

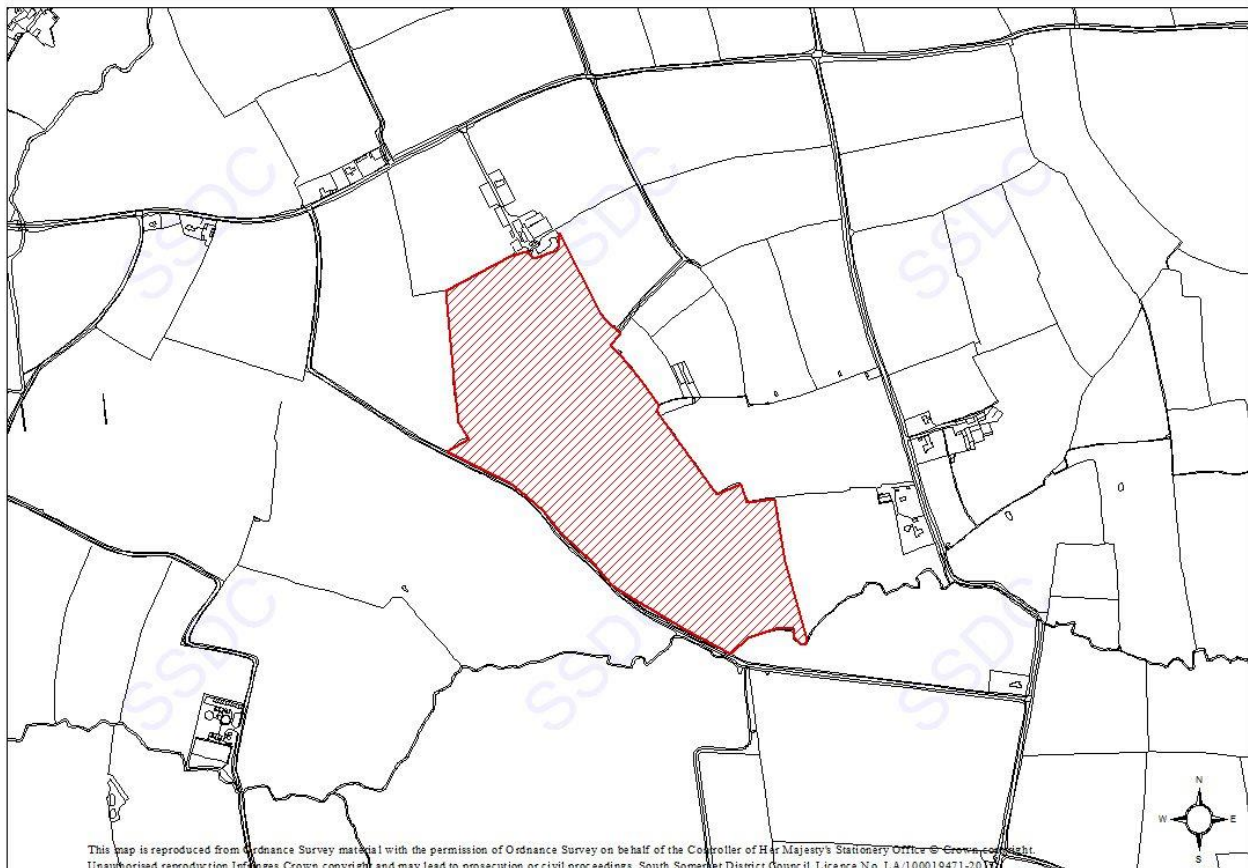
## Officer Report On Planning Application: 17/00225/S73A

<b>Proposal:</b>	Application to vary planning condition 3 of approval 14/00215/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>	Solar Site At Southfield Farm Smithy Lane Yeovilton
<b>Parish:</b>	West Camel
<b>CAMELOT Ward (SSDC Member)</b>	Cllr Mike Lewis
<b>Recommending Case Officer:</b>	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date:</b>	18th April 2017
<b>Applicant:</b>	Southfield Farm 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 8<sup>th</sup> July 2015.

### SITE DESCRIPTION AND PROPOSAL



Permission was granted (14/00215/FUL) for an 11.47 MW solar array on this site 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, 9 July 2015.

The current application is seeking to amend condition 3 of the original permission which is a time-limited condition 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, i.e. from 31<sup>st</sup> March 2016.

The application site covers three agricultural fields (grades 3) 23 hectares in area and is in an isolated open countryside location away from any built up areas. The site sits low in the landscape within a wide vale and is enclosed by native hedgerows and surrounded by agricultural land with the associated farmstead immediately to the north. Access is via the farm track to the north via Southfields Farm.

The closest residential properties to the site lie approximately 180m to the east and 260m to the north. The site is located approximately 1.6km to the east of the landing runway at RNAS Yeovilton and is within the safeguarding zone for the Yeovilton air base. There are a number of public footpaths in the area but none that either cross or abut the site. A regional footpath, the Leland Trail, passes east to west approximately 550m to the north.

## **HISTORY**

14/00215/FUL: Proposed solar park comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment (revised scheme). Permitted.

