

Area West Committee – 19th December 2012

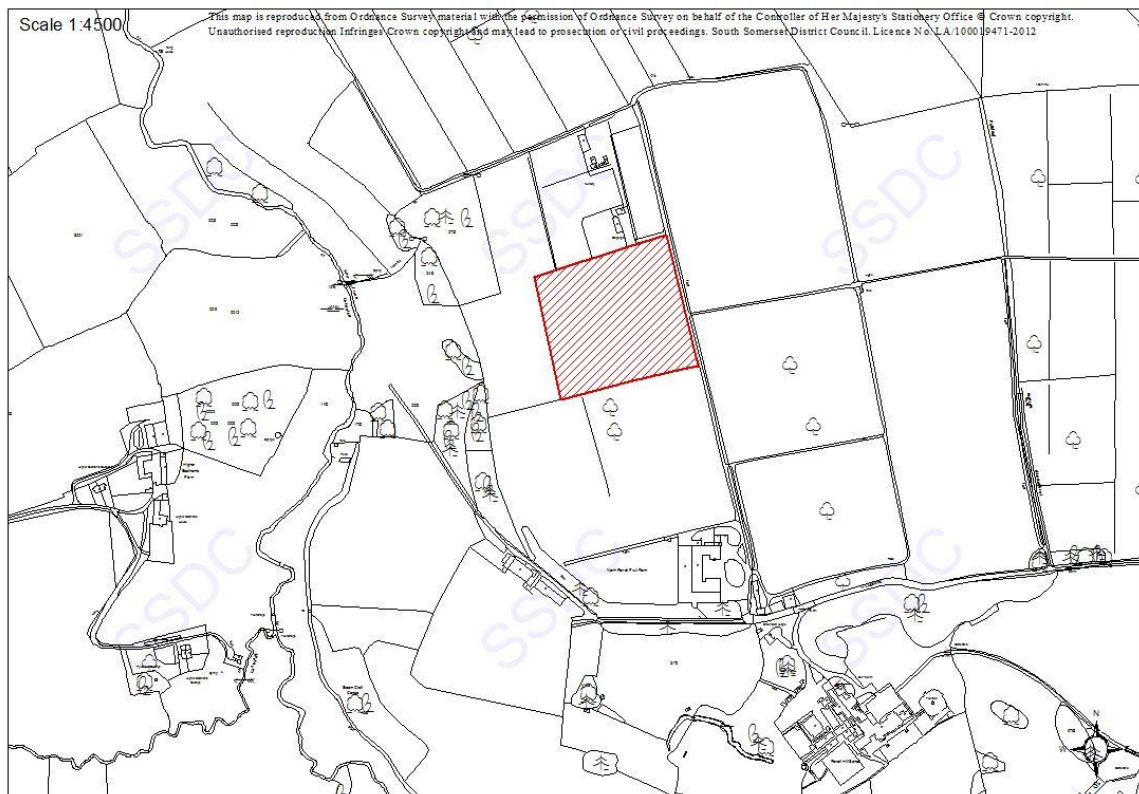
Officer Report On Planning Application: 12/03892/FUL

Proposal:	Installation and operation of a 2.41 hectare solar farm and associated infrastructure, including PV solar panels, mounting frames, inverters, transformers, fencing and pole mounted security cameras (GR 346626/109752)
Site Address:	Land At North Perrott Fruit Farm Willis Lane North Perrott
Parish:	North Perrott
PARRETT Ward (SSDC Member)	Cllr R Pallister
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date:	3rd January 2013
Applicant:	Mr Nick Boyle
Agent: (no agent if blank)	Miss Charlotte McManus Level 4 20 Old Bailey, London, EC4M 7AN
Application Type:	Major Other f/space 1,000 sq.m or 1 ha+

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 west of the village centre of North Perrott and forms part of the North Perrott Fruit Farm. It is accessed via a narrow lane (Willis Lane) that also provides access to North Perrott Cricket Club and is one of the accesses to North Perrott School. The site is 2.42 hectares (5 acres) and comprises the upper part of a large rectangular field. There is a single residential dwelling directly to the north of the site that has an agricultural occupancy condition but is not connected to the fruit farm. The site is bounded by a track to the east and otherwise surrounded by open farmland, woodland and orchards; it is relatively flat but slopes downwards to the west. The site is open on three sides but there are mature hedgerows on the adjacent field boundaries with a mature woodland band to the west.

