

Area North Committee – 28 May 2014

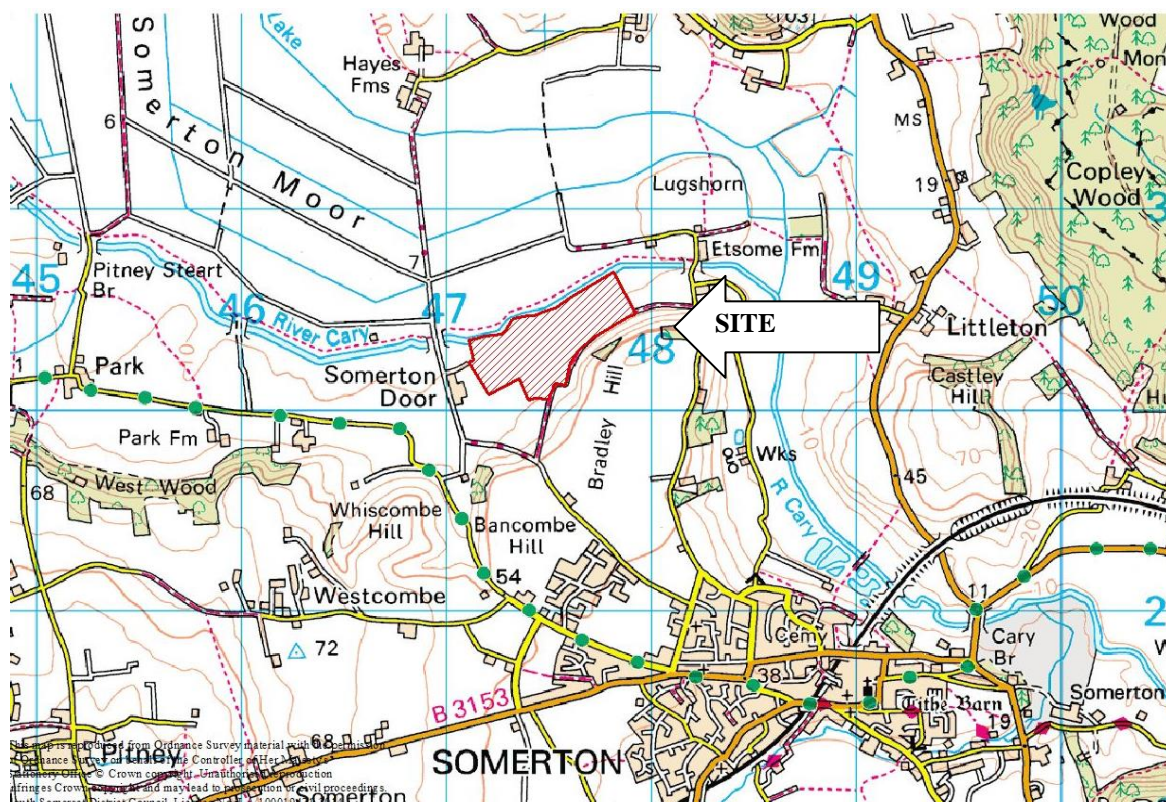
Officer Report On Planning Application: 14/00876/FUL