13/01192/FUL: Proposed solar park comprising solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks and ancillary equipment. Refused for the following reason:

- *The benefits of the proposed solar park in terms of its contribution to renewable energy generation would not outweigh the substantial harm that it is likely to have upon aviation safety. It has not been demonstrated that the adverse impacts could be mitigated and as such the proposal is contrary to the aims and objectives of the NPPF.*

12/04714/EIASS: Environmental Impact Assessment (EIA) screening request. EIA not required.

12/04244/EIASS: EIA screening request. EIA not required.

821058: Erection of a farmhouse. Permitted subject to an agricultural tie and non-fragmentation legal agreement.

## **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):**

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

West Camel Parish Council: No objection.

Highways Authority: No observations.

SSDC Highway Consultant: No objection

**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.

It is understood that the solar farm commenced operating - i.e. generating electricity for feeding into the grid - on 31 March 2016, a period of 9 months into the 25-year permission. The applicant has requested that the period for operating the solar farm be extended to accommodate the delay between obtaining the permission and commencement of generation.

It has to be assumed that the installation will operate for 25 years, and it is not unreasonable to extend the formal permission accordingly.

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 consent for the following reason:

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, are considered to 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. 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 31 March 2006.

Reason: To accord with the provisions of section 73A of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered:
  - 2466\_201\_Rev E, 1095-0201-01 (issue 12), 2466\_200\_Rev G received 11/06/2015; and
  - Site location, block plan, 001 (issue 01), 004 (issue 01), 9999-0208-71, XXXX-0206-00, 34523-01-00 (issue B) and 002 (01) received 20/01/2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31 March 2041, 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 interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

04. The position and heights of the panels and bund structure (across its entire length) shall accord with the details set out on drawings numbered 1095-0201-01 (issue 12), 2466- 200 (Rev. G) and 2466 - 201 (Rev. E) and the associated schedule of the coordinates received 11 June 2015. The position and height of the bund and panels shall thereafter be permanently maintained.

Reason: In the interest of aviation safety.

05. The bund structure shall be installed in full accordance with approved drawings numbered 1095-0201-01 (issue 12), 2466- 200 (Rev. H) and 2466 - 201 (Rev. H) and the associated schedule of the coordinates received 11 June 2015 prior to the commencement of any works

relating to the solar park element of the permission hereby granted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of aviation safety.

06. Any further works carried out on site shall be carried out in full accordance with the plant equipment, crane and other temporary structure and air navigation warning lighting details agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of aviation safety and to ensure that any plant equipment and temporary structures will not impede the operation of the transmitter / receiver installation at RNAS Yeovilton or otherwise obstruct the movements of air traffic to and from the aerodrome.

07. The scheme of monitoring and maintenance of the earth bund (to ensure that it continues to be an effective screen to the solar farm from the PAR at RNAS Yeovilton over the lifetime of the development) agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL) shall be fully implemented and maintained for the lifetime of the solar park.

Reason: In the interest of aviation safety.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no alterations to the approved design or layout of the solar park and bund without the prior express grant of planning permission from the local planning authority.

Reason: In the interest of aviation safety.

09. The programme of archaeological work agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL) shall be fully carried out.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

10. The development hereby permitted by this planning application shall only be undertaken in accordance with the approved Flood Risk Assessment (Ref: J-4119.12-FM dated March 2013 and prepared by H20K) specifically including the following measures detailed within the FRA:

1. All access routes to have permeable surfaces constructed of either mown grass or unbound stones.
2. Swale features are installed prior to any other construction works associated with the proposed development.
3. All surface water drainage features are maintained appropriately, over the lifetime of the development.
4. No culverting of the drainage ditch.

Reason: To prevent any increased risk of flooding associated with installation of the solar park development.

11. The surface water run-off limitation scheme for the site, as shown in the Flood Risk Assessment (Ref: J-4119.12-FM dated March 2013 and prepared by H20K), shall be implemented and maintained in accordance with the ownership and management plan agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Condition for application 14/00215/FUL).

Reason: To prevent any increased risk of surface water flooding associated with installation of the solar park development.

12. All site works shall comply with the Construction Traffic Management Plan agreed by the Local Planning Authority under application 15/03514/DOC (Discharge of Condition for application 14/00215/FUL), unless otherwise agreed in writing by the Local Planning Authority.

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

13. 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 15/03514/DOC (Discharge of Condition of application 14/00215/FUL).

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

14. The development shall be carried out in accordance with the proposed recommendations and actions set out within the Badger Licence Method Statement by Tyler Grange dated 20 July 2015.

Reason: For the conservation and protection of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

15. The development hereby permitted shall be carried out in accordance with the ecological enhancements set out within section 8.2 of the Ecological Appraisal dated November 2012, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of conservation and to accord with policy EQ4 of the South Somerset Local Plan and paragraph 188 of the National Planning Policy Framework.

16. The scheme of landscaping and planting approved by the Local Planning Authority under application 16/02959/DOC (Discharge of Condition for application 14/00215/FUL), shall be completely carried out within the first available planting season from the date of commencement of the development. Any trees or plants which within a period of five 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 interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

17. The finished colour of the security fencing and the finished colour and position of the CCTV equipment shall accord with the details agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Condition for application 14/00215/FUL), unless otherwise agreed in writing by 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.

18. No means of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

19. No means of external illumination / lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EQ2 and EQ7 of the South Somerset Local Plan.

20. 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.

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