



Informal Discussion by Members of Regulation Committee

Tuesday 21st December 2021

10.00 am

**A virtual consultative meeting via
Zoom meeting software**

The following members are requested to attend this virtual consultation meeting:

Jason Baker
Neil Bloomfield
Malcolm Cavill
Adam Dance
Peter Gubbins

Sarah Dyke
Tony Lock
Sue Osborne
Crispin Raikes
Andy Soughton

David Recardo
Paul Rowsell
Linda Vjeh
William Wallace

Any members of the public wishing to view the meeting, or address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, must email democracy@southsomerset.gov.uk by 9.00am on Monday 20th December 2021.

For further information on the items to be discussed, please contact:
democracy@southsomerset.gov.uk

This meeting will be streamed and viewable online at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

This Agenda was issued on 13th December 2021.

Jane Portman, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk or via the mod.gov app**

Information for the Public

In light of the coronavirus pandemic (COVID-19), Regulation Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council;

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022.

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

Regulation Committee

Meetings of the Regulation Committee are usually held monthly, at 10.00am, on the third Tuesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom.

Agendas and minutes of meetings are published on the council's website

www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual consultative meetings. If you would like to participate and contribute in the meeting, please join on-line through Zoom at: <https://zoom.us/join> You will need an internet connection to do this.

Please email democracy@southsomerset.gov.uk for the details to join the meeting

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

If you would like to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on 20th December 2021. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will un-mute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Planning Applications

It is important that you register your request to speak at the virtual meeting by emailing democracy@southsomerset.gov.uk by 9.00am 20th December 2021. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public cannot be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of

any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- County Council, Town or Parish Council Representative
- Objectors
- Supporters
- Applicant and/or Agent

Ward members, if not members of the Regulation Committee, will speak after the town/parish representative.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Regulation (Informal)

Tuesday 21 December 2021

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of previous meetings held on 17th December 2019 and 17th August 2021 (Informal). The draft minutes can be viewed at: <https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

2. Apologies for Absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

4. Public Question Time

5. Schedule of planning applications to be considered (Pages 6 - 7)

6. Planning Application 21/02205/FUL - Solar Site South Of Brains Farm, Moor Lane, Wincanton, Somerset (Pages 8 - 37)

7. Planning Application 21/02788/S73 - Leonardo Helicopters, Lysander Road, Yeovil, BA20 2YB (Pages 38 - 48)

8. Date of next meeting

The next scheduled meeting of the Regulation Committee (Informal) will be held on Tuesday 18th January 2022 at 10.00am. However this meeting will only take place if there is business to conduct.

Schedule of Planning Applications to be determined by Committee

Director: Kirsty Larkins, Service Delivery
 Lead Specialist: John Hammond, Principal Planner
 Contact Details: john.hammond@southsomerset.gov.uk

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Regulation Committee at this meeting.

Recommendations

Members are asked to note the schedule of planning applications.

The meeting will be viewable online by selecting the committee at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Any member of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00am on Monday 20th December 2021.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
6	WINCANTON	21/02205/FUL	Proposed solar farm and associated development, comprising the installation of solar panels, substation, switchgear building, storage/communications/switch room buildings, the provision of inverter/transformer cabins and battery containers, construction of access and stone track, fencing and gates, installation of CCTV cameras, and associated landscaping and biodiversity enhancements.	Solar Site South Of Brains Farm Moor Lane Wincanton Somerset	NextPower SPV 13 Limited
7	YEOVIL WESTLAND	21/02788/S73	The formation of a hard surface airstrip, associated lighting and ancillary lighting control building. S73	Leonardo Helicopters, Lysander Road,	Shaun Travers

			application to vary conditions 04, 05, 07 and 08 of planning approval 19/02614/FUL to amend wording of pre-commencement conditions	Yeovil, BA20 2YB	
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Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda has been prepared.

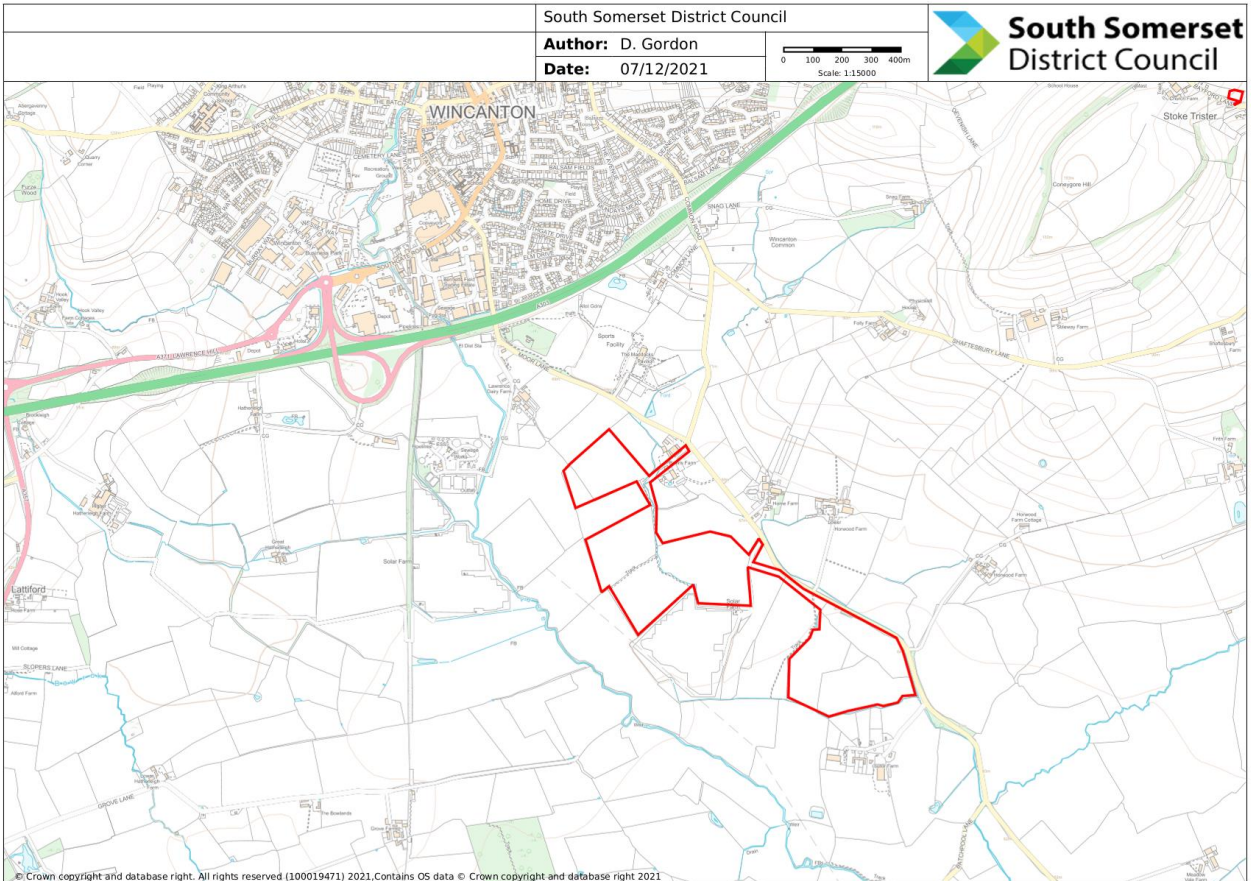
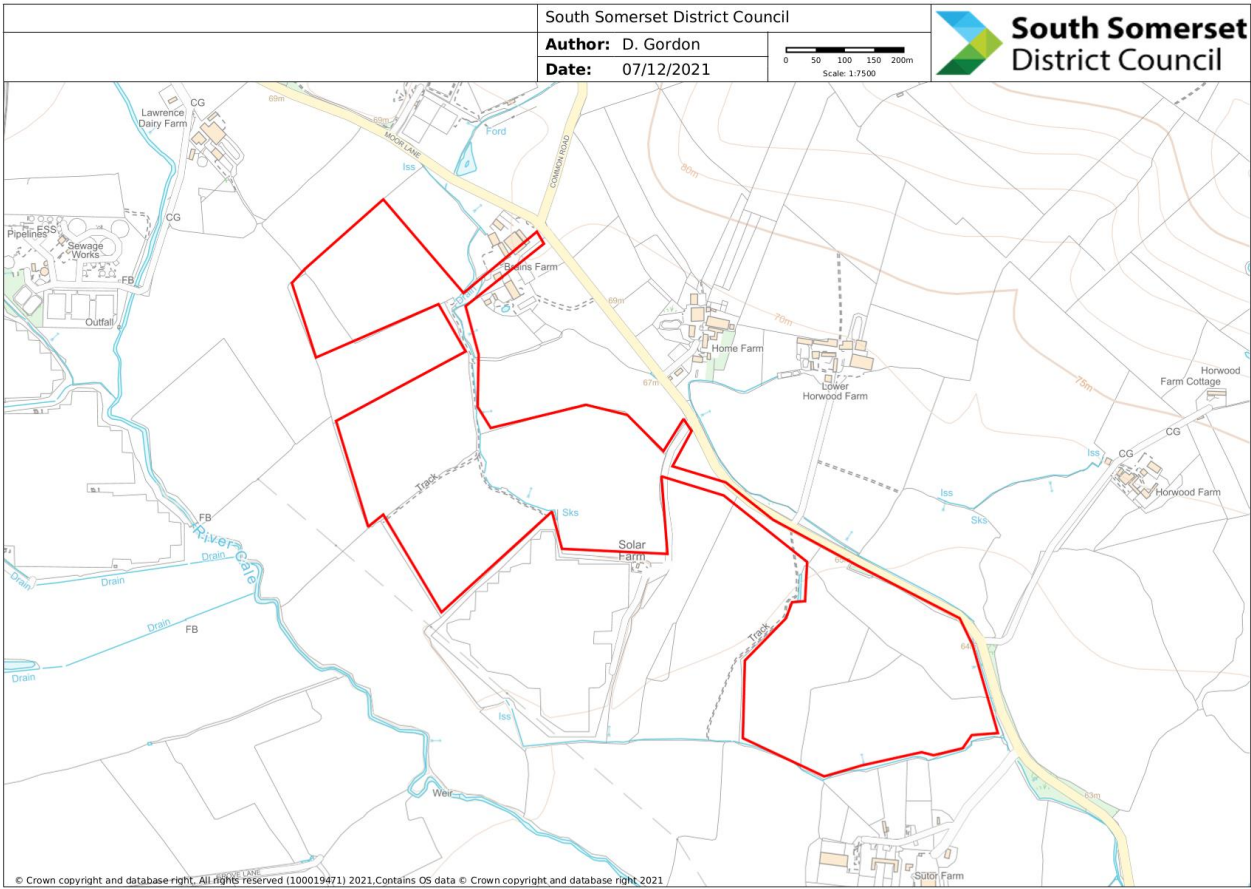
Agenda Item 6

