

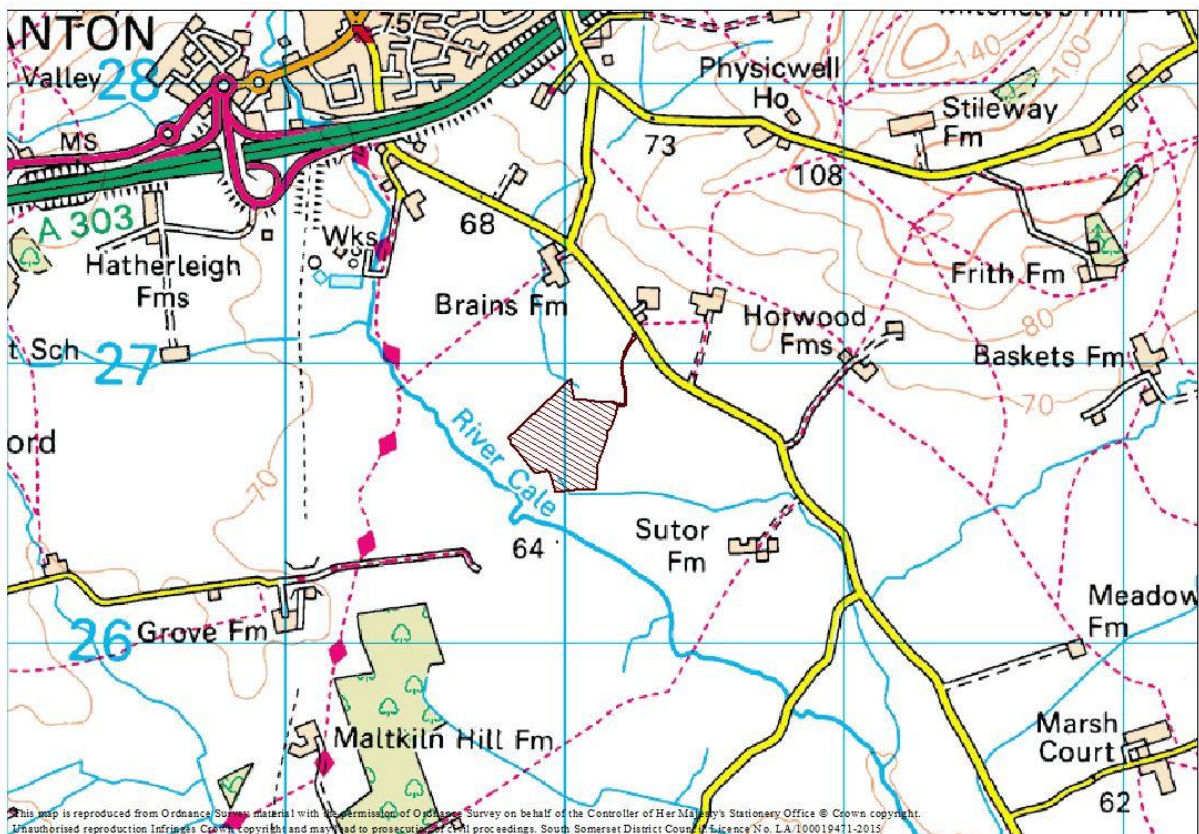
Officer Report On Planning Application: 14/05472/FUL

