Area West Committee – 19th September 2012

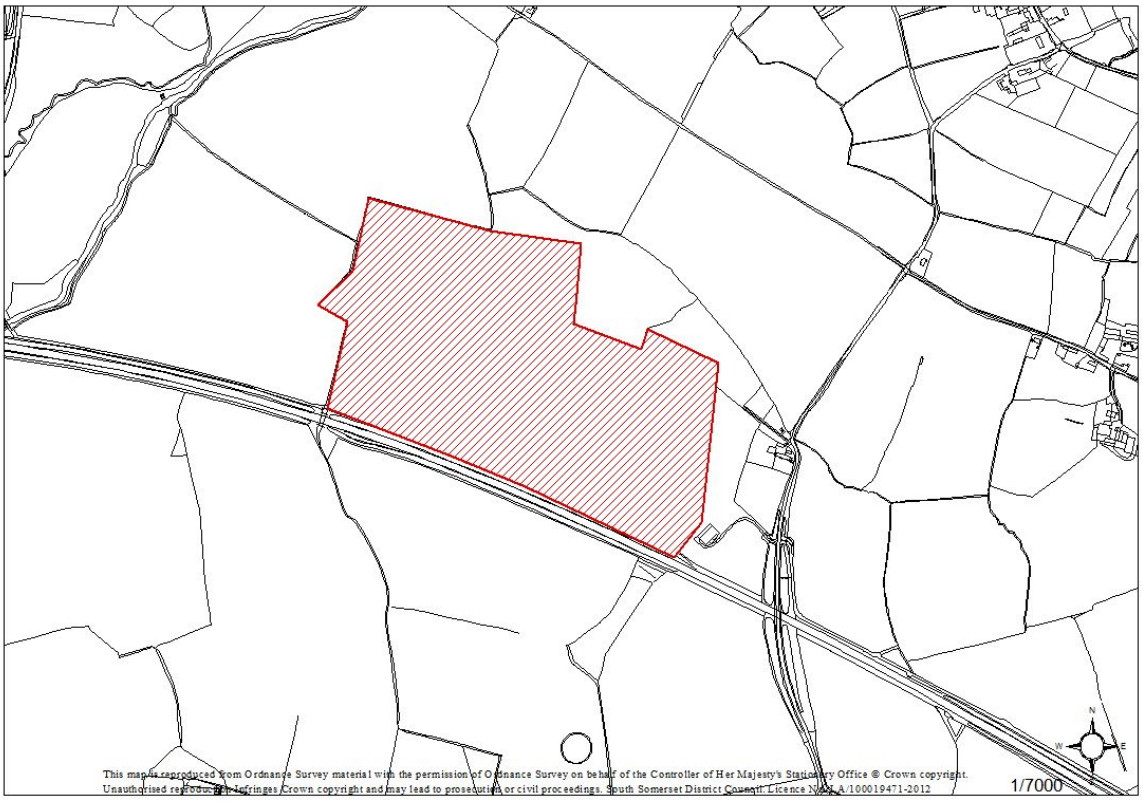
Officer Report On Planning Application: 12/02823/FUL

Proposal:	The installation of an extended 10MW photovoltaic array. (GR 337702/116210)
Site Address:	Parsonage Barn Stocklinch Road Whitelackington
Parish:	Whitelackington
ILMINSTER TOWN Ward (SSDC Member)	Carol Goodall (Cllr) Ms. K T Turner (Cllr)
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date:	26th October 2012
Applicant:	Solar Century
Agent: **(no agent if blank)**	Mr Andrew Troup 22 South Audley Street Mayfair London W1K 2NY
Application Type:	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application is referred to the Committee as the application comes under the definition of a 'major major' and therefore has to be considered by the Area Committee.

SITE DESCRIPTION AND PROPOSAL



The application site sits 1km to the north-west of Whitelackington, adjacent to the A303 Ilminster By-pass. The site is 20.23 hectares (50 acres) and comprises three large fields.

There are a small group of ruinous barns to the east of the site, with a single residential dwelling (Grade II Listed) to the north-east. Otherwise the site is surrounded by open farmland. It forms part of a relatively flat piece of land with a mature hedgerow on all the field boundaries. The village of Whitelackington is 500m (approx) to the south-east of the site with Stocklinch 750m to the north-east.

This application seeks permission to significantly extend the existing solar panel PV array as approved under 12/00835/FUL. The array as currently installed spans consists of 3000 modules (approx.) with a 7m x 3m inverter building. The application proposes to cover approximately 20 hectares and will be made up of 40800 solar panels on fixed frames (1.92m high) with an additional 5 inverter buildings. Access tracks of gravel and mown grass will provide access to the array. A 1.85m boundary fence is also proposed, this will include small openings to allow free access by wildlife. Much of the existing hedging will be retained with additional areas of planting proposed. The total installed capacity is 10MW with the array expected to generate approximately 9 -10 million kWh a year; sufficient for an average consumption of approximately 2000 homes.

The site is within the open countryside but has no specific landscape or wildlife designations. The western part of the site is within Flood Zone 3. There are no footpaths through the site or adjoining. There is one footpath running along the river 370m to the west and one 350m to the north.