Officer Report On Planning Application: 21/02205/FUL

Proposal :	Proposed solar farm and associated development, comprising the installation of solar panels, substation, switchgear building, storage/communications/switch room buildings, the provision of inverter/transformer cabins and battery containers, construction of access and stone track, fencing and gates, installation of CCTV cameras, and associated landscaping and biodiversity enhancements.
Site Address:	Solar Site South Of Brains Farm, Moor Lane, Wincanton, Somerset (Nearest postcode BA9 9RA)
Parish:	Wincanton
WINCANTON (SSDC Member) Ward	Cllr N Colbert Cllr C Winder
Recommending Officer: Case	David Kenyon (Specialist) Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
Target date :	21st October 2021
Applicant :	NextPower SPV 13 Limited
Agent: (no agent if blank)	Intelligent Alternatives 100 Brand Street GLASGOW G51 1DG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major').



SITE DESCRIPTION AND PROPOSAL

This is a detailed application seeking full planning permission for a "Proposed solar farm and associated development, comprising the installation of solar panels, substation, switchgear building, storage/communications/switch room buildings, the provision of inverter/transformer cabins and battery containers, construction of access and stone track, fencing and gates, installation of CCTV cameras, and associated landscaping and biodiversity enhancements", on land south Of Brains Farm, Moor Lane, Wincanton.

The application as originally submitted included the erection of a 15 metres high communications tower/mast but that part of the proposal has since been withdrawn from the submission. Wincanton Town Council, adjoining Parish Council's, relevant third parties and consultees have been notified of this amendment.

The application site is located within open countryside approximately 500 metres to the south of Wincanton and is approximately 29.6 hectares in size. It comprises eight fields, mainly laid to grass, being of flat to gently sloping land, and separated by a network of largely mature and well-maintained hedgerows and scattered mature trees, and is situated between the River Cale to the south west and Moor Lane to the north east.

Moor Lane is located to the north and east, broadly running from the north-west to the south east and is largely enclosed by mature hedgerows and trees restricting views into the adjacent fields. Scattered farms are accessed via Moor Lane, including Home Farm and Lower Horwood Farm. Set back from the enclosed Moor Lane, wider views including towards the site are restricted by the 'lines' of mature intervening vegetation, including lining both sides of Moor Lane.

The agricultural land is poor quality, with all the fields within the application site being classified as Grade 4.

The archaeological potential of the site has been assessed as generally low to moderate.

Public Rights of Way (PROW) cross the site, from the north east off Moor Lane near Brains Farm, through the site adjoining the Monarch's Way recreational route and PROW at the River Cale.

The site lies within Flood Zones 2 and 3 on the Government's flood map for planning. However, more detailed, refined and accurate modelling has concluded that the majority of the site is not actually at risk of flooding in a 1 in 100 year plus climate change flood event.

A single Grade II Listed Building, Home Farmhouse and boundary railings, lies in relatively close proximity to the site, situated approximately 180 metres to the north east on the opposite side of Moor Lane.

The site is not located in or directly adjacent to any sensitive landscape designations. However, except for one field, the site lies within the Mineral Safeguarding Area.

Two operational solar parks are located in very close proximity to the current application site,

1. Land at Higher Hatherleigh Farm

To the west of the site, on approximately 9.08 hectares of agricultural land at Higher Hatherleigh Farm and immediately to the west of the River Cale, planning permission was granted on 10th August 2012 for the "*Construction of a Solar Park, to include the installation of solar panels to generate up to 3.5MW of electricity, with transformer Housing, security fencing and cameras, landscaping and other associated works.*" (application ref. 12/00884/FUL). The permission is for a 25 years period and requires the development to be removed and the land restored to its former condition by 10th August 20 2037.

A further planning permission was granted on 21st February 2013 to extend the solar park into the adjoining 1.8 hectares field immediately to the north. That permission was for the "*Construction of a 1.8 hectare solar park as an extension of the consented 9.08 hectare scheme to the south, to include solar panels, transformer housing, security fencing and cameras, landscaping and associated works.*" (application ref. 12/03914/FUL). The permission is for a 25 years period and requires the development to be removed and the land restored to its former condition by 21st February 2038.

2. Land at Sutor Farm

Immediately to the south of part of the current application site, enclosed to the north, east and west by the fields associated with the site, on approximately 9.3 hectares of agricultural land at Sutor Farm, planning permission was granted on 12th March 2015 for the "*Construction of a 9.3 hectare solar park with associated works.*" (application ref. 14/05472/FUL). This permission is for a 25 years period and requires the development to be removed and the land restored to its former condition by 12th March 2040.

The proposed development for about an 18.8MW solar farm comprises the following:

Solar Panels

Solar panels would be installed on rows of 'tables'. These would be a maximum of 3m above ground level. The panels would be dark blue or black and would face due south. There would be at least 80cm between the bottom of the panels and the ground to facilitate sheep grazing in and around the panels. Documentation submitted with the application states that it is anticipated that there would be a minimum of 5 metres between rows to allow maintenance and associated farming activity. However, final row spacing would depend on ground conditions and detailed engineering design.