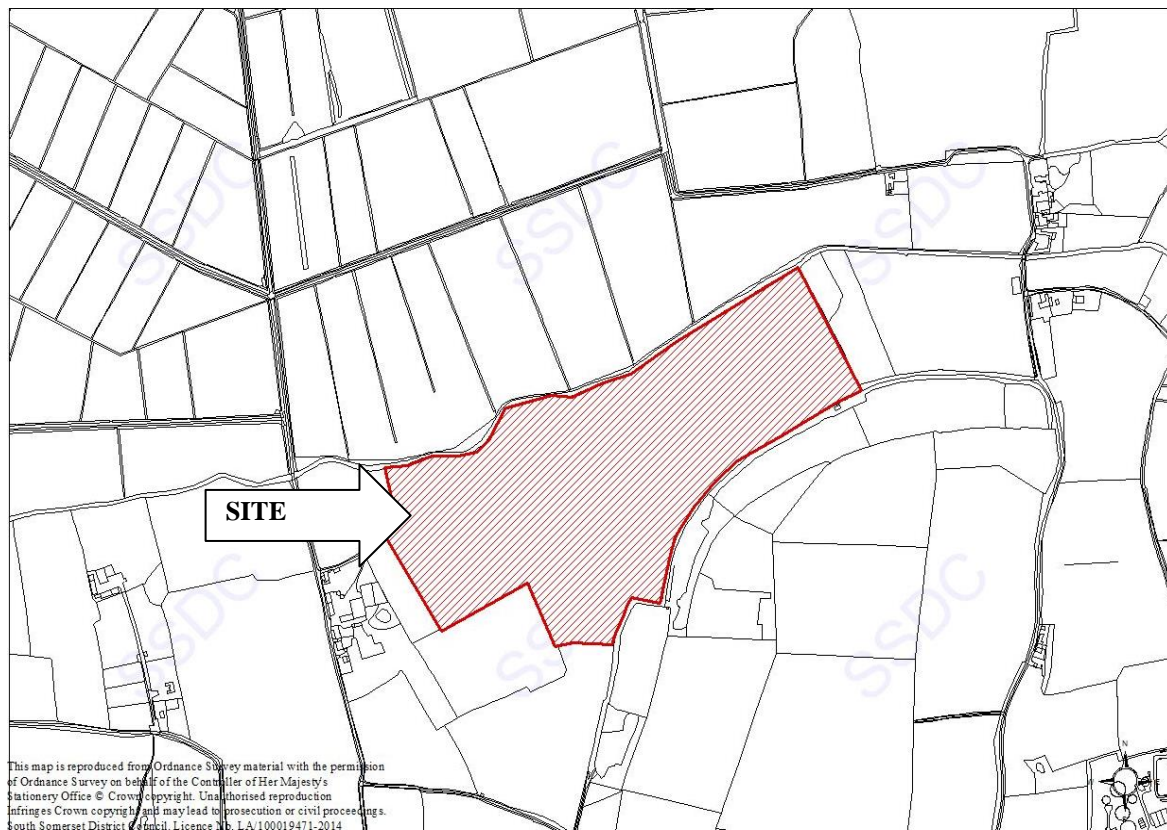
Proposal :	Installation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm. (GR:347036/130048)
Site Address:	Land At Somerton Door Farm, Somerton Door Drove, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr P Clarke Cllr D J Norris
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	4th June 2014
Applicant :	Mr Lightsource SPV 87 Limited
Agent: (no agent if blank)	Mr Patrick McKeown, Level 5, 20 Old Bailey, London EC4M 7AN
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The size of the proposed development is such that under the scheme of delegation the application must be determined by committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect an 8MW solar farm on an 18.21 hectare site to generate electricity to feed into the national grid over a 30.5-year period, after which time the infrastructure will be removed and the land restored.

The scheme seeks to erect photovoltaic panels to be mounted on metal posts driven into the ground with a maximum overall height of 2.1m, orientated to face south and arranged into rows aligned in a west to east direction. The ground beneath will be left to grass over to allow the land to be grazed. Other associated infrastructure includes inverter housing, transformer, communications and switchgear buildings, security fencing, security cameras (infrared motion sensor) and access track.

The application site covers two agricultural fields (grades 3 and 4) 18.21 hectares in area and is in an isolated open countryside location remote from any defined development areas with access currently derived via an existing unmade-up track leading on to Somerton Door Drove to the west. The site sits low in the landscape with rising ground to the south/southeast of the site. A public bridleway passes along much of the south side of the site on slightly elevated land with mature hedge planting growing along the adjoining boundary. The northern boundary of the site is relatively open and adjoins the River Cary with a public footpath on the opposite side of the river. The northeast corner of the site intrudes into flood zone 3 (highest risk flood zone) with the remainder and majority of the site located within zone 1 (lowest flood risk zone). There are mature hedgerows growing along the west and east boundaries of the application fields.

The site abuts two county wildlife sites, Etsome Hill (unimproved calcareous grassland and scrub) to the southeast and Somerton Moor to the northwest (marshy grassland and rhyn network) and falls partly within an RSPB consultation zone.

There are numerous sites of archaeological interest in the area including a historic farm which spans the River Cary from the site to the north of the river. There are also several scheduled ancient monuments including Compton Dundon Hill fort to the north and the

site of a roman villa at Stowey Hill to the west.