HISTORY

12/00835/FUL – The siting of a PV solar array and inverter housing with associated landscaping (revised application) (retrospective). Approved 24/04/2012.

11/00943/FUL - The siting of a PV solar array and inverter housing with associated landscaping. Approved 23 May 2011.

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.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review and the saved policies of the South Somerset Local Plan. Although the Government has given a clear signal that they intend to abolish the regional planning tier, the draft Regional Spatial Strategy has not yet formally been revoked by Order, and therefore for the purposes of this planning application, the draft RSS continues some weight, albeit limited. On the 6th July 2010, the Secretary of State (SoS) announced his intention to abolish Regional Spatial Strategies (RSS).

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan (April 2000):

STR1 - Sustainable Development
STR6 - Development Outside towns, rural centres and villages
Policy 1 - Nature Conservation
Policy 5 - Landscape Character
Policy 7 - Agricultural Land

Policy 49 - Transport Requirements of New Development
Policy 60 - Floodplain Protection
Policy 64 - Renewable Energy

Saved policies of the South Somerset Local Plan (April 2006):

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EH5 – Development Proposals Affecting the Setting of Listed Buildings
EC1 - Protecting the Best Agricultural Land
EC3 - Landscape Character
EC7 - Networks of Natural Habitats
EC8 - Protected Species
EP3 - Light Pollution
ME5 - Farm / Rural Diversification

Policy-related Material Considerations

South Somerset Sustainable Community Strategy
Goal 8 – Quality Development
Goal 10 – Energy
Goal 11 - Environment

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

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
Chapters:-
Chapter 3 - Supporting a prosperous rural economy
Chapter 4 - Promoting sustainable transport
Chapter 7 - Requiring good design
Chapter 10 - Climate Change and Flooding
Chapter 11 - Conserving and Enhancing the Natural Environment
Technical Guidance to the National Planning Policy Framework - Flood Risk

The NPPF effectively replaces the majority of the Planning Policy Statements and Planning Policy Guidance Notes.

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.

CONSULTATIONS

Whitelackington Parish Meeting:-
'I submit the following points for consideration:-

1. Several Whitelackington parishioners have commented on an annoying element of the existing installation and are concerned that the larger development, currently under consideration, may exacerbate the situation. This issue concerns the sounding of an alarm at any time night or day. This alarm sounding is annoying and at times antisocial.

   I am not sure what warning the alarms alerts you to, whether they are false alarms, but no matter what is initiating the alarm sounder a lot more effort should be expended on the new installation to ensure improved reliability/better installation parameters hopefully thus preventing the alarm sounding.

2. If the application is approved there should be a clause added to ensure the site being utilised MUST be returned to a 'Green Field' site rather than a 'Brown Field', site if the electricity generation system is removed from the site.'

Stocklinch Parish Council:-
'The view of the Parish Council is that it has serious concerns over the following issues:-

- Visual impact from the village as well as from the A303 highway.
- Industrialisation of agricultural land (there appears to be confusion from various agencies as to its grade status i.e. Grade II or II, 3a 3b).
- Noise levels – there have been reports of a humming from the existing panels which with an additional 50 acre project could be magnified. Could a noise condition be included in the proposal?
- Change of use after 25 years – would it be further industrialised?
- Disruption due to increased traffic during installation. Problems were experienced with the previous project due to heavy traffic coming through the village.
- Height of visual barrier by plantings and the years it would take for this to become truly effective.
- Security of the site.
- If this is approved – would this set a precedent for further expansion of this site?

Stocklinch is a medieval village with listed properties and 2 ancient churches and historic natural landscape. From the elevations of the village there is an iconic view over to the escarpment of the Blackdown Hills, which this project would visually blight.'

Landscape Architect:-
'I have read through the material submitted in support of the above application, which seeks consent for an extended PV solar array, to the north side of the A303 and west of Stocklinch Road, Whitelackington. I am familiar with the site and its wider landscape context, having previously visited this site and it surrounds, and viewed it in relation to the earlier application (app 11/00943/FUL) for the PV array that is currently established on site.

From a general landscape perspective, I have offered the view that PV array is a form of renewable energy generation that the South Somerset landscape may have a capacity to accommodate, providing the array is appropriately sited and designed. National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape. Consequently I set out below a number of landscape criteria that PV installations should aim to satisfy, to ensure the likely impact is not adverse:

1) Site selection - array proposals should avoid areas that are characterised by a distinct lack of development. Any greenfield site should 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 should be located within land areas that equate to typical field/plot sizes, and are suited to the uniformity of a PV array. Ideally, the array should be set within well-hedged field boundaries, or in relation to other landscape features that provide containment;

3) Visual impact - the array should be sited on relatively level ground, and avoid sloping upper hillside locations, to minimise its visual profile. There should be little overlooking from sensitive public vantage points, and locations where the array would be perceived as a dominant element within the local landscape setting should be avoided;

4) Cumulative impact - there should be no overtly 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, i.e.; to address issues such as the height of the PV unit; the degree of reflectivity arising from the PV panels, frames and supports; the extent of ground impact arising from panel mounting systems; the scale and nature of security systems; the need for new access roads; and the form and extent of array connection to the national grid.