Substation Building

A proposed substation building, measuring approximately 3.5 metres in height, 5.7 metres in length and 3.9 metres in width, would be of metal/fibreglass construction, coloured light grey or moss green. It would be sited at the northern part of the site.

Switchgear Building

A proposed switchgear building, measuring approximately 3.1 metres in height, 4 metres in length and 2.6 metres in width, would be of metal/fibreglass construction, coloured light grey or moss green. It would be sited adjacent to the proposed substation building.

Inverter/Transformer Cabins

These would be metal/fibreglass structures, coloured light grey or moss green, measuring approximately 12.2 metres in length, 3.1 metres in width and 3.2 metres in height. 7 no. such structures would be placed on various parts of the site.

Storage / Communications Buildings

Two metal / fibreglass buildings, to be used for communications equipment and/or storage, would be coloured light grey or moss green, measuring approximately 7 metres in length, 2 metres in width and 2.3 metres in height. These would be sited immediately to the west of the substation and switchgear buildings.

Battery Containers

Battery containers are proposed in the form of standard metal, light grey / moss green shipping containers, which would be approximately 12.2 metres in length, 2.4 metres in width and 2.6m in height. 9 no. such containers would be sited to the north of the storage/communications buildings and to the north west of the substation and switchgear buildings.

Access Track, Fence, Gates and CCTV

The site would be accessed by approximately a 4 metres wide crushed stone access track and would

be enclosed by a 2 metres high wooden post and metal wire deer fence with occasional metal gates. The posts would be spaced between 4 metres and 8 metres apart. Static CCTV cameras would be located along the fence lines both along the external boundaries of the site and internally within the site as well, generally every 50 metres apart, on poles of either metal construction coloured dark green or timber, up to 3 metres in height. Overall, there would be approximately 77 metal or timber poles with one CCTV camera provided on each such pole.

Other Works

Other specific works would take place on the site including landscaping, the proposed vehicular access and biodiversity enhancements.

Decommissioning

The lifespan of the proposed development would be for 40 years from first generation of electricity, with a further 6 months to cover the de-commissioning phase. The development would be entirely reversible and could be easily dismantled, and the site easily be restored to its current condition.

Included as part of the planning application submission are the following drawings and documents:

Drawings

- o Location Plan scale 1:10000 dated 07/07/2021
- o Location Plan scale 1:5000 dated 07/07/2021
- o Solar Farm Layout, Rev D6, 191-04-PV-Brains Farm, dated 24/11/2021
- o Indicative Swale Plan, Rev A1, 191-04-PV-Brains Farm , dated 24/11/2021
- o Racking Details, Rev A1, dated 22/07/2021
- o Substation Housing, Rev A1, dated 22/07/2021
- o Switchgear Housing, Rev A1, dated 22/07/2021
- o Inverter / Transformer Detail, Rev A1, dated 22/07/2021
- o Storage / Comms / Switch Room, Rev A1, dated 22/07/2021
- o Battery Container, Rev A1, dated 22/07/2021
- o Fence Detail, Rev A1, dated 22/07/2021
- o CCTV Detail, Rev A1, dated 22/07/2021

Documents

- o Planning, Design and Access Statement (07 July 2021), prepared by Intelligent Alternatives Ltd
- o Indicative Traffic Management Plan, Revision A (09 August 2021), prepared by Intelligent Alternatives Ltd
- o Flood Risk Assessment & ICM Model Report (May 2021), prepared by Nijhuis Industries Ltd
- o Drainage Technical Note (November 2021), prepared by Fairhurst
- o Landscape and Visual Impact Assessment (May 2021), prepared by Amalgam Landscape Ltd-including Location Plan (Figure 1), Site Analysis (Figure 2), Site Views A, B, C & D (Figures 3A, 3B, 3C & 3D), Cumulative Solar Schemes (Figure 4), Landscape Relevant Designations (Figure 5), National Landscape Character (Figure 6), Landscape Character (Figure 7), Topography (Figure 8), Principal Visual Amenity Receptors (Figure 9) and Indicative Landscape Masterplan (Figure 10)
- o Historic Environment Desk Based Assessment (December 2020), prepared by AH Heritage Planning
- o Ecological Appraisal (September 2020), prepared by Midland Ecology
- o Biodiversity Management Plan (May 2021), prepared by Wychwood Biodiversity
- o Agricultural Land Classification (October 2020), prepared by Soil Environment Services Ltd

RELEVANT HISTORY

Application Site

19/03527/EIASS. Request Screening Opinion for Solar Farm - EIA not required 02.06.2020.

20/02496/EIASS. Screening Opinion Request for a proposed Solar Farm - EIA not required 21.09.2020.

Land at Higher Hatherleigh Farm (West of application site)

12/00884/FUL. Construction of a Solar Park, to include the installation of solar panels to generate up to 3.5MW of electricity, with transformer Housing, security fencing and cameras, landscaping and other associated works.

Application permitted with conditions 10.08.2012 for 25 years. Land to be restored to its former condition by 10th August 20 2037.

12/03914/FUL. Construction of a 1.8 hectare solar park as an extension of the consented 9.08 hectare scheme to the south, to include solar panels, transformer housing, security fencing and cameras, landscaping and associated works.

Application permitted with conditions 21.02.2013 for 25 years. Land to be restored to its former condition by 21st February 2038.

Land at Sutor Farm, South of part of application site

14/05472/FUL. Construction of a 9.3 hectare solar park with associated works.

Application permitted with conditions 12.03.2015 for 25 years. Land to be restored to its former condition by 12th March 2040.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a general duty on local planning authorities when determining planning applications as respect listed buildings and states:

"in considering whether to grant planning permission, or permission in principle, for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses."

For the purposes of determining current applications the Local Planning Authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

SD1 - Sustainable Development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

EP5 - Farm Diversification

TA5 - Transport Impact of new development

TA6 - Parking Standards

Wincanton Neighbourhood Plan 2018-2028 - January 2018

Policy 3 - Trees and hedgerows
Policy 4 - River and Stream Corridors
Policy 5 - Development on the outskirts of the town

National Planning Policy Framework - July 2021

Chapter 2 - Achieving sustainable development
Chapter 4 - Decision-making
Chapter 6 - Building a strong, competitive economy
Chapter 8 - Promoting healthy and safe communities
Chapter 11 - Making effective use of land
Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
Chapter 15 - Conserving and enhancing the natural environment
Chapter 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance

National Design Guide, September 2019

Somerset Minerals Plan

The majority of the site lie within the Mineral Safeguarding Area. Policy SMP9 refers.

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2017)

CONSULTATIONS

Wincanton Town Council

Support.

North Vale Parish Council

(Grouped Council comprising Holton, Maperton and North Cheriton Parish Councils)

No objections in principle but Councillors would like any approval to include detailed conditions regarding the biodiversity measures raised in the application.

Horsington Parish Council

Opposed the original proposals as Councillors felt that the scale of the development is too large and inappropriate. There were also concerns about the visual impact on the area. Such concerns were reiterated, including concerns about the size of the site, in response to the amended proposal to remove the 15 metres high communications tower/mast.

Stoke Trister with Bayford Parish Council

Has no firm observations to make on this application.

Cucklington Parish Meeting

No comments received.

County Highway Authority

No objections subject to conditions.

SSDC Highway Consultant

Refer to advice and recommendation from Highway Authority.

SSDC Landscape Consultant

No objections. The proposal would not cause an unacceptable degree of landscape harm. Conditions recommended requiring the submission of a Landscape and Ecological Management Plan and landscaping details.

SSDC Conservation Specialist

No objections.

SSDC Environmental Health

No objections but conditions are recommended in respect of the submission of a Construction Environmental Management Plan detailing the working methods to be employed on site during the construction, hours of any noise emissions and no burning of materials on site.

County Public Rights of Way Team

There is a public right of way (PROW) recorded on the Definitive Map that runs along part of the proposed access to the site (public footpath WN 30/191) and PROWs that run adjacent to the site (public footpaths WN 30/21, WN 30/23, WN 30/24, WN 30/25, WN 30/58) at the present time. The long-distance footpath, the Monarchs Way, runs along WN/30/21.