This application is supported by the following documents:

- Design and Access Statement
- Landscape and Visual Assessment
- Landscape and Biodiversity Management Plan
- Ecological Assessment
- Flood Risk Assessment
- Drainage Strategy
- Cultural Heritage Desk-Based Assessment
- Statement of Community Involvement
- Construction, Decommissioning and Traffic Management Method Statement
- Use of Agricultural Land

RELEVANT HISTORY

13/04302/EIASS: Environmental Impact Assessment (EIA) screening request in relation to a proposed solar farm. EIA not required.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The development plan comprises the saved policies of the South Somerset Local Plan. The policies of most relevance to the proposal are:

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC1 - Protecting the Best Agricultural Land
 EC3 - Landscape Character
 EC6 – Locally Important Sites
 EC7 - Networks of Natural Habitats
 EC8 – Protected Species
 EU1 – Renewable Energy
 EH11 - Archaeological Sites of National Importance (Scheduled Ancient Monuments)
 EH12 – Areas of High Archaeological Potential and Other Areas of Archaeological Interest
 EP3 - Light Pollution

International and European Policy Context

There are a range of International and European policy drivers that are relevant to the consideration of renewable energy developments. Under the Kyoto Protocol 1997, the UK has agreed to reduce emissions of the 'basket' of six greenhouse gases by 12.5% below 1990 levels by the period 2008-12.

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This agreement is based on achieving a

reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

At the national level, there are a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of this planning application. The 2008 UK Climate Change Bill increases the 60% target in greenhouse gas emissions to an 80% reduction by 2050 (based on 1990 levels). The UK Committee on Climate Change 2008, entitled 'Building a Low Carbon Economy', provides guidance in the form of recommendations in terms of meeting the 80% target set out in the Climate Change Bill, and also sets out five-year carbon budgets for the UK. The 2009 UK Renewable Energy Strategy (RES) provides a series of measures to meet the legally-binding target set in the aforementioned Renewable Energy Directive. The RES envisages that more than 30% of UK electricity should be generated from renewable sources.

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 7 - Requiring good design

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

The NPPF outlines that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- 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;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

The NPPF further 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.

The NPPF states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In determining applications, the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

It is considered that the main thrust of the NPPF is to positively support sustainable development, and there is positive encouragement for renewable energy projects. However the NPPF reiterates the importance of protecting important landscapes, especially Areas of Outstanding Natural Beauty, as well as heritage and ecology assets.

National Planning Practice Guidance (March 2014)

Paragraph: 013 Reference ID: 5-013-20140306 sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;

- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

Other Material Considerations

South Somerset Sustainable Community Strategy:

Goal 1 - Safe and Inclusive

Goal 3 - Healthy Environments

Goal 4 - Quality Public Services

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

Goal 10 - Energy

Goal 11 - Environment

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

CONSULTATIONS

Somerton Town Council: Recommend approval. Particular note was made of the tree screening, such that an emphasis on mature trees should be one of the conditions of any approval to limit the visual impact of the development from an early stage.

High Ham Parish Council (neighbouring parish): Recommend refusal on the grounds of visual impact as viewed from High Ham and its impact on the landscape. Boundary screening will do little to alleviate the solar arrays' impact as viewed from High Ham. Should the LPA be minded to approve the application then the concerns raised by the Somerset Drainage Board's Consortium must be resolved.

Compton Dundon Parish Council (neighbouring parish): Recommend refusal for reasons of impact on visual amenity for residents of Dundon, visual amenity impact from SSSI, ancient monument and open access land and impact on landscape generally.

Pitney Parish Council (neighbouring parish): No comments received

County Highways: Raised no objections and recommended conditions seeking a Construction Management Plan and a condition survey of the existing public highway.

Somerset Drainage Boards Consortium: No objection subject to conditions.

They initially objected to the application stating that the proposal could restrict the Board's ability to maintain the adjacent watercourse and continue its function as an effective drainage channel in a flood vulnerable area. Following the submission of a

drainage strategy by the applicant the drainage board dropped their objection subject to conditions.

Environment Agency: The site falls partly within flood zone 3 which is an area with a high probability of flooding. Provided the LPA is satisfied the requirements of a Sequential Test under the NPPF are met the Environment Agency would have no objection in principle to the proposed development, subject to a number of conditions relating to:

1. The lowest part of each panel to be set no lower than 600mm above the existing ground level within flood zone 3. Non water compatibility infrastructure to be located within flood zone 1 and an 8m buffer to be incorporated alongside the River Cary;
2. Submission of a surface water run-off limitation scheme in the form of Swales or infiltration trenches along with details of intended future ownership and maintenance provision for all drainage works servicing the site;
3. Compensatory flood storage to be provided for any loss of fluvial floodplain volume as a result of this development.

Climate Change Officer: No objections. The UK has a target to meet 20% of energy needs from renewables by 2020. Despite this, renewable electricity generation within South Somerset currently only supplies just over 4% of the District's electricity. The development is well designed and the site chosen very suitable because it is relatively close to Somerset which will minimise grid losses. I calculate that the development will generate over the course of a year electricity equivalent to that used by 1704 households. As there are 2234 households in Somerton this would be equivalent to 76% of Somerton's household electricity demand.