This application includes a planning statement, which places an emphasis upon national planning support for sustainable renewable energy schemes; and a detailed landscape and visual impact assessment, which considers the extent of likely impacts upon the surrounding landscape that may arise from the installation of this proposal. With that information in mind, and in relation to the above criteria, I would comment;

(1) In relation to site selection, SSDC guidance advises that array proposals should avoid areas characterised by a distinct lack of development form, with greenfield site proposals located to express a relationship with existing development presence. As was recognised by the previous application, the dualled major carriageway of the A303 is a significant development feature within this valley, to which this proposal will relate.

Hence whilst the relationship to development form is otherwise tenuous, the close proximity of this major transport corridor provides sufficient development structure on which to key this proposal.

(2) In evaluating potential landscape character impact, the Landscape and Visual Impact Assessment (L&VIA) sets out the general character of this valley with reference to both national and local landscape studies, before describing in greater detail the nature of the hill and vale topography; local landscape elements; and field patterns that contribute to the character of the site and its surround. The array is proposed to extend across 3 arable fields, which are typical of the scale and openness of the field pattern east of the River Isle, and are primarily defined by low-managed hedgerows that correlate with the local drainage pattern. These hedges offer a degree of enclosure, which is substantiated by the partially-planted embankments of the A303.

The L&VIA notes the array to be primarily contained by bounding hedgerows to the north and east, and these hedges and the more substantive structure of the highway embankment go some way toward enabling the sites assimilation into the wider landscape pattern. Also to advantage is the relatively flat topography of the valley, which enables the array to nestle in the base of the vale. The L&VIA points out that once the construction is completed, the array is a passive element in the landscape, generating neither sound nor movement - unlike the traffic corridor at its southern edge. These factors are noted as favouring the proposal, to thus suggest the proposal site to be capable of accommodating PVs without adverse impact on its landscape fabric.

I would concur that the proposal disrupts neither the fabric nor the pattern of the landscape, and landscape components within and defining the site will remain apparent. The low horizontal emphasis of the overall installation is consistent with the general level of this broad valley base, and the embankments of the A303 corridor provide a development anchor for the proposal, and in this respect its siting is appropriate. Conversely, there is a substantial difference in scale between the existing scheme, and this proposal, which covers in excess of 20ha. The predominant character of the array can be viewed as industrial in nature, and this is at variance with the rural context. The introduction of such an extent of PV will bring an adverse change of character to this valley landscape. Whilst this extent of character impact is of concern, balancing the above positive factors, in tandem with the scheme of landscape mitigation that is submitted as part of the proposal, incline me to view the overall impact as not unacceptable.

(3) Turning to visual impact, the zone of visual influence (ZVI) can be defined quite tightly, to relate to the head of the hills that lay circa 1.5 km to the south, east and northwest of the site, which provide visual containment. The valley formed by these hills opens out to the west, and whilst a theoretical ZVI extends toward Ilton, low trajectory views across the lowland topography are disrupted by intervening tree lines and hedges particularly those to the sides of the River Isle, to thus limit public prospect. Hence it is primarily from the A303 that the array will be visible, though to passing traffic it will be no more than a fleeting glimpse. Whilst some views can be gained from Stocklinch to the north, these are partially obscured by intervening vegetation, at least 1 km distant, and the few views available see much of the array in shadow. Views in from Dillington Park to the south, are more in evidence, but similarly partial and buffered, other than from limited viewpoints on higher ground.

The L&VIA makes a full assessment of the potential visibility of the site, selecting and testing sensitive receptors, and notes the advantages of the proposal site – low level; partially screened; having scope for mitigation; and primarily subject of low-trajectory views. There are few sensitive receptors that look immediately toward the site, and from

these receptors, the array occupies only a limited part of the field of view. The visual impact upon each sensitive receptor is evaluated fully in appendix 2 of the L&VIA, and in the great majority of instances, it finds the likely year 1 impact to be either negligible or slight. It should be noted also that from the listed buildings that surround the site, only in the initial year is a moderate impact ascribed to Kails, thereafter slight. Where visual concern is noted, mitigation is proposed in the form of hedgerow management, both on and off-site, along with additional woodland blocks to reinforce the landscape pattern. With such mitigation in place, then no significant impacts are identified for any receptor.

I have reviewed the findings of the visual assessment, and in most part I would not disagree with them. Whilst the array will be viewed as an incongruous construction form within this rural context, it is clear that the extent of visibility is limited, and is played down by the local hedgerow pattern; the A303 highways embankment, and the continual sound and movement of traffic. The proposed landscape mitigation will further reduce visual impact, to an extent that I am satisfied that the array proposal will not create a lasting adverse visual impact upon the local landscape.

There is the issue of adverse impact upon the settings of designated sites and buildings: The nearest listed dwelling, Kails, to the east, has a clearly defined hedge curtilage which encloses its immediate setting. The array is set-back from its boundary, and is to be buffered by further (proposed) field hedging to thus create paddock space, and distance, between the LB and the array. I consider this to respect its setting.

Some 0.9km to the south lays Dillington House (grade 2*) which nestles into the side of Beacon Hill to its south, and is enclosed from the north by historic planting belts. Its main prospect is to the east, over its parkland, and this is the extent of its immediate setting. Whilst views can be gained from the park above the house, which will perceive the array as backdrop to the house, it is clear that the current array is already an element of its backdrop (photo 11), that an extended array will not be the dominant element in the backdrop; and that planting mitigation has been organised to break up too strong an horizontal emphasis, to thus play down the arrays presence. Consequently again, I do not perceive this proposal to create a setting issue.