This application seeks permission to install 3744 solar panels (approx.) covering approximately 6,552 square metres of the application site. The panels are 1650mm x 941mm, and a maximum of 2.53m above ground level. The mounting frames are pile driven into the ground and no concrete foundations are required. The panels will have an approximate generation capacity of 900kWp, which is enough to power 268 homes. The proposal includes a 2m high security fence around the site with 3m cctv poles, a transformer station (2.4m x 3.1m x 1.7m high) and 2 inverters (2.6m x 1m x 2.3m high). A new hedge is proposed around three sides of the site with the existing field hedge retained at the western end. The application is supported by documentation of the form of a Design and Access Statement; Landscape and Visual Impact Assessment; Flood Risk Assessment; Ecological Appraisal; Archaeological Assessment; and Construction Management Plan.

The site is within the open countryside but has no specific landscape or wildlife designations. The North Perrott Conservation Area is 250m to the south. There are no footpaths through the site or adjoining, but two in relatively close proximity to the east and west. The site is designated as Grade 2 agricultural land.

HISTORY

12/03479/EIASS – Installation of a 1MW photovoltaic array. Determined 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.

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 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
 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:-

- 3 - Supporting a prosperous rural economy
- 4 - Promoting sustainable transport
- 7 - Requiring good design
- 10 - Climate Change and Flooding
- 11 - Conserving and Enhancing the Natural Environment

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

North Perrott Parish Council:-

Voted unanimously in favour of the development.

Landscape Architect:-

'I have reviewed the application and its supporting documents submitted in relation to the above proposal seeking to construct a PV solar array, on land to the north of Wills Lane, northwest of the village of North Perrott. I am also familiar with the landscape context of the proposal.

As a general landscape observation, PV array is a form of renewable energy generation that the South Somerset landscape has a capacity to accommodate, providing the array is appropriately sited and designed, and of suitable scale. Hence SSDC has set out a number of landscape criteria in its guidance note that PV installations should aim to satisfy, to ensure potential impacts are not adverse. In brief, these include:

- (1) Site selection - array proposals should ideally be guided toward previously developed land; 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 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 minimise its visual profile, with minimal overlooking from sensitive public vantage points;
- (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.

The application includes an assessment (L&VIA) of potential landscape and visual impacts that may arise from the installation of PVs at this site. With that information to hand, and in relation to the above criteria, I would comment;

- (1) Re; site selection, SSDC's guidance note on PV arrays advises that array proposals should avoid areas characterised by a distinct lack of development form, with any 'greenfield' site located to express a relationship with existing development presence.

Turning to this proposal, I would have to say that the relationship with established built form is tenuous: Whilst farm tracks run to the south and east of the site, and a residential site lays adjacent the north boundary, there is little other built form or development presence to which this proposal can be keyed. Hence in relation to the desirability of a development context, this proposal falls short.

(2) With regard to potential landscape character impact, the L&VIA sets out the general landscape character of this part of the Yeovil Scarplands, with reference to national character studies, before assessing the impact of a potential array at this location. The L&VIA considers the local landscape to be capable of absorbing an array, due to the strong plantation, tree and hedgerow structure that surrounds the site, and is part of a strong vegetative pattern in the wider landscape context.