MOD: No comments received

County Archaeology: Preliminary verbal comments – please impose model condition 55 to secure a programme of archaeological works.

English Heritage: No objection. We note that the site lies 1.5km to the south of the Compton Dundon Schedules Monument (hill fort) and the Grade II* listed Lockyear's Farmhouse however we conclude that the proposal will not result in any substantial harm to the significance of these or any other highly designated heritage assets.

We note that the site has been identified by the Somerset Historic Environment Team to include potentially significant archaeological deposits and we anticipate that the applicants will continue to engage with the SHE Team on this matter.

Ecology: No objection. I am satisfied with the submitted Ecological Assessment which did not identify any particularly significant ecological issues. The 'Landscape and Biodiversity Management Plan' details precautionary mitigation measures and proposed landscape / habitat enhancements. I recommend a condition requiring its implementation in order to minimise the risk of harm to legally protected species, and for the provision of biodiversity enhancement as required by the NPPF.

Natural England: Raised no objection. The proposal is unlikely to affect any statutorily protected sites or landscapes. They referred to their standing advice in respect of potential impact to protected species, designated local sites, biodiversity enhancements and landscape enhancements.

Landscape Officer: (Please refer to Annex A at the end of this report for the Landscape Officer's full comments.) Whilst the location selected is not strongly related to

development form and projects some incongruity of character within this open agricultural landscape, I would acknowledge that the scale of the proposal has the potential to be accommodated within the context of the wider moorland without undue impact, and the site's visual profile is low in most part. Its local visibility can be further played down by landscape mitigation. Hence whilst it could be argued that there are potentially grounds on which to base a landscape objection, mindful that national government guidance is heavily weighted in favour of renewables, and that LPA's are urged to approve renewable energy schemes providing impacts can be made acceptable, I do not consider the extent of landscape impact to be sufficiently adverse to enable an over-riding landscape objection to be raised.

The only detailed information still required is:

- (a) Grid connection detail, which to be satisfactory, should be confirmed to be local and underground, and
- (b) The finished details of CCTV installations – to be matt, and of subdued tone.

If you are minded to approve the application please condition:

- The planting works to conform with the submitted landscape plan; and
- Site management to be undertaken in accordance with the landscape and biodiversity management plan.

County Rights of Way: There is a public right of way (PROW) which abuts the proposed development. Any works must not encroach on to the width of the bridleway and the health and safety of users of the PROW must be taken into consideration during construction works.

REPRESENTATIONS

Written representations have been received from six local residents, four objecting to the application and two in support of the application. Those objecting raised the following concerns:

Visual impact:

- The open view from High Ham over the levels will be adversely affected. The site is on a slope so can be seen for miles. The new planting would need to be evergreen and over 50ft high to screen it from High Ham. The solar farm will have an alien appearance to anyone walking alongside the River Cary.
- There is a clear view of the site from Peak Lane, Compton Dundon. The proposal will have a detrimental impact on our outlook and spoil the character of the landscape for walkers and people using the countryside for recreation.
- The site is physically and perceptibly remote, peaceful and tranquil.
- The proposed screening is inadequate.
- The site is inappropriate as it is on low ground overlooked from all around and it is not possible to provide adequate screening except over a long timescale.
- The site is not flat but on a north-facing slope with levels varying from +8m on the riverbank to +17m at the highest point where panels are proposed.
- There are currently no trees on the north side of the site. The landscape proposal shows a single line of trees to be planted on this site. The solar farm will reach the end of its life before the trees grow to an adequate height to provide screening of the panels on the hillside.
- The development will spoil the character of a beautiful landscape.
- The solar farm will set a precedent for future development on the site or either to expand this solar farm or allow additional ones nearby.

- No development should occur until the trees have reached a height where the panels would not be visible.
- The applicant and SSDC attribute no value to this landscape which gives me great joy.
- Land selected for solar farms should aim to avoid affecting the visual aspect of landscapes, maintain the natural beauty and should be predominantly flat, well screened and not cause undue impact to nearby domestic properties or roads.
- The application fails to give proper consideration to environmental considerations such as landscape and visual impact.

Other matters:

- Community benefit payment – we have heard that some sort of payment is likely to be offered to communities near the solar farm. If there is money to spare this should be spent on improving the landscaping and screening.
- The developer and landowners gain is at our expense.
- This will use up viable agricultural land. At the moment there are thousands of acres of land in Somerset which have been flooded and ruined for cultivation for possibly more than a year. Consideration should be given to alternative uses of land liable to severe flooding such as the installation of solar farms.
- Guidance makes it clear that the need for renewable energy does not automatically override the need for planners to properly scrutinise the effects of renewables deployment. It underlines the need for planners to ensure that the impacts of proposed renewable energy deployments are acceptable, including impact on visual amenity and effects on cultural and heritage landscapes.
- An EIA is likely to be needed for Schedule 2 developments if the solar PV development is in a particularly environmentally sensitive or vulnerable location.
- Grid system balancing - excess generation by solar PV will start to create significant operational and cost implications. Currently it is necessary for gas turbines to meet the varying quantities of alternative electricity generation to balance the shortfall from renewable sources when it occurs.