No objections are raised. However, if the access track along path WN 30/19 will require surface improvements, or if any cables, pipes, etc are to run through the PROW, then authorisation from SCC Rights of Way Group will be needed. Associated infrastructure may also be required. In addition, development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use, until any necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted.

Lead Local Flood Authority

No objections subject to conditions being attached to any grant of planning permission requiring the implementation of flood risk mitigation measures and the submission of details of a surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development.

Environment Agency

The EA has concluded that there would be no material exacerbation of flood risk as a consequence of this development. No objections are raised subject to a condition requiring the implementation of flood risk mitigation measures.

Wessex Water

No comments received.

County Ecology Team

No objections subject to conditions being recommended to secure ecological mitigation and biodiversity enhancement measures.

Natural England

No objections. Landscape advice should be obtained from the Cranborne Chase AONB Partnership Board.

Cranborne Chase AONB Partnership Board

The application site lies outside the AONB boundary to the south west. Concern has been expressed about possible light pollution because this AONB is in one of the darkest parts of Southern England and hence the visibility of stars and, in particular, the Milky Way, is a key attribute of this AONB. No external lighting should be installed without having first been explicitly approved by the LPA.

In addition, a number of solar farms already exist in the locality and, whilst there may be cumulative impacts locally, it is very unlikely that these would be perceived from within the AONB. The removal of the communications mast is welcomed.

Landscape objectives should be speedily achieved and sustained for the life of the project.

South West Heritage Trust

There are limited or no archaeological implications to this proposal and therefore no objections are raised on archaeological grounds.

Somerset Wildlife Trust

In general, Somerset Wildlife Trust supports the findings of the supporting Ecological Appraisal provided by Midland Ecology that Appraisal, in particular the recommendations in Section 4 for Mitigation and Enhancement which should be included as a condition attached to any grant of planning permission.

Ministry of Defence

No comments received.

County Minerals and Waste Team

No comments received.

REPRESENTATIONS

Eleven third parties have been notified, a site notice displayed and an advertisement has been placed in the local newspaper. Two representations have been received, both in support of the application. These can be viewed in full on the Council's website.

CATCH (Community Action to Transform the Cale Habitat), a Wincanton based voluntary group working to enhance the River Cale, are supportive of this application given the significant biodiversity gains proposed with the submitted Biodiversity Management Plan. In particular the proposed enhancement of two river side fields to wet pasture, with the tree planting area expanded. However, there should be more detail on the management of these fields included within the BMP and it is suggested that a revised BMP containing more detailed management prescriptions for the riverside fields, and an ongoing monitoring commitment, conditioned should this application be approved.⁴

A third party (who is a member of One Planet Wincanton) has expressed the view that the proposed plans for developing biodiversity, alongside the solar extension, would seem to have great potential and could be a very positive development for the town, for the wildlife and would also tie in with aspirations of creating a wildlife corridor around Wincanton. If the criteria suggested by the ecology report, such as "The location and timing of sensitive works to avoid harm to biodiversity features" and "The times during construction when specialist ecologists need to be present on site to oversee works" are adhered to, then this application is supported.

CONSIDERATION

Principle of development

The National Planning Policy Framework advises that, when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emission. Also, to approve the application if its impacts are (or can be made) acceptable (paragraph 158).

Local Plan Policy EQ1 is applicable in considering renewable energy proposals. Bullet point 3 states

that 'Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity.' Policy EQ2 also refers to the need to safeguard landscape character of the area and visual appearance is clearly a weighty matter in considering environmental harm.

While it might be preferable for brown field sites to be considered before green field agricultural land there is no requirement for developers to consider brown field sites in the first instant. The supporting information indicates that all the land on which the arrays are to be located is grade 4 poor quality agricultural land with severe limitations which significantly restrict the range of crops and/or level of yields. Paragraph 174 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by, amongst other considerations, recognising the economic and other benefits of the best and most versatile agricultural land. There is no relevant policy within the Local Plan specifically applicable to agricultural land protection.

The land is proposed to be continued in agricultural use and as such the use, as well as scale of the poor quality land involved, is not considered sufficient reason to seek to refuse the proposal. Any permission would be for a long-term but temporary basis for a period of 41 years (construction phase, approximately 20 weeks; operation phase, 40 years; and de-commissioning phase, approximately 20 weeks). A condition can be imposed to require the site's restoration following cessation of its approved use should the site become redundant; and on this basis the principle of the use of this agricultural land for the purpose of a solar farm is considered acceptable. Accordingly the main considerations for this application relate to landscape character and visual appearance, impact on heritage assets, highway safety, residential amenity, food risk and drainage, and biodiversity.

Landscape Character and Visual Appearance

The application site is not recognised for its importance or value through any landscape relevant designations. It lies within the National Character Area 133, Blackmoor Vale and Vale of Wardour. This is described as including a complex mosaic mixed farming, undulating, lush clay vales dissected by a broken limestone ridge; small irregular and rectilinear pasture fields with hedgerow oak trees and many scattered small broadleaved woodlands; wooded Upper Greensand scarps and outliers, some with historic houses and parks; broken low limestone ridges with shallow valleys, and steeper valleys around the margins of the area; and small villages and hamlets forming nuclei within a patchwork of fields, hedges, woods and trees, mostly derived from medieval settlement and land use.

At local level, the application site falls within *Region 6: Escarpments, Ridges and Vales East of Yeovil* as indicated in the South Somerset District Council's landscape character assessment (The Landscape of Somerset, 1993). *Region 6: Escarpments, Ridges and Vales East of Yeovil* is described as a distinctive crescent shaped series of ridges and vales. Land-use is primarily pastoral although arable land is concentrated on the lower slopes. There are substantial blocks of woodland on the steeper slopes. Settlements are focussed on the gentle slopes. The most important element in this landscape is its high number of woods and there are concerns about the lack of management of hedgerows, woodlands and watercourses.

The *Wooded Ridges and Clay Vales character zone* extends across this region. This is a contrasting vale and ridge landscape, with woodlands and species rich hedgerows separating the pastoral fields, often waterlogged with marshy reed and ditches. Willow trees line the watercourses. A broad west facing escarpment ridge, which is heavily wooded, lines the character zone broadly running from north to south. It has a medium sensitivity.

The Monarch's Way/Macmillan Way recreational route lies approximately 250 metres to the west of the application site at its closest point. Passing through the broad valley well-vegetated landscape, including through Wincanton to the north, any wider views, including towards the site are restricted by a combination of sloping landform, mature vegetation and development. It is only in very close proximity

as the recreational route crosses the adjacent fields to the west that views are possible towards the hedgerow and scattered tree lined boundaries of the site.

A public right of way (PROW) crosses the northern fringes of the site. Connecting with Moor's Lane to the east and passing through the collection of farm buildings and adjacent to the residential property associated with Brains Farm, wider views including towards the site are initially restricted. However, more open views from the public right of way are possible to the west of Brains Farm across the adjacent flat to gently sloping fields, only partially limited by the hedgerows and mature tree boundaries. The public right of way crosses the site and open views are possible across the surrounding field, although wider views including towards the operational solar parks to the south and west are restricted by the intervening lines of mature vegetation. As the public right of way heads to the south-west, views towards the site become restricted by the field boundary vegetation. Views are possible towards the hedgerow and scattered tree lined boundaries of the site. As the public right of way connects with the Monarch's Way at a footbridge over a stream, glimpsed views of the adjacent operational solar park are also possible.

Public rights of way also branch to the north and east from Moors Lane. Views westwards are initially restricted by the mature vegetation lining Moors Lane and in the surrounding field pattern, although as the landform rises to a series of hills and ridges, more exposed views over the lower landscape are possible from select locations.