The array is proposed to lay within part of a field that is sited in a wider agricultural unit dedicated to fruit growing, primarily in the form of fruit trees. This land-use is spread through many of the fields that lay to the northwest of North Perrott and the scale of the fruit fields and their many tree-lines endow the vicinity with a character that is distinctive within the wider area. Many of the fields are defined by managed hedgerows and shelterbelts that broadly correspond to a rectilinear pattern. These bounding hedgerows and shelterbelts offer a strong degree of enclosure, whilst a woodland belt that lays to the west of the site is particularly robust in offering containment of the site, and the combination of these landscape elements enable the site's assimilation into the wider landscape pattern. In terms of its woody framework and context, I would concur with the L&VIA, that the landscape is capable of absorbing an array, with the uniformity of the many lines of fruit trees in particular being useful in setting an appropriate context for linear development form. I would also observe that an array is a passive element in the landscape, generating neither sound nor movement.

It is acknowledged that PV panel forms within security fencing can be viewed as being 'industrial' in character, and in itself such character is bound to be an incongruous feature within a rural context. However, in this instance, the distinctive character of the fruit farm, and its pattern of tree lines positively lends itself to providing a uniform framework for development, hence on balance I do not view this proposal as adversely impacting upon landscape character.

(3) The relatively flat topography of the site and the nature of its woody surround has enabled the array to be set out within the surrounding matrix of fruit trees and hedgelines, to significantly limit the number of views into the site. The L&VIA rightly notes that there are few sensitive receptors in close vicinity to the array, other than two national trails – the Parrett and Liberty Trails – which pass within 0.5 km of the site, and North Perrott School (within the village conservation area) to the south. None of these receptors have a prospect of the site, and other potential public views of the site are low-trajectory, limited in number, and disrupted by intervening hedge and tree lines to thus limit public prospect. These are positive contributory elements of this proposal.

One neighbouring property alone would have a side-on prospect over the rear of the array. Consequently, the L&VIA proposes mitigation, in the form of a new native-species hedge boundary to run between the property and the array, and this hedge is to extend to the site's east and south sides, to consolidate the current extent of visual enclosure. I agree this proposal to be acceptable.

(4) Cognisant of the number and location of applications submitted 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 height of the array is uncertain - the text within the

L&VIA states its height to be 2 – 3 metres tall. I view 3.0 metres as too great a height, and I recollect that earlier discussions intimated 2.4 metres as being the likely height, and this would be an acceptable maximum. Similarly, within the same text, the proposed fence height is noted as both 2.0 and 2.4 metres tall, and clarity on this is required. As for fencing type, I note that a weldmesh fence is proposed. Whilst not ideal, I am aware that secure weldmesh fences can be manufactured to have low density gauge, and to a dull matt finish, to thus limit its visibility, and such may be acceptable here given the site's 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. The inverter structure is small-scale and located in close proximity to the array, whilst the field surface will continue as grassland. Grid connection is close at hand, and will not involve overhead cabling. Hence, whilst awaiting confirmation of the array height, I view the remaining site elements as contributing toward ensuring the PV installation is low intensive, and relatively low profile.

To summarise the application as a whole, whilst the proposal has minimal development anchor, I am satisfied that the impact upon landscape character and visibility will not significantly adverse, and that the site offers a number of advantages in its extent of visual enclosure, and in the sympathetic pattern of its landscape surround setting an appropriate context for a development of this form. Mindful that national planning guidance is heavily weighted in favour of renewables, I confirm there is no basis for an over-riding landscape objection to this proposal.

Should you be minded to approve this application, I would advise that we first confirm;

- a) the type and height of security fencing;
- b) the precise height of the array;

and condition;

- c) the planting plan, drawing L0236 is implemented to completion to correspond with the array's construction;
- d) the security fencing type and colour to be agreed prior to commencement, and;
- e) confirmation that any CCTV mounting is finished in a dark matt tone.'

(Officer Note: - confirmation has been received regarding the type and height of security fencing (2m high mesh fence) and the array will be a maximum of 2.5 meters high. The Landscape Officer has no objection to these details.)