(4) Cognisant of the number of applications approved to date within the district, it is clear that cumulative impact is not an issue with this application.

(5) Turning to site detail, I note that the array is likely to stand no taller than 1.92 metres above ground level, which is a factor assisting its low visual profile. 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. A 1.85 metre tall fence of reinforced wire mesh on wooden poles, supported by CCTV cameras (but no lighting) provides site security. Inverter structures are located within the array layout, and are to be finished in suitable tones to thus minimise visual impact. The field surface will be seeded as grassland, to be managed for grazing.

I view the above details as positive factors toward ensuring the PV installation is low intensive, and relatively low profile. Grid connection is noted to be local, and to be routed underground, and providing this does not require removal of woody (hedgerow) species, or impact on any site of wildlife interest, then I raise no landscape issues here. Details of the route will however, be appreciated for confirmation of its acceptability pre-determination.

To review the proposal as a whole, on balance I believe that the site offers a number of advantages in its ability to accommodate this enlarged PV installation, both in relation to the landscape character of the locality, and the limited extent of its visual profile. Whilst

this type of installation will bring some incongruity of form and character to this rural location, and is now of a scale that will bring about a degree of adverse character impact, I am mindful that national government guidance is heavily weighted in favour of renewables, and urges LPAs to approve renewable energy schemes providing impacts can be made acceptable (NPPF para 98). A landscape mitigation proposal is submitted, which seeks to counter landscape impact, and I am satisfied that it will mitigate adverse landscape impact as far as is practicable. Consequently, I do not raise a landscape objection. That is with the proviso that the following conditions to any potential planning consent are agreed:

1) The landscape mitigation plan, drawing 486/01–P4 is implemented and adhered to in full, which will guide new planting works; management of the existing hedgerows; and the long term (25 years) management of the sites woody and ground vegetation. Planting should be carried out to completion during this coming planting season, November 2012 – mid March 2013;
2) A site restoration proposal is submitted for approval, detailing the works necessary to revert the site to open agricultural land on completion of the lifetime of the array, along with the retention of the new landscape features arising from this application, and;
3) Security of the site is confirmed to be as detailed in the landscape and visual impact assessment, i.e. wire mesh fencing to 1.85 metre height, and no lighting. CCTV columns are to be finished in a dark muted tone.

Details for (2) should be submitted and approved before work commences on site.'

Climate Change Officer:-
'The UK has a target to meet 20% of energy needs from renewables by 2020. Despite this, until very recently, renewable electricity generation within South Somerset has been minimal. However, since the introduction of the feed in tariff installed capacity of renewables in South Somerset now stands at 8.009 MW with 7.868 MW of that from photovoltaic arrays. (Ofgem statistical report 31/07/2012). This is providing 0.936% of the districts annual requirement (DECC sub national electricity consumption data 2010.) making the district the leader in the region. This proposed large PV array will more than double the districts PC capacity and make a very significant reduction in carbon emissions.

This development is a well designed installation. The site chosen is very suitable because it is relatively close to electricity consumers at Ilminster, which will minimise grid losses and just the type of application that this council should encourage.

I have checked the electricity generation estimate during the course of a year and found it to be accurate. The development has the potential to supply the equivalent of 90 - 100% of Ilminster household electrical demand over the course of a year.

I have no objections.'

Highways Agency (notified as site is adjacent to A303 trunk road):-
'From the information supplied in your letter, we are content that the proposals will not have any detrimental effect on the Strategic Road Network. On this basis, we offer no objections to the application.'

County Highway Authority:-
'Somerset County Council is generally supportive of alternative energy development and as such there is no objection in principle to the proposal.

In regards to the vehicle movements it is presumed that there will be an increase in vehicle movements along the A303 and the approach roads through the village of Whitelackington. However this will only be for a limited period during the construction phase of this development.

Once the site is operation it is unlikely that the site will generate a significant level of vehicle movements as the only vehicles which would access the site would be those associated with the sites ongoing maintenance.

The applicant has indicated that the site will make use of the existing accesses to the east of the application site. From visiting the site it is apparent that the access is of sufficient standard to accommodate the construction traffic associated with this proposal, whilst sufficient visibility is provided in either direction.

I therefore raise no objection to this proposal.'

Ecologist (SSDC):-
'I'm satisfied and in agreement with the findings and conclusions of the submitted ecological assessment (Fieldwork Ecological Services Ltd, July 2012). This didn't identify any significant ecological constraints provided that the existing hedges and ditches are retained as proposed. I have no objection subject to conditions to ensure protection for the following:

1. Hedges. The hedges on site are fairly likely to be used to some extent for foraging and commuting by bats. Removal of any part could potentially have impact upon these species. Furthermore, following consent, it's uncertain whether the hedges would still be subject to protection by the Hedgerows Regulations (it depends on whether the land is still classified as agricultural). I therefore recommend a condition preventing any hedge removal without prior written approval of the lpa.'