From some open and elevated locations in the higher ground to the north-east and east, expansive views are possible over the lower broad valley, rising up to a ridge in the distance. The operational solar parks are perceived on the lower ground, nestled within the existing regular field pattern. Further afield, broadly to the west of the site, a combination of subtle variations in the sloping landform and enclosure by lines of hedgerows and small woodlands ensure that many wider views from the network of public rights of way are restricted. Even when open and expansive views are possible from the public rights of way, although there is the potential to perceive the site, it is easily 'lost' within the view, limited by a combination of distance and screening provided by intervening hedgerow, linear tree belt and woodland vegetation.

The closest minor road to the application site, Moor Lane, passes from the north-west and the fringes of Wincanton, passing below the A303 heading in a south-easterly direction, including immediately to the east of the site at its closest point. Largely enclosed by well-maintained hedgerows, wider views across the adjacent flat to gently sloping fields are generally restricted. It is only from selected gaps in the surrounding enclosure that views across the adjacent fields, including the site, are possible. This enclosure by mature vegetation continues along Batchpool Lane to the south. Views over the adjacent flat to gently sloping fields enclosed by hedgerows and scattered trees are possible from gateways and gaps in the immediate enclosure surrounding the minor road.

Even from the minor roads that rise up and pass over the elevated ground to the east of the site, including Shaftesbury Lane, the vegetative enclosure along the minor roads restrict wider views, including towards the operational solar parks and the application site on lower ground. Largely enclosed by surrounding mature vegetation, it is only from gaps in this enclosure or selected high points, that more expansive views are possible.

Landscape and Visual Impact Assessment

The submitted Landscape and Visual Impact Assessment (LVIA) makes reference to the cumulative impact of the current proposal alongside the current operational solar schemes.

Cumulative assessment is concerned with the 'additional' effects of the proposed development when perceived with other operational, consented or pending planning solar schemes. Within the cumulative assessment, the proposed solar farm is considered 'in addition' to:

- o Operational, under construction and consented solar schemes in the study area, where they already exist or are highly likely to exist; and
- o 'Pending planning' solar schemes within the study area, where there is only the potential that they will exist.

The cumulative assessment considers the additional impacts and effects on landscape character, landscape relevant designations and visual amenity receptors and their views. In relation to visual amenity receptors, there are two types of impact. These include:

- a) Combined impacts which occur when the receptor is able to perceive two or more developments from one viewpoint, in combination or in succession; and
- b) Sequential impacts which occur when the receptor has to move to another viewpoint to see different solar developments, travelling along regularly used routes such as major roads or popular or recognised public rights of way.

In summary, there are six operational solar parks within approximately 5km from the application site. They vary in size from the very small scale at approximately 30kW to large scale schemes at 15MW. The closest operational solar scheme is located immediately to the south and east of the site boundary. The next closest is 320 metres to the west. These six solar parks are:

1. Land at Sutor Farm (Sutor Solar Farm - 5MW capacity) adjacent to the south and west of the application site.
2. Land at Hatherleigh Farm (Higher Hatherleigh Solar Farm - 5MW capacity) approximately 320 metres to the west of the application site.
3. Land south west of the A371 Holbrook (Hook Valley Solar Farm - 15MW capacity) approximately 3km to the north west of the application site.
4. Horsington Manor (30kW capacity) approximately 3.1km to the south west of the application site.
5. Clapton Farm (Clapton Solar Farm Park - 5MW capacity) approximately 3,2km to the north east of the application site.
6. Manor Farm (7MW capacity) approximately 5.1km north east of the application site.

The LVIA contends that the proposed solar farm, even in combination and adjacent to the operational solar parks in close proximity, would be perceived nestled within the mature regular field pattern on the lower ground and would not dominate the expansive landscape. There would be an additional influence of solar schemes, but the impact of existing solar schemes in combination with the proposed development would be 'contained.'

Further afield, the separation of the proposed development and the existing solar parks by subtle variations in landform, mature vegetation and development in combination, would ensure that the solar parks would be absorbed into the largely agricultural and well-vegetated landscape, with minimal additional cumulative effects on landscape character. The characteristic regular and strong field pattern would screen the wider cumulative influence of the solar schemes on landscape character. The addition of the proposed development would not create a landscape dominated by solar schemes which would change the landscape character into one influenced by solar energy. The addition of the new solar farm, even in combination with the nearby operational solar developments, would not dominate the landscape.

In summary, the submitted LVIA states that the proposed development would:

- o add a built, contained element to the landscape;
- o avoid and would not have a direct impact on any designated landscapes;
- o be set within the regular landscape pattern within largely mature and well-vegetated field boundaries, which would be enhanced through additional hedgerow planting, including in-fill planting to the existing boundaries, where necessary;
- o result in the additional provision of new native species rich hedgerow planting, which would enhance both the landscape pattern and increase screening for nearby visual amenity receptors;

o only be overlooked from in close proximity from nearby public rights of way and further afield from selected open and elevated locations to the north, north east and east. The proposed development would be perceived as a built element, set within a well-vegetated regular landscape, adjacent and in combination with the nearby operational solar schemes; and
o overall, would have very limited impacts on landscape relevant designations, landscape character and visual amenity receptors and their views.

Comments from SSDC's External Landscape Consultant

The Council has appointed an external Landscape Consultant to provide advice and recommendations. Having visited the site and its surroundings and having read the relevant submitted documents, including the LVIA, he has offered the following comments and conclusion.

Landscape Character

Solar installations already exist in this area so are an established part of the baseline character. It is without question that there will be a change to landscape character irrespective of the visibility of the scheme. The proposed development would obviously change the undeveloped, rural character of the site by covering a large proportion of it with man-made engineered infrastructure. As it is inevitable that the character of the landscape will change, in this case the measure of whether this change is acceptable or not revolves around its overall visibility and whether or not the harms to accrue from that part of the assessment process are either acceptable in their own right or whether the balance of benefit outweigh those harms.

Visual Impact

Local topography is very important as it broadly determines the type and extent of view of the site. In this case, views are divided into two clear categories. Firstly, close range views from the same level and usually through gateways and, secondly, mid-distance views from elevated ground, such as at Coneygore Hill (or Shaftesbury Lane) and the elevated parts of Wincanton (Windmill Hill). From the more elevated viewpoints it is important to note that these are either from the north-east or north where the back part of the panel is the predominant element. This means it is darker and much less intrusive in the view. From these elevated positions it is useful to note that the existing solar installations are relatively dark and unintrusive and do present a darker colour and a change in texture.

The Landscape Consultant broadly agrees with the conclusions on the visibility of the site set out in the submitted LVIA.

Landscape Value

The site is not a 'valued landscape', nor would the proposed installation have a detrimental impact on the Cranborne Chase and West Wiltshire Downs AONB.

Mitigation

Long term management of the existing (and proposed) vegetation is very important and existing hedges should remain at no less than 3 to 4 metres tall to help block or filter lower-level views of the panels. In respect of the close-range views through gateways, whilst these might be inevitable, a more detailed landscape scheme should be considered where some thicker planting is added. This could include native hedging and larger trees for immediate impact. The native mix could include a percentage of evergreen species to help with winter views. It is important that all the elements of a solar installation are considered in detail, and all posts and cowls associated with the inevitable cameras should be of a dark colour and not white as with the existing installation. These tend to be quite prominent and, in some views, are the most incongruous element.

Long term management

Long term management of the underlying grassland as well as existing and proposed hedges/planting will be required. It is important that existing hedgerows are retained/maintained to at least 3 to 4 metres

in height. It might not be necessary to have this height for all the hedges, but due regard should be given to ensuring that key views of the scheme are blocked whilst not casting shadows on the panels. The type and extent of long-term management can be covered in a Landscape and Ecological Management Plan, which should be developed in tandem with the mitigation strategy.

Cumulative Impact

There are already several solar installations in this area. There are two relatively small installations effectively adjacent to this application site but they are rather discrete in the landscape. If the proposed scheme can be adapted or developed slightly to take account of the views through gateways and incorporate a sound strategy of hedgerow management, then it is not considered that there is any meaningful or harmful cumulative (landscape) impact.