Climate Change Officer:-

'The UK has a target to meet 20% of energy needs from renewables by 2020. Despite this, renewable electricity generation within South Somerset has been minimal until recently. However, this proposed large PV array will be one of several installed in the district recently making a significant impact on carbon dioxide emissions.

Since the introduction of the feed in tariff installed capacity of renewables in South Somerset now stands at 9.074 MW with 8.935 MW of that from photovoltaic arrays. (Ofgem statistical report 31/07/2012). This is providing 1.062% of the district's annual requirement (DECC sub national electricity consumption data 2010.) making the district one of the leaders in the UK. It would seem that the relatively flat landscape, abundance of grazing land and southerly location of South Somerset make it very suitable for installation of large PV arrays. This proposed large PV array is one of a small handful currently in panning that will make a very significant impact of the districts renewable electricity generation, albeit still well below the 2020 target.

This development is a well-designed installation. The site chosen is very suitable because it is relatively close to electricity consumers at Crewkerne, which will minimise

grid losses and is just the type of application that this council should encourage.

The development – in combination with the consented array - has the potential to supply the equivalent of 5% of Crewkerne's household electrical demand over the course of a year.

I have no objections.'

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 detail, once completed it is unlikely that the proposal would generate a significant amount of vehicle movements on the highway network for the Highway Authority to warrant objecting to this application.

However during the construction period the proposal would see a significant increase in vehicle movements on Willis Lane. This can be characterised as single width with high hedges and verges on either side of the carriageway. The applicant's Construction Management Plan states that the site would require approximately 20 HGV truckloads which equates to 2-3 movements per day.

Willis Lane currently serves approximately three dwellings, a school and the existing fruit farm. As a consequence there is already a significant level of vehicle movement on the lane, especially at peak 'pick up' and 'drop off' periods for the school. As such I do not believe that 2-3 additional movements would represent a significant increase in vehicle movement. In addition these movements would only be for the construction phase.

The Highway Authority's main concern relates to the junction of Willis Lane with North Perrott Road, from visiting the site it is apparent that the junction does not provide the sufficient radii and visibility splays to be able to accommodate the HGV traffic that would be associated with this development. This would normally result in an objection from the Highway Authority over the increased use of a sub-standard junction. However it is noted that the construction phase will be for a limited period therefore it could be considered unreasonable to raise objection on these grounds.

Therefore taking into account the above information I raise no objection to this proposal.'

If planning permission were to be granted they recommend conditions be attached regarding a survey of the public highway and a construction environmental management plan.

Ecologist (SSDC):-

'I'm broadly satisfied and in agreement with the findings and conclusions of the submitted ecological appraisal (Avian Ecology, Sep 2012). This didn't identify any significant ecological constraints provided that the existing hedges are retained as proposed. Badger setts were identified nearby but are at least 80m from the proposed security fencing at the edge of the development and hence are unlikely to be significantly affected.

I have no objection subject to conditions to ensure protection for the following:

1. European Protected Species. The hedges on site could potentially be used by dormice and 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. Any significant amount of removal may necessitate dormouse and/or bat surveys.

2. No lighting – security lighting could cause disturbance to bats and/or dormice and I recommend a condition preventing its installation or making details of such subject to lpa approval. Again, in such an event, further specific dormouse and bat surveys may be required.

3. Badgers are active on site although no setts were observed within the site. There's potential for this to change prior to construction commencing. I recommend a condition requiring a pre-construction survey for badgers.'

Environment Agency:-

No objection subject to conditions regarding details of future ownership of drainage and adherence to Flood Risk Assessment.