Those in support of the application offered the following comments:

- Somerton Door is out of sight from most public housing and will only be noticeable to a few members of the general public.
- Solar energy is a low impact option for generating electricity compared to other options, will help to reduce our reliance on fossil fuels, lower pollution and improve the UK's energy supply resilience.
- The solar farm is consistent with the NPPF and balances the need for renewable energy generation whilst avoiding adverse environmental impacts.
- The proposal includes some new planting to help screen it from view and measures for biodiversity enhancement.

CONSIDERATIONS

This application is seeking planning permission to erect an 8MW solar farm on an 18.21 hectare site comprising two agricultural fields in the open countryside, remote from any development areas. The solar farm comprises the erection of solar arrays (arranged in rows from west to east and orientated to face south), inverter housing, transformer, communications and switchgear buildings, security fencing, security cameras (infrared motion sensor) and access track. The development is sought for a 30.5 year period, after which time the infrastructure will be removed and the land restored.

The main considerations for this application are considered to relate to the principle of the development, landscape character and visual amenity, impact on ecology, residential

amenity of nearby residential properties, impact on archaeology, flooding and drainage and highway safety.

Principle:

Part 10 of 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”. Additional supplementary guidance National Planning Practice Guidance (NPPG), published in March, accompanies the NPPF and is referred to in the policy section above.

Whilst the land is greenfield and includes grade 3 agricultural land the supporting information does not differentiate between 3a and 3b. Nevertheless, it is not considered that the proposed development would result in the loss of such best and most valuable (BMV) agricultural land that a refusal on this issue alone would be justified especially given the ‘temporary’ nature of the development. In this respect it is suggested that any permission could be subject to a temporary permission after which the land would revert to agriculture. The applicants have suggested 30.5 years, which is not considered to be unreasonable. In any event, the array could be removed before then should the landowner wish to revert to agriculture or use of the array to generate electricity cease.

The applicant has confirmed that during the operating lifetime of the solar farm the site will continue to be grazed by sheep and it is acknowledged that the scheme incorporates additional landscape planting and biodiversity enhancements. In this regard the development is considered to comply with the aims and objects of the NPPF and its accompanying practice guidance and to be acceptable in principle.

Landscape character and visual amenity:

A number of local residents as well as Compton Dundon and High Ham Parish Councils have raised objections to this proposal in relation to its impact upon visual amenity and the wider landscape.

Whilst the landscape officer has raised some concerns in regard to the development, in particular its position away from any substantial development form, he goes on to note the developments low profile and agrees with the applicant’s landscape and visual impact assessment that there are no significant long views where impact is substantially adverse and that low-level views are only significant in close proximity. He acknowledges that the proposal has potential to be accommodated within the context of the wider moorland setting without undue impact and that local visibility can be mitigated by the proposed landscape planting and as such raises no substantive landscape objection. In response to the landscape officer’s query relating to grid connection the applicant has confirmed this is to be underground up to its point of connection.

Subject to the imposition of conditions to secure the submitted landscape plan and the landscape and biodiversity management plan (to address on-going maintenance concerns) the proposal is not considered to raise any substantive landscape or visual amenity concerns.

Residential amenity:

Other than the current landowner’s own property the closest residential properties lie to the northeast / east of the site more than 200m away. Given the relatively low profile of the proposed development and its inanimate nature it is not anticipated that the proposal

will cause any demonstrable harm to nearby residents.

It is noted that a number of residents along Peak Lane, Compton Dundon have objected to the proposal including loss of outlook however the intervening distance between the site and these properties is more than 1km and whilst it is acknowledged that there are some views of the site from Peak Lane changes to or loss of view carries very limited weight in the determination of planning applications. As to the landscape / visual amenity impacts of the development this has already been considered in the section above.

Access and highway safety:

Access to the site will be via an existing farm track leading from Somerton Door Drove to the west. The farm track will be laid with permeable hard surfacing to make it suitable for use by the construction traffic. During the construction phase of the development it is anticipated that there will be significant levels of construction traffic accessing the site however once the site is operational traffic levels will be very limited and are unlikely to be any greater than that for the on-going agricultural use of the land. On this basis the proposal is not considered to raise any substantive highway safety concerns.