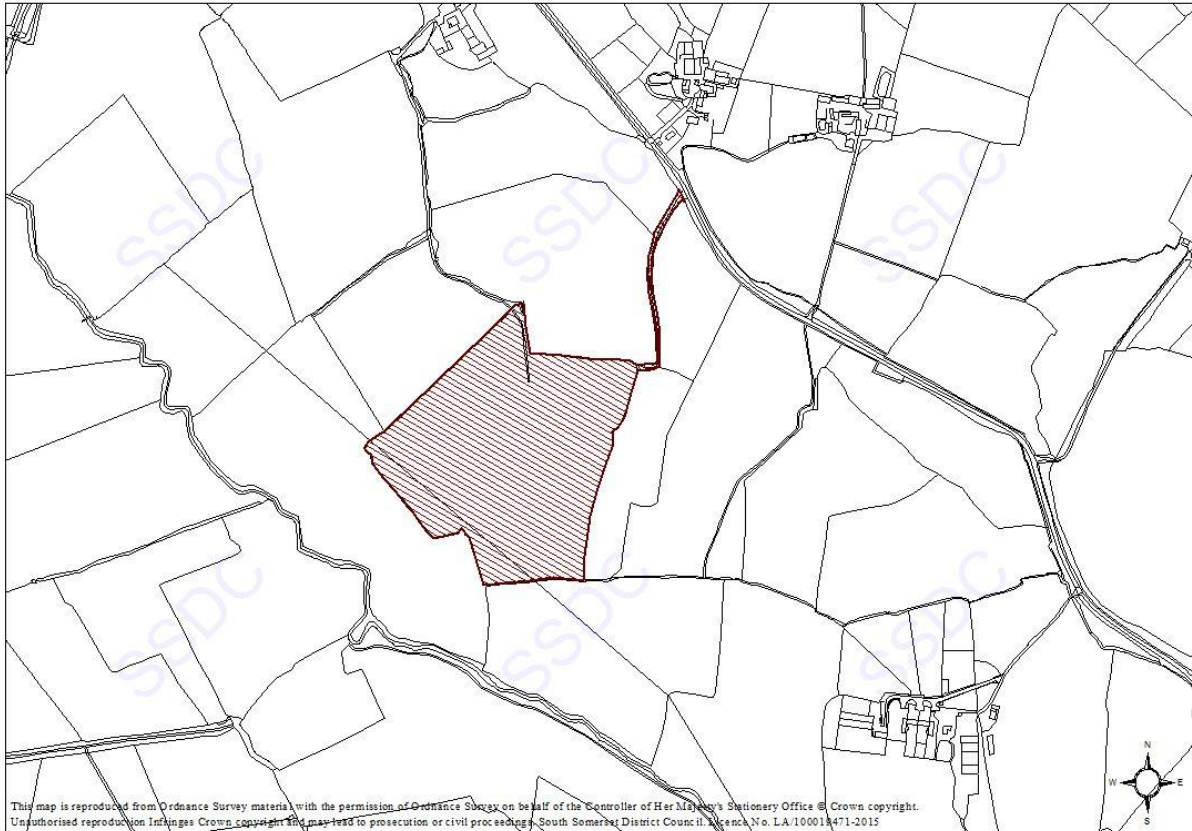
Proposal :	Construction of a 9.3 hectare solar park with associated works. (GR 372048/126757)
Site Address:	Land At Sutor Farm West Of Moor Lane Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	17th March 2015
Applicant :	Elgin Energy Esco Ltd
Agent:	Mr Diccon Carpendale Brimble Lea And 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 is a 'major major' development and recommended for approval that under the scheme of delegation is to be referred to committee.

SITE DESCRIPTION AND PROPOSAL





The application site is located within a single field that is 1km south of Wincanton. The field is currently used for agricultural grazing and occupies 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 existing track is proposed to give access to the site. The land classification is Grade 4 (poor quality)

This proposal seeks the erection 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 works include:

- 20,000 Solar Panels 2.4m to 2.8m high
- 5 x 3m high pole mounted CCTV cameras
- 4 x Inverter sub stations 7m x 2.5m x 3m high
- 1 x primary substation and grid connection point 6m x 3,2m by 3.4m high
- 2.4m high wooden post and wire (deer) fencing enclosing the site.

The application is supported by the following documents:

- Planning Statement
- Flood Risk Assessment
- Tree Survey
- Extended Phase 1 Habitat Survey
- Agricultural Land Classification Report
- Landscape and Visual Impact Assessment
- Construction Traffic Management Statement
- Heritage Desk Based Study

In addition, and following comments received by the Council's Landscape Architect, the applicant submitted: Supplementary Report on the Potential Cumulative Impact of the proposals (February 2015)

RELEVANT HISTORY

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 indicate it is a matter of law that applications are 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 saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC1 - Protecting the Best Agricultural Land

EC3 - Landscape Character

EC7 - Networks of Natural Habitats

EC8 - Protected Species

EP3 - Light Pollution

ME5 - Farm / Rural Diversification

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

The NPPF advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;
and
- approve the application if its impacts are (or can be made) acceptable. Once suitable

areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, July 2013)

CONSULTATIONS

Wincanton Town Council - recommends approval.