Environment Agency:-
The Agency originally objected to the application on the grounds that there was no flood risk assessment included with the application. This has now been submitted and the following comments have now been received:-

'The Environment Agency has received further information from the applicant's agent and the Local Planning Authority (LPA) concerning the above application.

We can now advise that, further to our letter of 21 August 2012, we have reviewed the flood risk information submitted by RPS, dated 30 August 2012.

The flood risk submission includes surface water run-off calculations for the existing greenfield site as well as considering the potential increase as a result of the solar farm development. We accept the proposed approach whereby a swale will be provided to mitigate for a 10% increase in surface water run-off. The below condition is required to ensure that further details of the swale (such as a detailed landscape plan and swale cross-sections) are submitted prior to construction.

CONDITION:

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in

writing by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

The following informatives and recommendations should be included in the Decision Notice.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.'

CPRE:-

1 It is considered that this application should not be approved for two reasons: first, because landscape implications have not been fully addressed; second, because there is uncertainty about whether the land is designated Best & Most Versatile (BMV).

2 Regarding landscape matters, CPRE endorses the comments submitted by Ms Wendy Lutley on 17 August. The present relatively small array is clearly visible from points of public access on the escarpment north of Stocklinch as well as from Dillington House. Increasing the area of the site six-fold would have a considerable effect on views of what is at present, apart from the Ilminster Bypass, a purely rural scene. The Bypass itself is now beginning to be screened, at least in summer time, thanks to tree planting, but it has taken over 20 years for this improvement to take effect and the solar array would, it is claimed, be there for 25 years only.

3 CPRE Somerset has a policy that good agricultural land, especially BMV, should be protected from development. This is because of predicted population growth and the fact that cultivatable land is becoming scarcer both internationally and nationally. In addition it must be pointed out that the price of oil, on which modern food growing is heavily dependent, can only increase because demand exceeds supply. The National Planning Policy Framework, at para 112, states a planning authority should take into account the economic and other benefits of BMV agricultural land and seek to use poorer quality land where development of agricultural land is shown to be necessary.

4 In fact no consideration appears to have been given to finding a better site, apparently because the applicant claims, first, that it would remain in agricultural use, since sheep would graze under and alongside the panels, and, secondly, that most of the land is Grade 3b and therefore not BMV. Regarding the grading, the applicant's agent, at a public meeting in Stocklinch on 16 August, claimed that a survey carried out for the landowner (Dillington Estate) by Cranfield University in 2002 proved the relatively poor quality of the land. That report is not at present available as a public document. Previously it had been claimed that the Magic DEFRA database showed that 66% was Grade 3b and 33% 3b but no

such information appears in fact to be available. There is a map available from Natural England which indicates the land is Grade 2 and contiguous with Grade 3 (no indication of whether a or b) but this is to a scale of 1:250,000 and regarded as “very broad-brush”. Natural England advises that where MAFF ALC maps do not exist (as here) then the work can be done by commercial consultants and this means using handheld augers to examine soils to a depth of 1.2 meters, at a frequency of one boring per hectare, plus the digging of occasional small pits to inspect soil profile. Has such a survey been done?

5 There is no denying that reduced energy consumption and the development of renewable sources of power generation are essential for the survival of civilisation as we know it. Equally important is security of our ability to produce food. There is no need for one of these aims to preclude the other. It is difficult to see how SSDC as the planning authority can make a decision without the benefit of the right information.

6 It is difficult to obtain information on the real efficiency of one form of renewable power generation compared with another but it seems clear that photo voltaic panels compare poorly with wind generation in terms of energy produced from energy invested. They clearly have a role to play, especially on roofs and on land of little or no agricultural or scenic value.

7 The applicant claims that after 25 years the solar array would be taken away and the land restored to agricultural use. Can that be guaranteed? What happens if the applicant goes into liquidation? And in any case, if the power from this proposed solar array is needed now would it not be needed even more in 25 years?

8 The land is currently classified as agricultural. The solar array would clearly not be an agricultural use. Could it be ensured that, in the event that the solar array was no longer needed or after 25 years, the land would still be regarded as agricultural rather than industrial? The claim made that because sheep would be grazed to keep herbage under control the site would remain in agricultural use is difficult to take seriously. It would be interesting to have a comparison of how many sheep the site could support if converted to pasture now and the number in the proposed solar array.

(In response to the comments of the CPRE the agent has provided details of the Cranfield University study and made the following comments:-

‘1. The land is on the alluvial floodplain of the Isle and therefore lies wetter than the better quality land on the Estate. We know this not least because that's how it farms and because the EA has been concerned about run-off. This report on pages 25 and 26 confirm that the number of days that the soils of the Fladbury Series can be worked which is markedly down compared with other soils on the Estate. On pages 36/37 there is discussion on Grades and this floodplain land is defined as grade 3.

2. I would refer CPRE to DEFRA's document 'CAP Reform Post 2013' (published in 2011) where it is clearly stated that DEFRA is required to secure 7% of farmland under environmental management schemes ie diverted from food production. Part of this can be found with existing woodland/copse/game cover but it will also require much more land to be taken out of food production. This policy can be reversed in a couple of years of course where with a PV site another location would have to be found - a more difficult undertaking but not impossible and this PV site will in any event be returned to full agricultural use in 25 years - in better condition than it is now.