It is noted that the highway authority has raised no objection to the application but has suggested a couple of conditions relating to the provision of a Construction Management Plan (CMP) and a condition survey of the public highway. Whilst a CMP condition is considered to be reasonable to ensure the construction phase of the development is carried out in an appropriate manner, the condition survey condition however falls under the highway authority's own controls and an informative is more appropriate to address this point.

Ecology:

The application site abuts the River Cary and two wildlife sites and is within an RSPB consultation zone. Whilst no comments have been received from the RSPB, English Nature has raised no objections to the proposal and the council's Ecologist has confirmed that he is satisfied with the findings of the submitted Ecological Assessment which did not identify any significant ecological issues. In order to minimise any potential risk to legally protected species and to secure biodiversity enhancements the council's Ecologist has recommended a condition requiring the implementation of the precautionary mitigation measures and landscape/habitat enhancements set out within the submitted 'Landscape and Biodiversity Management Plan'. On this basis the proposal is not considered to raise any substantive ecology related issues.

Archaeology:

There are numerous archaeology features in the area including two scheduled ancient monuments, Compton Dundon hillfort approximately 1.5km to the north, and the site of a roman villa at Stowey Hill a similar distance to the west. English Heritage has confirmed that they have no objection to this proposal and do not consider that it will result in any substantial harm to the significance of the Scheduled Monument. At the time of writing this report formal comments from County Archaeology had not yet been received, however, they have indicated verbally that given the known archaeological interest in the area that they would most likely seek the imposition of model condition 55 to secure a programme of archaeological works. Subject to no new objections or concerns being raised by the County Archaeologist the proposal is not considered to raise any substantive archaeological concerns.

Drainage and Flooding:

A small section of the northeast corner of the site which is adjacent to the River Cary is located within high risk flood zones 2 and 3, the remainder of the site is not within an area that is known to be at risk of flooding. The Environment Agency are satisfied with the submitted Flood Risk Assessment and raised no objection to the application subject to a number of conditions. The Somerset Drainage Boards Consortium initially objected to the application raising concerns that the development might impede their ability to maintain the adjacent watercourse and therefore be detrimental to drainage and flooding in the locality. The applicant has since provided a drainage strategy in response to these concerns and the drainage board has confirmed that they are now satisfied with these details and no longer object subject to condition.

Other matters:

- Environmental Impact Assessment – The proposal falls within the scope of Schedule 2, sub-section 3a of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requiring that a formal screening decision be carried out. This was carried out prior to the submission of this current application when it was concluded that an Environmental Impact Assessment was not required.
- Public Rights of Way - There are two PROWs immediately adjacent to the site, a public footpath that passes to the north alongside the north bank of the River Cary and a public bridleway that passes alongside the south boundary. Given that access to the site is via an existing farm track to the west of the site where it leads on to Somerton Door Drove, an adopted road, there is no reason why the proposed development should interfere with these adjacent PROWs or adversely affect the amenity of users of these PROWs.

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 some concerns in relation to visual amenity, landscape character, flood risk, archaeology and ecology. A thorough assessment of the potential impacts of the development 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. Where impacts can be overcome by way of pre-commencement or other conditions (i.e. archaeology, ecology, landscaping) appropriate conditions are recommended. 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. Notwithstanding the objections received from Compton Dundon and High Ham Parish Councils and a number of local residents, the proposal is considered to represent sustainable development. Therefore, provided no new concerns or issues are raised by County Archaeology the application is recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

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. 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, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC6, EC7, EC8, EU1, 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 carried out in accordance with the following approved plans drawings numbered FIG1 – UA006743-01, SMD_02, SITE_AUX_TRANSFORMER_01, TD_01, ID_01, TD_02, SB_01, DNO_01, CB_01, CSR_01, Deer Fence – inc Mammal Gate, SMD_01_F, CCTV_01.

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 31/12/2044 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 Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall be anchored into the ground as described on page 9 of the Design and Access Statement dated Feb 2014 and shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The landscaping / planting scheme shown on the submitted plans (drawing numbered 001-UA006743-06 and Landscape and Biodiversity Management Plan received 26/02/2014) 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 policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. The management plan and ecological mitigation measures for the site, as detailed within the Landscape and Biodiversity Management Plan by Hyder dated 25/02/2014, shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed by the local planning authority.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

07. The development hereby permitted by this planning application shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 25 February 2014 by Hyder, and the following mitigation measures detailed within the FRA:

1. The lowest part of each panel will be set no lower than 600mm above existing ground level within Flood Zone 3.
2. All non-water compatible infrastructure to be located within Flood Zone 1.
3. An 8m development free buffer to be incorporated alongside the River Cary.