North Vale Parish Council (Adjacent) - Councillors questioned the need for another solar park so close to two parks recently built. Councillors would like to know if there is a mechanism or policy limiting the number of parks in the area. If a mechanism does not exist then the Parish Council think that one should be put in place.

Stoke Trister With Bayford Parish Council (Adjacent) - The solar park would cover a large area of 9.3 hectares (23 acres) just outside the parish boundary. Although it would be one field away from the Wincanton to Buckhorn Weston road and possibly not too visible from the road if there was additional screening landscaping, it would be likely to be visible by residents on higher ground in Wincanton, Cucklington and on parts of Shaftesbury Lane. (Officer Note: Their comments include the cumulative effect, harm to amenity and tourism, a lack of agricultural activity that accompanies solar parks, questions the agricultural land grade given by the applicant and refers to the 'permanent' elements of the proposal.)

Horsington Parish Council (Adjacent) - Two Councillors were in favour. One Councillor abstained. Two Councillors were opposed to the as they felt that it would be detrimental to the visual amenities. They also questioned whether another solar park, that would use more agricultural land, was needed so close to two other solar parks recently built within a short distance.

Environment Agency - No objection subject to conditions that the development is carried out in accordance with the Flood Risk Assessment.

Natural England - makes general comments.

SSDC Ecologist - I've noted the ecological appraisal. This doesn't identify any significant issues or constraints. I have no objection and no recommendations to make.

County Archaeology - No objection.

County Highway Authority - Given the proposed measures identified within the Construction Traffic Management Statement the proposed development is not considered to adversely affect highway safety. There is no objection subject to conditions: a construction traffic management plan detailing staff numbers, movements areas for parking and turning, the delivery of the photovoltaic panels and equipment to the site, specifically identifying proposed access routes; a properly consolidated and surfaced access; a Condition Survey of the existing public highway; a parking plan for the site and site compound shall be issued for review by the highway authority.

Landscape Architect - I have reviewed the findings of the visual assessment, with which I concur in part. It is clear that the extent of visibility is limited within the vale. I agree with the LVIA that the potential visual impact is low as perceived from Cucklington (due to the distance

from the site, and its limited visibility in a wide panorama) but contrary to the LVIA summary (page 20) I consider impact to be moderate from the Bayford Hill area of Wincanton where public amenity areas and adjacent residential properties have valued views toward the vale (within which the site lays centrally) that are integral to their design; and low rising to moderate from stretches of the footpath not only over Coneygore Hill, but also to the south of Shaftesbury Lane where a number of paths have a direct prospect of the site. From these vantage points the array lays in the fore-mid ground; and has little visual containment, for its incongruity of character to be clearly in evidence.

Relative to potential cumulative impact, there are two existing solar arrays within 4km of this application site, (i) to the west side of the A371 at Higher Holbrook, circa 3.5km to the northwest; and (ii) to the immediate west side of the River Cale, just 0.5km to the WNW within the same vale setting. The addition of a third site at Sutor Farm creates a sequence of sites to the west and south of Wincanton, extending from Higher Holbrook to Sutor Farm. Whilst only occupying part of the west/south quadrant of Wincanton's close environs, such sites express an industrialised form of energy production, which by accumulation creates an increased and significant adverse impact upon local landscape character, as well as the setting of the town.

I also note that as viewed from Bayford Hill; Coneygore Hill; and the rights of way to the south of Shaftesbury Lane, how the array on land to the south of Wincanton STW (above) is now an established component of views over the vale. It is clear that a second array will add to the effect of panel mass across the head of the Blackmore Vale, and from the above locations, the two arrays will lay within a 30 degree field of view. Whilst tonally this may not appear overly incongruous, when the increased floor area; linear characteristics of an array's layout, plus incidental structures within the site are also factored in, then I consider the effect of the accumulation of panels on these two sites at the head of the vale to be moderately adverse, rising to moderate-high as viewed from specific public vantage points and properties at Bayford Hill; and the footpath running SE from Shaftesbury Lane to the raised knoll opposite Stileway Farm where 5 paths meet. This is a substantive concern.

