg. No. 1253-0201-01 Issue 04;
- Site Location Plan Drg. No. 1253-0200-05 Issue 01;
- Construction Access and Cable Route Drg. No 1253-0201-05;
- Proposed Compound Area Drg. No. 1253-0201-20 Issue 01;
- CCTV Detail Drg. No. 1253-0204-00 Issue 01;
- Steel and Timber Fencing Detail 22 degrees Panel Angle - Drg. No. 1253-0205-03 Issue 01;
- Mounting System Detail Drg. No. 1253-0206-09 Issue 01;
- Bowden Lane Inverter Station Detail SMA SC Drg. No. 1253-0207-14 Issue 01
- Bowden Lane Satellite Mounting System Drg. No. 1253-0207-20 Issue 01
- Spares Container Detail Drg. No. 1253-0207-40 Issue 01;
- SSE DNO Access Road Section - Drg. No. 1253-0208-10 Issue 01;
- Private Switchgear - Drg. No. 1253-0208-54 Issue 01;
- DNO Switchgear Drg. No. 1253-0208-71 Issue 01;
- Water main easement - Drg. No. 1253-0200-50 Issue 01;
- Drg. No. 1510728 4 Module Quer ES120 1/ 2; and
- Drg. No.1510728 4 Module Quer ES120 2 /2.

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

02. The development hereby permitted shall be removed and the land restored to its former condition before 31 March 2042, or within six 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 structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with the aims of the NPPF and Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan.

03. The site management plan for tree, hedge and grass maintenance of the site approved by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL) shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

04. The scheme of landscaping and planting approved by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL), shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which 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 in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

05. No means of external illumination/lighting, other than those approved by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL) shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

06. No CCTV equipment or other cameras shall be installed on the site other than that shown on the submitted layout plan ref. 1253-0201-01, in accordance with the CCTV design details submitted with the application.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

07. No form of audible alarm shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

08. The means of connection to the electricity grid from the site shall be in accordance with the details approved by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL), unless otherwise agreed in the writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

09. All site works shall comply with the Construction Traffic Management Plan agreed by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL). Any alterations to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority (and Local Highway Authority) and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, traffic management and amenity, in accordance with the aims of the NPPF and Policies EQ2 and TA5 of the South Somerset Local Plan.

10. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, in accordance with details approved by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL).

Reason: In the interest of highway safety to accord with TA5 of the South Somerset Local Plan.

11. The details of measures for the benefit of wildlife (e.g. bat and bird boxes, wildflower sowing and management) approved by the Local Planning Authority under application 15/05306/DOC

(Discharge of Conditions for application 15/02718/FUL) shall be fully implemented and maintained unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

12. The details of the finished colour of the security fencing and the finished colour and position of the CCTV equipment agreed by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL) shall be carried out and thereafter retained and maintained, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

13. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

14. The programme of archaeological work agreed by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL) shall be fully carried out.

Reason: To safeguard archaeological remains on the site and to accord with the NPPF and Policy EQ3 of the South Somerset Local Plan.

15. The details of the access to the site agreed by the Local Planning Authority under application 15/05306/DOC (Discharge of Conditions for application 15/02718/FUL), including visibility splays, layout and surfacing materials, shall be fully implemented and thereafter retained and maintained for the lifetime of the permission, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety, and to accord with the NPPF and Policy TA5 of the South Somerset Local Plan.