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

08. No works hereby permitted shall be commenced unless a surface water run-off limitation scheme in the form of Swales or infiltration trenches, has been submitted to and agreed in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved details shall be implemented in accordance with the approved programme and details and shall be maintained in this fashion for the duration of the development.

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

09. No works hereby permitted shall be commenced unless details of a compensatory flood storage scheme to provide for any loss of fluvial floodplain volume as a result of the development has been submitted to and agreed in writing by the local planning authority. The agreed details shall be fully implemented and shall be retained and maintained for the duration of the development.

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

10. 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 EC3, ST6 and EP3 of the South Somerset Local Plan.

13. No CCTV equipment shall be installed on the site other than that shown on drawings numbered SMD_01_F and CCTV_01 received 26/02/2014 and the details set out on page 11 of the submitted Design and Access Statement, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

14. The development hereby permitted shall not be commenced unless the external finish, including the colour, of the CCTV equipment and security fencing has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

15. No form 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 ST6 of the South Somerset Local Plan.

16. No development hereby permitted shall be commenced unless details of the means of connection to the electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST5 and ST6 of the South Somerset Local Plan.

17. The development hereby permitted shall not be commenced unless the surfacing materials for all hardstanding and tracks to serve the development hereby permitted have been submitted to and agreed in writing by the local planning authority. The development shall be carried in accordance with the approved details and shall not be altered unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the amenities of the locality and in accordance with Policies ST5, ST6 of the South Somerset Local Plan and Part 10 of the NPPF.

18. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicle per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason in the interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

19. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard the archaeological interest of the site in accordance with Policy EH12 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the highway authority has requested that 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 that any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the highway authority once all works have been completed on site.

02. Please be aware of the comments set out within the Environment Agency's letter dated 26/03/2014 and the Somerset Drainage Board Consortium's letter dated 15/05/2014. .
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APPENDIX A:

Conservation Consultation Response - Landscape

TO: Alex Skidmore
FROM: Robert Archer
DATE: 26 March 2014

APPLICATION: 14/00876 – Land at Somerton Door Farm, Somerton

Alex, I have reviewed the above application and its associated documentation, which seeks to construct a PV solar array on land of circa 18.2ha that lays alongside and to the south of the River Cary; to the immediate north-east of Somerton Door Farm; and circa 1.75km northwest of Somerton. I have previously visited the site, and am familiar with the wider landscape context of the proposal.

SSDC has produced a guidance note on PV installations, which provides assistance to both PV developers and our own assessment of such proposals. This guidance includes landscape criteria that proposals should aim to satisfy, to ensure potential impacts are not significantly adverse. These criteria include:

- (1) Site selection - array proposals should initially be guided toward previously developed land. 'Greenfield' site proposals should ideally express a relationship with existing development presence.
- (2) Landscape character - the proposal should complement the character of the local landscape, particularly its scale and pattern, and be located within land areas that equate to typical field/plot sizes, and are suited to the uniformity of a PV array;
- (3) Visual impact - the array should be sited to limit its visual profile, with minimal overlooking from sensitive public vantage points;
- (4) Cumulative impact - there should be no overly cumulative effect of PV sites arising from consents given in any one area, and;
- (5) Site detail - site layout and design should be landscape-sympathetic.

The application includes an assessment (LVIA) of potential landscape and visual impacts that may arise from the installation of an array at this site. The LVIA considers the proposal to relate to the pattern and scale of the local landscape, with minimal adverse impact upon its defining features. It considers there to be limited visibility, due to the low elevation of the site and its surround, and judges the local landscape to be capable of absorbing the array.

In relation to the above criteria, and the findings of the LVIA, my detailed comments follow:

- (1) Regarding site selection, SSDC's guidance note on PV arrays advises that array proposals should seek to avoid areas characterised by a lack of development form, with any 'greenfield' site located to express a relationship with existing development presence. Looking at this proposal, I note that the relationship with established built form is primarily limited to that of the adjacent farm only, hence whilst there is an element of built form onto which this site can be considered to be 'keyed', it is not of sufficient substance to provide a strong basis for array development.
- (2) With regard to potential landscape character impact, the LVIA submitted in support of the application sets out the general landscape character of this area with reference to local character studies, before assessing the impact of a potential array within the immediate

context. It considers that the application site can, with mitigation, absorb change, primarily in relation to the strong tree and hedgerow structure in the area, and rectilinear pattern of the landscape. I do not disagree with that assessment.