Turning to site detail, I note that the array will stand between 2.4 and 2.8 metres above ground level, which at the upper height will raise it above the current elevation of hedge height that is prevalent in the locality. This raises some concern, though I acknowledge the intent to counter this by a change in hedge management regime, and tree planting within the hedgeline. PV mounting is limited to a fixed racking system with its toes driven into the ground without need for concrete. A 2.45 metre tall fence of deer fencing - wire mesh on wooden poles - along with CCTV cameras (but no lighting) provides site security. Inverter structures are located within the array layout, and are to be finished in suitable dull tones to thus minimise visual impact. Grid connection is local. The field surface will continue as grassland, to be managed by stock grazing. With the correct use of materials and finish tones, PV installation is capable of being accommodated without undue impact upon the fabric of the site.

Looking at the application overall, whilst the location selected is not strongly related to existing development form, and projects some incongruity of character within this semi-open agricultural landscape, as a singular proposition the proposal has the potential to be accommodated within the context of the vale's broad scale without undue impact. However, whilst the site's visual profile is low in most part, its development as an array raises a concern when viewed from Bayford Hill, and a number of rights of way to the NE. This visual concern is exacerbated when considered cumulatively with the established array at Higher Hatherleigh to the WNW, to the extent that I consider adverse impact to be locally significant. I also consider the introduction of a third array site to the locality to adversely impact upon Wincanton's landscape setting.

National government guidance is weighted in favour of renewables, and LPAs are advised to approve renewable energy schemes providing impacts can be made acceptable, which

requires landscape/visual impact to be considered sufficiently weighty to enable a landscape objection to provide a basis for refusal. Considered in its own right, the likely landscape and visual impacts arising from array development of this site may not be so great as to generate an over-riding landscape objection. However, I consider the cumulative impacts of PV development to the south and west of Wincanton to be significantly adverse to provide a sufficient landscape case upon which to base an objection to this application.

Should you consider there is justification to approve the application, could you please Condition: the approved planting scheme to be implemented in the immediate planting season, November 2014 - mid March 2015, and; a site restoration proposal to be submitted for approval.

Cranborne Chase And West Wiltshire AONB - The site is outside this AONB but, depending on the scale, extent, and character of the proposed development it could be within the setting of the AONB. Looking at the location in relation to the AONB boundary - and considering the relatively low level of the proposed development - it appears that Conygore Hill and the Cucklington Ridge are likely to screen key points in the AONB from the development. Alfred's Tower is some 9km to the north and even allowing for the elevation of the viewing platform it appears that the development site would be sloping away from the line of view. That means any view would be of the rear of the PV panels and frames. It is, therefore, unlikely that the proposed development would be significant in the scene.

Somerset CPRE - strongly object - cumulative impact, the Blackmore Vale is a beautiful unique area; Wincanton is well supplied with solar panel. Electricity cannot yet be stored and the surplus leaks away as it is carried along power lines. Land is needed to grow food.

The Monarch's Way Association - is against this solar park and request that the application is refused on the basis that landscape and local distinctiveness (character) key issues of concern would be lost if the application is approved. Also overdevelopment and increased flooding potential are major issues.

SSDC Climate Mitigation Officer - I have no objections to this application. The site chosen is very suitable because it is close to Wincanton, which is a large electrical consumer. This will minimise grid losses and just the type of application that this council should encourage.

I calculate that the development will generate over the course of a year electricity equivalent to that used by 970 households based on the average household consumption for the district (DECC statistical report 2012), which is 39% of Wincanton's household demand.

REPRESENTATIONS

There have been two neighbour letters. One objects to the proposal reiterating Stoke Trister's objections. There has also been one letter of support received whose comments include: discrete parks placed where they will impact directly on the fewest number of people become preferable. The more efficiently these constructions supply electricity, the better for all. ie The nearest to a National Grid power line, the better. For all these reasons, the proposed site is ideal. It is surrounded by farmland for some considerable distance and when complete, it will be impact on very few. The site is directly under an electricity Grid Line... this proposal is as near to ideal as we are likely to achieve.

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).

While it might be preferable for brown field sites to be considered before green field agricultural land there is no requirement for developers to consider brown field sites in the first instant. The supporting information indicates that the land is Grade 4 agricultural land and is therefore not the best and most versatile land in respect of its fertility.