CPRE:-

Original comments:-

'The grounds for objection are that the land involved, according to the Design and Access Statement at para. 3.1, is Grade 2 and therefore in the category of Best and Most Versatile (BMV). The granting of permission would consequently be contrary to saved Policy EC1 Of the Local Plan and the National Policy Planning Framework (para. 112). Furthermore para. 3.2 of SSDC's Development Guidance Note of 20 January 2011 indicates that BMV land should be avoided for PV arrays unless the developer can make an over-riding justification, which does not seem to be the case.

It is noted that the Climate Change Officer supports the application because it would increase the district's volume of renewable electric power generation. The opportunity is taken to point out that the energy yield ratio (the ratio of energy delivered by a system over its lifetime, to the energy required to make it) of solar panels is not high, being only 4. This can be compared with a ratio of 80 for a wind turbine. The source of this information is "Sustainable Energy-without the hot air" by David JC MacKay (UIT Cambridge 2009, ISBN 978-0-9544529-3-3).'

Further comments (in response to agent's comments regarding the above):-

'My information about the efficiency of solar panels compared with wind generators comes from a book published in 2009, in which the author refers to work published by Richards and Watt in 2007. Penny Laurenson refers to work done by Enrol, USA in 2005 but gives no other information and also refers to PV panels having an operational life of 25 to 35 years. How is this known? Have PV panels really been in use so long? And if they have, without losing their potency, why should the application be for 25 years only? These comparisons are always difficult and MacKay in the publication I have cited refers to panels in "Central Northern Europe". Saying also that in a sunnier spot (e.g. Australia) the energy yield ratio would be 7 rather than 4. Let it not be forgotten that a wind generator can operate day and night if the right wind blows but a PV panel can only work in hours of daylight. Wind generators don't interfere greatly with farming but that's another matter.

Regarding the issue of best and most versatile land, it's true that section 6.2.2 of the Planning, Design and Access Statement covers the matter of land restoration after 25 years, but it does not alter the fact that SSDC's own guidance note suggests that such land should be avoided unless the applicant can provide over-riding reasons as to why it should be used. Where is that reason?'

NATS:-

No safeguarding objections.

MOD:-

No safeguarding objections.

Environmental Protection (SSDC):-

'Solar cells are inert solid state devices which convert light into electricity. The systems therefore produce virtually no noise and no emissions.

The inverters require some cooling, so there is a slight fan noise perceptible only if standing immediately adjacent to the housing.

Otherwise there are no moving parts, except in the minority of systems, which may be designed to be manually adjusted twice per annum.

Generally we have no objections to their installation.'

Area Engineer, Technical Services Department:-

No comments.

REPRESENTATIONS

One letter of representation has been received from the occupier of the adjoining house requesting confirmation of a number of points.

(Officer Note: The agent has responded to this request and answers have been forwarded to the resident.)

CONSIDERATIONS

This application is seeking planning permission for a 2.41 ha solar farm array on the site to include security fencing, a transformer station and 2 inverter buildings. The site is located in the open countryside and remote from any development areas.

The main considerations for this application are considered to relate to landscape character and visual amenity, residential amenity, impact upon ecology and highway safety.

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, a management company will be employed to clean the panels and maintain the land.

The applicant advises that the land is classified as Grade 2 agricultural land and is therefore considered to be '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. Policy EC1 advises that whilst poorer land should be used in preference to higher grade agricultural land sustainability considerations can outweigh the agricultural land value.

Furthermore, 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. The application states that the site forms 8% of the total area of farmland owned by the farmer and this proposal represents a diversification of productive use of the land in order to support the agricultural activities on the rest of the farm land.

A review of appeal cases involving loss of high grade agriculture land indicates that it is just one of the factors that Inspectors consider when assessing proposals. However, the fact that land can be returned to agriculture was an important factor in their decision making, developments such as a golf course and mineral extraction were granted permission by Inspectors as the land was not permanently lost to agricultural use. Therefore as the application land will not be permanently lost, it is not considered that this proposal could be refused on the basis of loss of the best and most versatile agricultural land.