CPRE's desire to see PV deployed on Grade 4 or 5 land or brownfield land is extraordinarily difficult to bring about. Land values on brownfield land mean it is not viable. Grade 4 and 5 land is so graded for a reason. It is often hilly or with much more extreme slopes and as consequence in more scenic parts of the countryside or actually floods all of which make impossible for PV.

3. I don't know where the calculation is for CPRE's assertion that clearly wind is much better when measured in terms of energy produced from energy invested. If it is talking about embedded carbon then the payback on PV is about 4 years; about the same as wind turbines if they are deployed in locations with an average wind speed in excess of 6.5m/sec.')

NATS:-
No safeguarding objections.

MOD:-
'The proposed development relates to a large scale expansion of existing ground mounted solar array at a site approximately 4.3km southeast of Merryfield Airfield. The potential for such a large scale solar array to cause glint and glare is an aviation safety consideration. The design and access statement supporting the application identifies that the panels are designed to absorb sunlight and will produce no discernable glare or reflection. On this basis I can confirm that the MOD has no safeguarding objections to this proposal.'

Environmental Protection (SSDC):-
'This office has had several complaints about a noise coming from the existing array, and I'm informed this noise is actually from an alarm false tripping due to wildlife. As such I would ask that the choice of trespasser alarm at this unit is considered further and an alarm that is resistant to false triggering is used, or alternatively a silent alarm that alerts the applicant or the police direct if this is not possible.

I'm unsure if this can be formally conditioned through the planning process but it is something for the applicant to be aware of, and ideally conditioned to avoid noise nuisance.'

(Officer Note:- The Environmental Protection Officer has spoken to the applicant and confirmed 'he (the applicant) has suggested a CCTV system and conditioning the use of a non-audible alarm. This would amply satisfy the issues raised in my earlier email.')

English Heritage:-
Do not wish to comment in detail but offer general observations:-
'This application is for the substantial extension to a solar array which is already quite prominent. We do not concur with the agent's statement that the current development is inconspicuous since it is clearly visible from the A303. Contrary to the assertion in the Design and Access Statement that there are no heritage assets nearby the application site, we have identified 3 highly graded listed buildings within 1km of it. These are Dillington House, Whitelackington Manor and the Church of St Mary, Whitelackington. Barrington Court, with its registered historic garden is set slightly further away. The Visual Impact Assessment produced for the application makes some acknowledgement of the presence of heritage assets in the proximity of the application site although it does not include Barrington Court or Whitelackington in its detailed assessment. Without a map showing the zone of intervisibility with the proposed array it is not clear to us whether or not these heritage assets might be intervisible or not with the development. The applicant's assessment does suggest, however, that there would be some

intervisibility with Dillington House and Park, in relation to which it would have been helpful if some actual photomontages had been prepared to demonstrate its extent.

From the limited amount of information available to us on the heritage impact of this development we believe that it may not be a reason for outright objection but rely on the Council's ability to make a detailed assessment of the landscape impact than we are able to undertake in order to verify that position. We also consider that the potential for landscape mitigation should be fully explored by the Council in order to protect the setting of nearby heritage assets amongst other priorities.

Recommendation
We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.'

Area Engineer, Technical Services Department:-
'Comments in the Design Statement regarding flood risk to part of the site are noted and agreed – subject to confirmation by Environment Agency and the Drainage Board.'

REPRESENTATIONS

Thirteen letters of objection have been received, they make the following comments (summarised):

- Concerned about possible noise nuisance – they have recently been alarms at various times during the day and night.
- Object to the use of good farming land which can be used to grow food becoming unproductive. There is some dispute about the Grades of the land at the site – this should be clarified.
- Concerned about impact upon birds and wildlife.
- The road capacity to the site is inadequate.
- Concerned that panels may cause problems for motorists on the by-pass.
- Wish to see that the array is suitably screened.
- This is a money-making scheme with the sole intent of generating substantial profit for the Dillington Estates.
- This is an area of natural beauty and historic interest and this installation will devalue property prices and is not in keeping with the whole feel of the area. The Council becomes involved in small house extensions and should not usher this application through without properly considering its impact on the area.
- Panels should be sited on industrial land or a less conspicuous site.
- The screening will never totally improve the site and will take years to grow.
- The survey photos in the documentation were taken during the summer; there will be more landscape impact during the winter months. This could be mitigated through the use of evergreen species in the new planting.
- Concerned that new planting will not screen the buildings and CCTV poles – suggest the use of bunding to overcome this issue.
- In terms of Human Rights a balance needs to be struck between the rights of the individual versus those of the many.
- Request conditions requiring landscaping planting (before commencement of other aspects of scheme); planting/hedging to be maintained over 25 years; no audible alarm.
- The proposal is industrial in nature and will bring an adverse change to the character of the landscape. It would proliferate and potential set precedence for inappropriate 'footloose' development along the A303.
- The A303 should not be used to justify industrial development in the landscape.