Glint & Glare Assessment (GGA)

No such assessment document has been included as part of the application submission. However, it is more probable that glint and/or glare would emanate from the sloping front face of the panels. In this case, the panels face due south, and the main groups of receptors lie to the north at Wincanton and to the east at Coneygore Hill. In both cases, they would not have views of the front face of the panels, so the GGA is not an issue in this instance.

Conclusion

It is considered that the scheme would not cause an unacceptable degree of landscape harm as, whilst it might be visible from longer distance views, this would be seen generally as a change in colour and texture, and this is not an issue. There are some close-range views through gateways that need to be addressed through more attention to the finer grain detail of layout and the development of a well-considered mitigation strategy. A long term and bespoke Landscape and Ecological Management Plan is required.

Cranborne Chase Area of Outstanding Natural Beauty

Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, which include AONBs, commensurate with their statutory status. Furthermore, it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 11 and footnote 7, where there may be other policies relating to AONBs elsewhere within the NPPF which provide clear reasons for refusing a development proposed in an AONB.

Paragraph 176 advises that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation and enhancement of wildlife and cultural heritage are important considerations in these areas. This paragraph is also clear that the scale and extent of development within all the designated areas of AONBs and National Parks should be limited. Furthermore, development within their setting should be sensitively located and designed to avoid or minimise impacts on the designated areas.

The Planning Practice Guidance, paragraph 042, highlights the importance of AONB and National Park settings, their contributions to natural beauty, and the harm that can be done by poorly located or designed development especially where long views from or to the AONB are identified. Paragraph 041 is clear that NPPF policies for protecting AONBs may mean that it is not possible to meet objectively assessed needs for development, and any development in an AONB will need to be located and designed in a way that reflects its status as a landscape of the highest quality.

The application site is on the north eastern side of the valley of the River Cale, south of Wincanton. The Cranborne Chase AONB is approximately 4.5 kilometres to the north east of the site. Whilst the site lies outside this AONB, nevertheless the Cranborne Chase AONB Partnership Board has been consulted

and comments invited.

The AONB Partnership Board notes that the intervening ground between the application site and the AONB rises to 140 metres AOD. The site itself is just below 70 metres AOD. Although land in the AONB rises to over 220 metres AOD, much of the ground is wooded and there do not appear to be viewpoints towards the application site from the AONB. In any case, the views would be of the rear of the proposed development, perceiving the development as shaded / in shadow features rather than shiny, glassy or reflective surfaces that could be perceived from the positions in an arc from the east to the south and around to the west of the proposed site.

In addition, the AONB Partnership Board notes that a number of solar farms already exist in the locality and, whilst there may be cumulative impacts locally, it is very unlikely that these would be perceived from within the AONB.

The Cranborne Chase AONB is in one of the darkest parts of Southern England and hence the visibility of stars and, in particular, the Milky Way, is a key attribute of this AONB. The AONB Partnership has raised concern about possible light pollution and recommends that any external lighting should be explicitly approved by the LPA.

Mindful of such comments, a condition is recommended requiring the submission of details of all external lighting to the LPA for prior approval prior to installation. The applicant has confirmed there are no objections to such a condition and that any external lighting would be minimal, in this case probably just one light above the substation door.

Overall Conclusion

The comments and conclusion received from the Council's appointed Landscape Consultant and the Cranborne Chase AONB Partnership Board are considered to be important material considerations when determining the merits of this application proposal.

Mindful that national government guidance is heavily weighted in favour of renewables, and that LPAs are urged to approve renewable energy schemes providing impacts can be made acceptable, the extent of the expressed landscape impact from the more immediate views and further away is not considered to be of such an extent to be sufficiently adverse to generate an overriding landscape objection. The existing solar parks would be glimpsed near to the site, but seen amid field boundaries and at a distance. The additional planting and site management that would see raised hedgerow heights, despite their deciduous nature would favourably mitigate in support of the solar park's presence.

As such, the proposed development is considered to accord with Local Plan Policies EQ2 and EQ5 and relevant guidance within the NPPF, subject to various landscape related conditions and also including the granting of a temporary permission only in order that the land can be restored to its agricultural use once the solar park is de-commissioned.

Impact on Heritage Assets

Forming part of the application's submission is a Historic Environment Desk Based Assessment document. This notes that a single Grade II Listed Building lies in relatively close proximity to the Site, comprising *Home Farmhouse with boundary railings 4 metres to west* (List Entry 1238431), situated approximately 180 metres to the north east of the site. Home Farmhouse has been subject to detailed assessment of significance and impact. Following both a desk-based scoping exercise and a comprehensive site visit, the document concludes that the Grade II Listed Building would not be subject to material harm in respect of its setting or significance resulting from the proposed development.

The Conservation Specialist has not raised any concerns with the site's relationship and possible impact on the heritage asset. The siting of the proposed solar farm and its distance from the nearby designated heritage asset is such that it is considered that the development would result in no harm to the setting

of this designated heritage asset.

The archaeological potential of the application site has been assessed as generally low to moderate, with a small number of prehistoric and Romano-British sites identified in the area, often through fieldwork associated with the construction of the A303 Wincanton Bypass and a major pipeline in the area. Medieval and post-medieval remains, if present, are likely to relate to agricultural activity, including manuring along with earlier field boundaries, now removed. The proposed development at the site may impact on any surviving below-ground remains, should they survive, although the likely depth of groundworks is normally relatively shallow due to the nature of the development.

South West Heritage Trust has advised that there are limited or no archaeological implications to this proposal and therefore no objections are raised on archaeological grounds.

As such, the proposed development is considered to accord with Local Plan policy EQ3 and relevant heritage guidance within the NPPF.

Highway Safety

Local Plan Policy TA5 requires all new development to securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all, and to ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

Policy TA6 states that parking provision in new development should be design-led and based upon site characteristic, location and accessibility. The parking arrangements within SCC's parking Strategy will be applied within the District.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 108 of the NPPF advises that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network.

The application site is well located to access the main road network via Moor Lane. Moor Lane provides suitable access to and from the strategic road network to the north, including the A303. To avoid traffic passing through central Wincanton, and to minimise disruption on small roads and settlements, it is proposed that vehicles would access the site using the exit from the A303 at the Wincanton Junction and travelling along the B3081, then taking the third exit at the roundabout onto Moor Lane before, after approximately one mile, turning right onto the existing access track to access the northern part of the site, or continuing for a further 350 yards to access the southern fields.

During construction, operation and decommissioning, vehicles would enter and exit the northern part of the site using the existing access track towards the operational Sutor Farm Solar Farm. The southern portion of the site would be accessed via the existing gated entrance approximately 350 yards south east of the Sutor Farm Solar Farm entrance. The access point into the southern fields would consist of a crushed stone track, connected to the existing highway so there would be a continuous, robust running surface of a suitable nature. A robust access track to the north is already in place. Both of these entrance/exit points provide a direct link onto Moor Lane, and the proposed route would avoid deliveries and construction vehicles passing through the centre of Wincanton. Vehicle size and numbers would both be generally lower during operation, likely one or two visits per month under normal operating conditions.

The existing (most northerly) access point through Brains farm itself during operation should there be a need to access the substation building as this route would allow for direct and straightforward access to the substation. This access point would not be used during construction.

The County Highway Authority has stated that the traffic implications of this proposal are no more than approximately two vehicles per month which cannot be considered severe. Whilst a traffic management plan has been provided as part of the application submission, this is still titled as an indicative document and a final version will be required.

With that in mind, the Highway Authority raises no objections but recommends the imposition of several conditions. These include requiring the submission and approval of a Construction Environmental Management Plan; hardening and surfacing of any access to be used over at least the first 20 metres of its length prior to commencement of the construction phase of the development; and provision to be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

As stated elsewhere in this report, a PROW crosses the northern part of the site from Moor Lane near Brains Farm, south-west to join the Monarch's Way recreational route. The proposals have taken the PROW into consideration, ensuring no panels are proposed within the field in which the PROW resides, and setting the panels back behind the hedges which encompass the field. Whilst the panels would not be located in the immediate vicinity of the PROW, traffic transporting materials to the northern part of the site would cross the PROW to the north. The traffic would be likely to be minimal and infrequent, and PROW users would be prioritised at all times during construction/ maintenance/ decommissioning works. It is noted that there is already vehicular access along the PROW through Brains Farm, and hence PROW users already share part of the PROW with vehicles. Signage would be in place along the PROW to warn vehicle drivers and operators of PROW users.