The array is proposed to lay within two arable fields, which rise gently to the south, whose scale and pattern broadly corresponds with that of the local fields that characterise this area of farmland on the moor's margins. These fields are primarily defined by managed hedgerows that offer a degree of containment of the site, which goes some way toward enabling the site's assimilation into the wider landscape. Also to advantage is the correspondence of the array arrangement with the uniformity of the immediate field pattern; the east-west emphasis of the site; and the flat topography, which enables the array to nestle into the base of the moor. I also would note that an array is a passive element in the landscape, generating neither sound nor movement. I view these elements of the proposal as positive.

Conversely, it is acknowledged that PV panel forms within security fencing can be viewed as being 'industrial' in character. Such character is at variance with this landscape setting, which has a clear sense of rural character as expressed by the pattern and strength of the hedgerow network; enclosed farmland and pasture; and a low-level of development presence. The few development features that are found within the locality are of agricultural scale, hence there is an incongruity of scale when considered alongside this 18ha proposal. Such incongruity reinforces the concerns raised in site selection (1) above.

(3) As noted above, the array lays over relatively level ground at the junction of the moorland floor with the mid-somerset hills to the south, potentially leaving the site open to view from the surrounding hillsides and immediate receptors, yet not readily seen by most lower trajectory views. The LVIA has submitted a series of photos taken from around the site, which notes it to have a limited visual profile. It also suggests that there are few sensitive receptors in close vicinity to the array, those primarily being the users of the footpath along the River Cary, immediately adjacent the site's north boundary, which are evaluated as subject of moderate adverse impacts. Higher level views are at a greater distance from the site, e.g; Lollover and Dundon Hills, from where the site, whilst apparent, appears as a minor component within wide panoramas and far-reaching views.

Generally I concur with the findings of the visual assessment, in that there are no significant long views where impact is substantially adverse, and low-level views are only significant in close proximity, and primarily restricted to the footpath alongside the Cary. To mitigate these impacts, the LVIA proposes that the fields' hedge surrounds are maintained to screen eye-level views, whilst a new hedgerow with future willow pollards is planted alongside the river. I agree both measures to be appropriate mitigation.

(4) A recent planning application for a medium-scaled array on land to the south of this application site, northeast of Pitney village and little more than 2.0 km distant, was recently refused, with the refusal upheld by the appeal decision. An earlier application for PV on a site no more than 0.5km to the west, on the edge of the moor, was withdrawn in February 2013. Hence this is the only live application in this location, thus cumulative impact is not an issue.

(5) Turning to site detail, I note that the height of the array is stated as being 2.074 metres, with a 2.0 metre wire mesh fence akin to deer fencing as surround. CCTV mounting is no more than 2.4 m height, though the finish of the support pole is not clearly stated. It would appear that no site levelling works are intended, and PV mounting is limited to a fixed racking system with its toes driven into the ground without need for concrete, and I view this as a positive approach. The field surface will be seeded as grassland, with a wildflower margin to the south - again an improvement over arable use - supported by a management

undertaking as set out in the submitted landscape and biodiversity management plan. I see no detail relating to grid connection, which should be readily available to the site, and avoiding overhead cabling. The majority of the utility buildings - finished in moss green - are concentrated in the west corner of the site, adjacent the farm, and against a mature hedgerow. Reviewing these detailed proposals, I consider the proposed arrangement and finishes to be appropriate and acceptable.

Looking at the application overall, it is clear that whilst the location selected is not strongly related to development form, and projects some incongruity of character within this open agricultural landscape, I would acknowledge that the scale of the proposal has the potential to be accommodated within the context of the wider moorland without undue impact, and the site's visual profile is low in most part. Its local visibility can be further played down by landscape mitigation. Hence whilst it could be argued that there are potentially grounds on which to base a landscape objection, mindful that national government guidance is heavily weighted in favour of renewables, and that LPAs are urged to approve renewable energy schemes providing impacts can be made acceptable, then I do not consider the extent of landscape impact to be sufficiently adverse to enable an over-riding landscape objection to be raised.

The only detailed information still required is;

- (a) Grid connection detail, which to be satisfactory, should be confirmed to be local and underground, and;
- (b) The finished details of CCTV installations – to be matt, and of subdued tone. .

If you are minded to approve the application, could you please condition;

- (c) The planting works to conform with the submitted landscape plan and;
- (d) Site management to be undertaken in accord with the landscape and biodiversity management plan.

I believe this covers all landscape issues, but do get back to me if there are any other elements of this application that require further consideration.

Robert Archer
Landscape Architect