- The NPPF requires the determination of planning applications to take sustainability into account – not simply policies for encouraging renewable energy – and requires consideration of landscape and the value of the countryside in its own right.
- National and South West Policies (including proposed changes to the draft RSS 2008) should all be considered when making a decision on the current application.
- The evidence base from all the relevant landscape character assessments/studies needs to be taken into consideration in determining the effect on the landscape of the current application. Cumulative impact must also be considered.
- The proposed development would detract significantly from the amenity enjoyment of this wider rural and historic landscape.
- Need to consider the potential adverse effects from reflectant light and associated lighting, construction, signs and noise.
- Concerned that inverters will generate RF interference and noise.
- The panels will bounce and reflect noise from the A303.
- The proposal will only generate one job and will result in the loss of employment through loss of agricultural land.
- Consider that the Landscape and Visual Impact Assessment is inaccurate, incorrect and misleading. The impact of the development will be significant and result in adverse and long term impacts. Believe the project is clearly subject to an EU directive which has not been followed in terms of assessing impacts; documentation; involvement of interested parties early in the process; and sufficient time to allow participants to express their opinions.
- Concerned that this is a 'done deal' as the Council is under severe Government pressure to fulfil their undertaking to generate 20% of the district's electricity from renewable sources by 2015.
- Suggest that the array be 'stretched' along the A303 rather than forming one 50 acre block.
- There are a number of current applications for solar panels in Somerset and a number have already been approved in other parts of the County.

CONSIDERATIONS

This application is seeking planning permission to significantly enlarge the current PV array on the site from 600KW to a 10MW solar farm enlarging the site to 20 hectares. The site is located in the open countryside and remote from any development areas. It is proposed to increase the number of panels to 40800, with an additional 5 inverter units, security fencing, temporary access track and ancillary equipment. Permission is sought for a 25-year period.

The main considerations for this application are considered to relate to landscape character and visual amenity, residential amenity, impact upon ecology, impact upon setting of listed buildings, highway safety and effect upon flooding.

Principle

Whilst it might be preferable for brownfield sites to be considered before greenfield agricultural land there is no requirement for developers to consider brownfield sites in the first instance or apply any sort of sequential test as to the optimum site from a land use or landscape point of view. The proposal seeks to install the 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 applicant advises that the land is classified as Grade 3a and 3b agricultural land, this has been confirmed by a report by Cranfield University, the site is therefore not the best and most versatile agricultural land in respect

of its fertility. The proposal is for the temporary use of the land (25 years) for the purposes of solar power generation. The installation is capable of being economically decommissioned and removed from the site at the end of its viable life or duration of planning permission if approved, whichever is the sooner, with the site returned to its original appearance and agricultural use; this can be enforced by a planning condition. It could be argued that the presence of panels would preclude more intensive agricultural uses for the period of 25 years, thus allowing the soil to regenerate. It is not therefore considered that this proposal would result in the permanent loss of the best and most versatile agricultural land.

An Environmental Impact Assessment Screening and Scoping Opinion was submitted. Under this assessment a consideration of the likelihood of significant environmental effects needs to be judged. In this case an Environmental Impact Assessment was not required as the development is of local (and not national) importance, the site is not within a designated area, is not particularly vulnerable or sensitive and the development is not unusually complex with hazardous environmental effects.

Landscape Character and Visual Amenity

The application site which comprises arable fields which are typical of the scale and openness of the field pattern east of the River Isle, and are primarily defined by low-managed hedgerows that correlate with the local drainage pattern. These hedges offer a degree of enclosure, which is substantiated by the partially-planted embankments of the A303. The A303 is considered to be the most significant feature within the immediate landscape and by locating the array in close proximity to the road, this will 'tie' the proposed development to a permanent feature within the landscape.

The Landscape Architect has carried out a thorough assessment of the proposal and assessed the submitted Landscape and Visual Impact Assessment (as detailed above) and, in his view, with the proposed landscape mitigation the proposal will not result in such a significant adverse impact as to justify a refusal on landscape grounds. Whilst noting that the predominant character of the array can be viewed as industrial in nature and therefore at variance with the rural context, he notes that that proximity of the A303 provides sufficient development structure on which to key the proposal. Furthermore, the proposal will work with the existing field boundaries and retain the existing hedgerows; additional native planting is also proposed to strengthen the existing hedgerows on the western, northern and southern boundaries. The Landscape Architect has given consideration to the suggestion for bunding but considers 'bunding would be entirely inappropriate in this landscape. The array is proposed to stand 1.92 metres tall: within a season, if the flail is raised, the height of the hedges can stand as tall as the array to thus break up views toward it from the north. Additionally, with the type and density of planting that has been specified, within 3 years the outline of the plantations will stand above array height, thus breaking up a perception of its rear as viewed from Stocklinch.'

In terms of the longer range views of the site, as the array is less than 2 metres tall and located upon a flat site the array will fit in appropriately with the existing field network. The panels appear as a grey mass (rather than as individual panels) within the longer range views and thus harmonise with the existing natural colour tones within the landscape. As such, it is not considered that the level of landscape impact when viewed from Stocklinch or other public vantage points would be so significant as to justify a refusal of this application.

Residential Amenity

In terms of the immediate area, there is one house to the east of the house; this is a Grade II listed building (within the ownership of the applicant). Given the distance to the property and the additional planting that is proposed between the array and the dwelling

it is not considered that the proposal will adversely impact upon the amenities of this dwelling or its setting.