The County Public Rights of Way team has raised no objections. However, if the access track along the PROW requires surface improvements, or if any cables, pipes, etc are to run through the PROW, then authorisation from the County Council's Rights of Way Group will be needed. Associated infrastructure may also be required. In addition, development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use, until any necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted.

Mindful of the comments received from the Highway Authority and the County Public Rights of way team, and subject to the above recommended conditions, it is considered that there would be no adverse impact on highway safety in accordance with Policies TA5 and TA6 of the Local Plan and relevant guidance within the NPPF.

Residential amenity

Within close proximity of the site, there are a small number of residential properties, including the farm houses associated with Brains Farm adjacent to the access track and approximately 100 metres to the east, and Sutor Farm, approximately 180 metres to the south. Brains Farm residential property faces towards the boundary of the site with associated open views across the adjacent fields from the adjacent public right of way. Sutor Farm residential property is set amidst surrounding barns and sheds. There are also scattered properties to the east of Moor Lane including Home Farm, Lower Horwood Farm and Horwood Farm. Set back from the minor road, any views towards the site are restricted by intervening vegetation lining the adjacent road corridor and enclosing the surrounding fields.

No objections have been raised by any local residents.

The Environmental Health Officer has raised no objections but recommends the imposition of conditions in respect of the submission of a construction environmental management plan detailing the working methods to be employed on site during the construction, hours of any noise emissions and no burning of materials on site.

It is considered there would be no demonstrable and significant adverse impact on residential amenity associated with the development and therefore the scheme accords with Policy EQ2 of the Local Plan and the aims and provisions of the NPPF in this regard.

Flood Risk and Drainage

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. (paragraph 159 of the NPPF)

A sequential, risk-based approach to the location of development should be applied to development proposals, taking into account all sources of flood risk and the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by a variety of means including applying the sequential test and then, if necessary, an exception test (paragraph 161, NPPF).

The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding (paragraph 162, NPPF).

If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed (paragraph 163, NPPF). To pass the exception test it needs to be demonstrated that a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, would reduce flood risk overall. Both elements of the exception test should be satisfied for development to be permitted (paragraphs 164 & 165, NPPF).

When determining any planning applications, LPA's should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

In addition, major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the Lead Local Flood Authority (LLFA);
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

A Flood Risk Assessment (FRA) accompanies the application. The application site is located partially in Flood Zones 2 and 3, and therefore more detailed, refined and accurate modelling has been undertaken to establish flood depths and flood risk to the site. The FRA concludes that the majority of the site is not actually at risk of flooding in a 1 in 100 year plus 40% climate change flood event. The maximum

predicted flood depth is 86cm. In response to this, a small area of panels was removed from where flooding would be deeper than 80cm. Consequently, the panels would lie on areas where the flood depth is below 0.50m and standard panel deployment would mitigate flooding impacts.

The FRA notes that a proposed development either entirely or partially within Flood Zones 2 or 3 would be required to pass the Sequential Test demonstrating that there are no other reasonably developable sites at a lower risk of flooding. Detailed submission sets out why the sequential test has been passed.

In terms of vulnerability classification, the proposed development is considered to be "essential infrastructure". It is considered that the wider sustainability benefits to the community outweigh the limited flood risk. This is principally in terms of the climate change benefits of the proposals, which would make a substantial contribution to generating electricity from a renewable source. Approximately 6,240 homes would be powered annually. Further benefits include the substantial biodiversity enhancements proposed and the economic benefits of the development, construction and operation of the proposed development.

Furthermore, the proposed solar farm would be safe during its lifetime, taking account of the vulnerability of its users (noting that the solar farm would be unmanned), as maintenance would not be undertaken during flood events or if flood events have been forecasted. In addition, the proposed development would not increase flood risk elsewhere. The flood risk to the site can be managed and the site can be developed safely.

The FRA also considers the site to be appropriate and notes that the proposals would pass the exception test, as they provide wider sustainability benefits and can be developed safely. A number of mitigation measures to reduce the risk of flooding on the site have been set out in the FRA, adopted within the application proposals and include:

- o Raising the panels in the at-risk area to 0.8m above ground level;
- o Removing any panels in areas deemed to be at risk of flooding in excess of 0.8m;
- o Sufficient spacing between the piles supporting the panels to minimise flow disruption during a flood event; and
- o The security fencing mesh sizing should be made as large as reasonably practical to reduce the chance of blockage and obstruction flow routes.

The FRA investigated the impact that the proposed impermeable area would have on surface water run-off rates from the proposal and concluded that the impermeable area is very small relative to the site's area. The increase in impermeable area on site means that drainage techniques have been incorporated into the proposed new development comprising swale structures to prevent the site from flooding. Any flows into the sustainable drainage system would be relatively low due to the small area of impermeability from the buildings as associated with the solar farm. Therefore, a sustainable drainage system could be installed within the overall scheme which could be outlined and approved through condition.

Overall, the FRA considers that the development proposals pass the exception test and comply with the development plan policies and NPPF guidance.

Having regard to this advice within the NPPF, both the Environment Agency and the LLFA have been consulted.

The Environment Agency notes that this site is located within Flood Zones 3, 2 and 1 at high, medium and low risk of flooding and has considered whether the proposed development would be exposed to an unacceptable flood risk or would increase the risk or extent of flooding to other properties/uses. It has been concluded that there would be no material exacerbation of flood risk as a consequence of this development.

Provided the proposal is considered to fall within the definition of "Essential Infrastructure" (as defined in the Government's Planning Practise Guidance, Table 2: Flood risk vulnerability classification), and the LPA is satisfied the requirements of the Sequential Test under the NPPF are met, the EA raises no objection, in principle, to the proposed development. The EA recommends the inclusion of the conditions relating to specific levels of the panels above existing ground level; the floor levels of any buildings and electrical controls to be raised above the flood level and other infrastructure to be made resilient to flooding; and compensatory flood storage to be provided for any loss of fluvial floodplain.

The LLFA has confirmed that solar farms are classified as "Essential Infrastructure" and therefore can be considered appropriate in Flood Zone 3 subject to the Exception Test. It is considered that the proposed development meets the necessary tests and the LLFA advises that it has no objections to the proposed development. Conditions are recommended along the lines of those suggested by the Environment Agency. Also recommended is a condition requiring the provision of a construction stage drainage strategy to include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. This should also include information on the installation of the panels and associated access and demonstrate how soil compaction will be prevented. Any compaction of the soil and lack of vegetation cover will increase both run off and pollution to receiving watercourses, therefore, there must be ongoing consideration into the operation and maintenance of the site and drainage strategy.

Subject to the imposition of these conditions, it is considered that the proposed development accords with Policy EQ1 of the Local Plan and relevant guidance within both the NPPF and the Planning Practise Guidance.

Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also require proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

A Preliminary Ecological Appraisal (PEA) of the application site has been carried out by Midland Ecology. The PEA has concluded that the site is not subject to any statutory or non-statutory designation within at least 2km of the site. There are also no protected or notable habitats on the survey site.

Some trees with features suitable for bat roosting are present along the hedgerows of the site, and the River Cale is also located just off site on the south western boundary. The site's hedge and tree-lined boundaries are likely to serve a landscape-scale role in connecting the nearby woodland to the wider landscape, and so is ecologically valuable green infrastructure when evaluated at the district scale.

The site is of habitat value for reptiles, bats, badgers, nesting birds and dormice, mainly along the hedgerows and rougher boundaries of the site. Of those species, only a disused badger sett entrance was found within the north east boundary of one of the fields in the site.