An Environmental Impact Assessment Screening and Scoping Opinion (12/03479/EIASS) 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 is considered to be well suited for the development of a solar farm. It is relatively level and extremely well screened by significant trees and hedging in the immediate vicinity and wider area. It is unlikely that it will be viewable from any public vantage points.

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 site is not well related to any existing development forms, the nature of the surrounding orchards with their linear lines of trees does mean that the array will more comfortably tie in with this linear character. The proposal will work with the existing field boundaries and retain the existing hedgerows; additional native hedge planting is also proposed on the open boundaries to provide further screening of the development.

In terms of the longer range views of the site, the site is so well screened there are unlikely to be any significant views of the panels from the wider area. The panels appear as a grey mass (rather than as individual panels) from 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 would be so significant as to justify a refusal of this application.

Residential Amenity

In terms of the immediate area, there is one house immediately to the north of the site. The dwelling forms part of a small nursery that is in separate ownership to the Fruit Farm. It faces on to the track that runs to north to south and as such has no direct overlooking of the application site. A new hedge is proposed along the shared boundary which will provide further screening of the development from the adjacent dwelling.

In terms of noise and disturbance, the application contains details to show that the sound generated by the panels will not be audible beyond the site boundary once ambient

noise is taken into account. Except for occasional maintenance visits, the site will be unmanned and as such any disturbance will be minimal. As such, it is not considered that the proposal will have a significant adverse impact upon the residential amenity of the neighbouring property.

Ecology

The Ecological Survey has found that there is evidence of badger setts within the vicinity of the site, although none were found on the application site itself. The survey advises that it will be necessary to ensure that nest searches are carried out if vegetation works are proposed during breeding/nesting season. The Ecologist (SSDC) recommends that conditions be imposed to; secure a pre-construction badger survey be carried out in order to assess any new activity near working areas; and to protect hedgerows.

Access and Highway Safety

The Highway Authority notes that the existing access is substandard and does not provide sufficient radii and visibility splays to be able to accommodate HGV. Whilst this would normally result in an objection they are content that the construction phase will be for a limited period only and as such the County Highway Authority do not consider it reasonable to raise an objection. They have however requested conditions requiring a Condition Survey of the highway and a Construction Environmental Management Plan.

In light of the advice from the Highway Authority it is not considered that the proposal could be refused on the basis of adverse impact upon highway safety.

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: Location Plan (1:2500), Drawing No.'s 3.3; 0.1C; 1-1; and L.0236_04-B all received 4 October 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. L.0236-_04-B (Planting Plan) received 4 October 2012) 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 in accordance with the details shown on Drawing No. L.0236-_04-B (Planting Plan) 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 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. The development shall not be carried out otherwise than using the materials so approved.

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 works shall be undertaken unless details of the location, height and colour of the fencing is submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than using the materials so approved.

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

10. 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).

11. No hedge, nor any part thereof shall be removed, except for permitting reasonable access to the site, until the details of the proposed removals have been submitted to the local planning authority and approved in writing. Any significant amount of removal will require the details to include the results of dormouse presence and bat activity surveys undertaken to current best practice, an impact assessment, and mitigation proposals in respect of any impacts identified.

Reason: For the protection of bats and dormice in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended) and Local Plan Policy EC8.

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

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

13. No development shall commence unless an amended Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;

- A scheme to encourage the use of Public Transport amongst contactors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

14. Prior to, and within 2 months of, commencement of any works, a survey for badger setts will be undertaken, and if any are present within 30 metres (including on adjoining land) of the development site, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

15. The development hereby permitted shall not be commenced until such time as a scheme to clarify the intended future ownership and maintenance for all drainage works serving the site has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 20/09/2012 by PFA Consulting and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by all return periods up to and including the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Proposed surface water management measures identified on pages 4-5.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

Informatives:

01. The Environment Agency advises that there must be no interruption to the existing surface water and/or land drainage arrangements 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.
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