The proposal seeks the installation of PV panels in arrays supported on metal posts driven into the ground allowing the ground beneath to grass over and be used for low-level grazing. The land would remain available to agriculture. Further, any permission would be for a long-term but temporary basis for a period of 25-years. A condition can be imposed to require the site's restoration following cessation of its approved use should the site become redundant; and on this basis the principle of the use of this agricultural land for the purpose of a solar farm is considered acceptable. Accordingly the main considerations for this application relate to landscape character, highway safety, neighbour amenity and the benefits of renewable energy.

Landscape character

The site comprises a single large field enclosed by mature hedges that is surrounded by other fields within a relatively flat landscape. The Landscape Architect accepts that the site itself offers few concerns and is capable of containing the development within the existing field boundaries. There is more concern with the possible cumulative impact, but this is viewed from a distance and from certain locations, but nevertheless locations that enjoy good public access. Having said this, the Landscape Architect does not seek refusal, but offers an objection, and then goes on to seek conditions. As noted above government guidance requires provided impacts from a scheme can be made acceptable then they should be approved. Notwithstanding the concerns that are raised by the Landscape Architect conditions are considered capable of mitigating in favour of the proposal. Further, the local Town Council support approval and there have not been any householder objection to the proposal.

Highway Safety

The Highway Authority do not object subject to conditions that would be attached to any permission. The proposal seeks use of the existing access point that forms a wide concrete apron off the highway and follows a track alongside a mature hedge to the site.

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.

Other Matters

The application has been accompanied by detailed assessments of ecological impacts. These have been assessed by the Council's Ecologist, who raises no objections.

The EA having considered the accompanying FRA have raised no objection subject to condition to secure the details of the FRA to be undertaken as part of the approved scheme.

Whether an EIA is required

Two EIASS applications have been considered covering this site. The last is dated 22 May 2013 and post-dates the second of the two solar park planning permissions to the west and south of Wincanton. Nevertheless, to accompany the current application a further EIASS has been considered to ensure that there is no cumulative impact effect from a third solar park close to Wincanton. The EIASS does not require an EIA.

Conclusion

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). The current application has raised concerns in relation to visual amenity and landscape character. A thorough assessment of these impacts indicates that, for the most part, they are acceptable - or can be made acceptable by appropriate mitigation measures - in the context of Government advice and the clear need for renewable energy sources. Subject to the appropriate controls set out in conditions, it is considered that the impacts of the proposal can be considered 'acceptable' as set out in Government guidance. The proposal is considered to represent sustainable development which is accordingly recommended for approval.

S.106 AGREEMENT

Not relevant.

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 of the proposed PV panels on the local landscape character and heritage assets. 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 Emerging Local Plan, and policies ST3, ST5, ST6, EC3, EC7, EH5, EH11, EH12 and EP3 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. 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.

Reason: In the interests of character and appearance further to policy ST5, ST6 and EC3 of the South Somerset Local Plan and EQ2 of the Emerging Local Plan, and the NPPF.

03. Prior to the commencement of development a construction traffic management plan providing details on staff numbers, movement areas for parking and turning, the delivery of the photovoltaic panels and equipment to the site, specifically identifying proposed access routes shall be submitted to and approved in writing by the Local Planning

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 further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

04. Before construction of the development hereby permitted commences, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times for the life of the development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

05. A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

06. Prior to the commencement of development a parking plan for the site and site compound shall be submitted to and agreed in writing by the Local Planning Authority, to ensure parking does not exceed the proposed level and associated traffic generation expected for this development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

07. The development permitted by this planning permission shall be carried out in full accordance with the approved Flood Risk Assessment (FRA) JBA Consulting November 2014 (version 1) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provision of compensatory flood storage on the site to a 1 in 100 year climate change.

Reason: To prevent flooding by ensuring there is no increased surface water run-off from the site, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided further to policy ST5 and ST6 of the South Somerset Local Plan, and NPPF.

08. 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.

09. The approved planting scheme (drawing 1014/PL10 received 9 December 2014) shall be implemented in the immediate planting season, November 2014 - mid March 2015;

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 interests of visual amenity and landscape character further to policy ST6 and EC3 of the South Somerset Local Plan, and the NPPF

10. 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.

Informatives:

01. Where works are to be undertaken on or adjoining the publicly maintained highway, a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted. Under Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.