In terms of the wider area, there have clearly been issues with regard to an audible alarm at the site. This has now been switched off and the applicant has agreed to a condition that would preclude the use of audible alarms at the site. As such, this issue can be adequately addressed. In terms of noise generated by the array itself, this will be at a low level during the day and silent at night. With the noise generated by the adjoining trunk road and the distances from neighbouring properties it is not considered that a reason for refusal could be substantiated on the basis of noise pollution.

Ecology

The Ecological and Survey Report concludes that there are no protected sites nearby that will be impacted upon by the proposed development and there are no significant conflicts with protected or notable species or nesting birds with this project. Furthermore, it states that there will be no impacts upon bats, badgers, brown hares, and any hares and badgers will be able to access much of the site. It notes that losses to farmland birds should be balanced by gains as the land management changes. It makes recommendations about future maintenance of land and hedgerows.

The Ecologist has confirmed that he has no objection to the proposal subject to a condition protecting the existing hedgerows on the site.

Impact upon setting of listed buildings

The adjacent residential property is a Grade II listed house. However, it is very much contained within its own curtilage which is defined by mature trees and hedgerow. In the circumstances, it would be very difficult to view the property as part of the array and it is not considered that the impact of the array would have a significantly adverse impact upon the setting of this building.

In terms of the more significant listed buildings within the vicinity, it is considered that the landscape analysis is an important factor within such an assessment. As noted above, as the panels tend to appear as one grey mass within the landscape and not as individual panels it is not considered that they present a significant feature when viewed as part of the setting of the listed buildings such as Dillington House (800m) and Whitelackington Manor (900m). Indeed, it is not considered that the array could be refused on the basis that it would adversely impact upon such buildings given the distances involved and the perception of the array when viewed from such distances.

Access and Highway Safety

In considering the proposed access and route to the site, the Highways Authority has not raised an objection noting that during construction there will be an increase in vehicle movements but this would only be a limited period. They note that the existing access is of a sufficient standard and once the site is operational there will only be very limited vehicle movements to and from the site.

In terms of the proximity to the trunk road, the Highways Agency have confirmed that they are content that the proposals will not have any detrimental effect on the Strategic Road Network and as such have no objections to the application.

Flooding

The Environment Agency has considered the additional submitted by the applicant and have withdrawn their original objection. They therefore have no objection to the application subject to a condition to require additional details of the swale that will be required to deal with a small increase in surface water run-off.

Conclusion

In summary, the provision of this solar farm accords with the governments objective to encourage the provision of renewable energy sources and is considered to raise no significant landscape or visual amenity concerns or other substantive planning concern and to accord with the aims and objectives of the National Planning Policy Framework (Parts 7, 10, 11 and 12) and Policies ST5, ST6, EH5, EC3, EC7 and EP3 of the South Somerset Local Plan and is therefore recommended for approval.

RECOMMENDATION

Approve

01. The provision of this solar farm accords with the governments objective to encourage the provision of renewable energy sources and is considered to raise no significant landscape or visual amenity concerns or other substantive planning concern and to accord with the aims and objectives of the National Planning Policy Framework (Parts 7, 10, 11 and 12) and Policies ST5, ST6, EC3, EC7 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: Drawing No.'s received Site Location (1:20,000) and Drawing No. HAZEL-DILLI-120 (Planning Elevation 1:50) received 23 July 2012; and Drawing No. 486/01 PA (Landscape Mitigation Plan) received 27 July 2012.

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

03. The landscaping/planting scheme shown on the submitted plan (Drawing No. 486/01 PA (Landscape Mitigation Plan) received 27 July 2012) shall be completely carried out within the first available planting season from the date of commencement of the development. Planting must be carried out during this coming planting season (November 2012- mid March 2013) if commencement is to take place in 2012/2013. For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

    The hedgerows and trees to be retained shall be protected during the course of the construction.

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

04. The supporting posts to the solar array shall be anchored into the ground as shown in HAZEL-DILLI-120 (Planning Elevation 1:50) received 23 July 2012 and shall not be concreted in.

Reason: To avoid an unsustainable method of attachment in the interests of landscape character and visual amenity in accordance with saved Policies ST5, ST6 and EC3 of the South Somerset Local Plan (2006).

05. The external surfaces of the development hereby permitted shall be of materials as shown on the submitted application form and elevation plans hereby approved and no other materials shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

06. 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 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 saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan (2006).

07. 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 saved Policies EC3, ST6 and EP3 of the South Somerset Local Plan (2006).

08. No works shall be undertaken unless details of the location, height, colour and number of the CCTV equipment is submitted to and agreed in writing by the Local Planning Authority.

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

09. 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 to accord with saved ST6 of the South Somerset Local Plan (2006).

10. No hedge, nor any part thereof, nor any tree (including those within the approved landscaping scheme) shall be removed until the details of the proposed removals have been submitted to the local planning authority and approved in writing. Any significant amount of removal may require the details to include the results of bat activity surveys undertaken to current best practice, an impact assessment, and mitigation proposals in respect of any impacts identified.

Reason: To protect the existing and approved landscaping and for the protection of bats in accordance with the Conservation of Habitats and Species Regulations

2010, the Wildlife and Countryside Act 1981 (as amended) and Local Plan Policies EC3 and EC8.

11. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

    The scheme shall also include details of how the scheme shall be maintained and managed after completion.

    Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Informatives:

01. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.