No invasive species were found on site, although Himalayan Balsam was noted along the River Cale. Noting the distance between the proposed development and the river, it is considered the works would not increase the spread of the invasive species.

Furthermore, the PEA concluded that there was no impact on invertebrates, protected amphibians, reptiles, problematic species and other mammals such as dormice, otters and water voles.

As part of the proposals, the PEA has recommended the following potential opportunities for enhancement on site:

- o Designation of wildlife friendly lighting;
- o Erection of bird and bat boxes on retained trees;
- o Inclusion of plant species of known value to wildlife in any landscape design proposal;
- o Off-site enhancement of the riverside field acting as a buffer zone between the site and the river, and enhanced to improve the area for invertebrates, reptiles and barn owl hunting;
- o Increase the size of plantation sections along the river on the southwest boundary of the site including planting more trees to form a linear feature.

A Biodiversity Management Plan has also been undertaken by Wychwood Biodiversity which sets out further measures to provide biodiversity enhancements, including:

- o Riverside field managed as unimproved wet pasture for snipe (amber listed), wetland meadow plants, and invertebrates;
- o Tree planting to increase the size of the off-site plantation sections along the southwest boundary of the river and biodiversity management area;
- o Erecting an information board along the PROW to signify the start of the route through the solar farm and biodiversity management area;
- o Encouraging and maintaining hedgerow throughout the site; and
- o Managing a variety of grassland throughout the site.

Having considered the various recommendations and the suggested mitigation and enhancement measures, the County Ecologist raises no objections but recommends the imposition of conditions relating to the submission of a Construction Environmental Management Plan (Biodiversity), a Landscape and Ecological Management Plan, details of any external lighting to be installed, and the implementation of biodiversity enhancement measures.

With the incorporation of such conditions, it is considered that the proposed development would not conflict with the aims and aspirations of Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

Other Matters

The submitted Planning, Design and Access Statement makes reference to a community benefit fund which the local area would benefit from once the proposed solar farm was operational. This is being discussed with Wincanton Town Council.

It must be emphasised that the Courts have judged that the fact that a matter may be regarded as desirable (for example, as being of benefit to the local community or wider public) does not in itself make that matter a material consideration for planning purposes. For a consideration to be material, it must have a planning purpose (i.e. it must relate to the character or the use of land, and not be solely for some other purpose no matter how well-intentioned and desirable that purpose may be) and it must fairly and reasonably relate to the permitted development (i.e. there must be a real—as opposed to a fanciful, remote, trivial or de minimis—connection with the development)—criteria are known as the Newbury criteria. In addition, another important principle for local authorities is to ensure that there is not the perception at any time of permissions being bought or sold by way of developers offering inducements to the residents/public.

The detailed comments made about community benefit payments and benefits are not considered to be overriding material planning considerations when determining the merits of this application. The government may encourage local communities to enter into negotiations with solar companies for community benefits but this is not part of the planning considerations and therefore would be a matter the local community needs to take up direct with the applicants.

Conclusion

Government advice states that local planning authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable. It is considered that the benefits in

terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, would outweigh the impact of the proposed PV panels on the local landscape character and appearance, and any perceived impact on the setting of the nearby heritage asset. In addition, the proposal would not cause significant and demonstrable detriment to highway safety, residential amenity, flood risk and drainage and biodiversity interests. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, Policies SD1, EQ1, EQ2, EQ3, EQ4, EQ5, EQ7, EP5, TA5 and TA6 of the South Somerset Local Plan and relevant policies and aims within the Queen Camel Neighbourhood Plan.

RECOMMENDATION

Approve

01. Government advice states that local planning authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable. It is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, would outweigh the impact of the proposed PV panels on the local landscape character and appearance, and any perceived impact on the setting of the nearby heritage asset. In addition, the proposal would not cause significant and demonstrable detriment to highway safety, residential amenity, flood risk and drainage and biodiversity interests. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, Policies SD1, EQ1, EQ2, EQ3, EQ4, EQ5, EQ7, EP5, TA5 and TA6 of the South Somerset Local Plan and relevant policies and aims within the Queen Camel Neighbourhood Plan.

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. Except for any details which require the submission of additional information being the subject of any condition attached to this permission, in all other respects The development hereby permitted shall be carried out in accordance with the following approved drawings:

- o Location Plan scale 1:10000 dated 07/07/2021
- o Location Plan scale 1:5000 dated 07/07/2021
- o Solar Farm Layout, Rev D6, 191-04-PV-Brains Farm, dated 24/11/2021
- o Indicative Swale Plan, Rev A1, 191-04-PV-Brains Farm , dated 24/11/2021
- o Racking Details, Rev A1, dated 22/07/2021
- o Substation Housing, Rev A1, dated 22/07/2021
- o Switchgear Housing, Rev A1, dated 22/07/2021
- o Inverter / Transformer Detail, Rev A1, dated 22/07/2021
- o Storage / Comms / Switch Room, Rev A1, dated 22/07/2021
- o Battery Container, Rev A1, dated 22/07/2021
- o Fence Detail, Rev A1, dated 22/07/2021
- o CCTV Detail, Rev A1, dated 22/07/2021

For the avoidance of doubt, and notwithstanding the details indicated on the drawings, the poles on which the CCTV cameras are to be installed shall be of timber construction and all new buildings, structures and containers shall be coloured RAL:1006020 (Moorland Green) unless

otherwise agreed in writing by the Local Planning Authority, and thereafter so retained and maintained as such.

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

03. The development permitted by this planning permission shall only be carried out in accordance with the following mitigation measures, the details of which shall be first submitted to and approved in writing by the Local Planning Authority prior to installation/construction.

a) The lowest part of each panel shall be set no lower than 860mm above the existing ground level, this is the 1 in 100 year plus Climate Change fluvial flood level.

b) The floor levels of any buildings and electrical controls shall be raised above the flood level and other infrastructure shall be made resilient to flooding. This shall consider flood risk from all sources including fluvial and surface water/overland flow risk.

c) Compensatory flood storage shall be provided for any loss of fluvial floodplain volume as a result of this development.

Reason: The details of flood risk mitigation measures are required to be approved in writing by the Local Planning Authority in order to reduce the impact of flooding on the proposed development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and the Technical Guidance to the NPPF.

04. The development hereby permitted shall be removed and the land restored to its former condition within 40 years and six months of the date of the first generation of electricity 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. The date of the first generation of electricity shall be confirmed in writing to the Local Planning Authority by the applicant within one week of the first generation of electricity.

Reason: In the interests of landscape character and visual amenity in accordance with the NPPF and Policies EQ1, EQ2 and EQ5 of the South Somerset Local Plan and Policy QC12 of the Queen Camel Neighbourhood Plan.

05. No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme shall aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims and shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details, and thereafter so retained and maintained.

These details shall include:

a) Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. There must also be due consideration to the compacting of soil during the construction of a solar site. Compaction of the soil and lack of vegetation cover will increase both run off and pollution to receiving watercourses.

b) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres

minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.

c) Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).

d) Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

e) Provision to be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

f) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development. There must be ongoing consideration into the operation and maintenance of the site and drainage strategy. The applicant must ensure that the ground cover and vegetation is maintained appropriately.

Reason: The agreement of details of a surface water drainage scheme and a programme of implementation and maintenance for the lifetime of the development prior to commencement of development is fundamental to ensure that the development is served by a satisfactory system of surface water drainage, which will aim to enhance biodiversity, amenity value, water quality and provide flood risk benefits (i.e. four pillars of SuDS) to meet wider sustainability aims, and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and the Technical Guidance to the NPPF.

06. No development shall commence unless a Construction Environmental Management Plan (CEMP), including a method statement detailing the working methods to be employed on site during the construction works (and preparation associated with construction works), has been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout the construction period, the approved details within the CEMP shall be strictly adhered to.

The CEMP shall include:

a) Construction vehicle movements.

b) Construction vehicular routes to and from site including any temporary construction access points and haul roads required. This information should also be shown on a map of the route.

c) The hours of construction operations, and deliveries to and removal of plant, equipment, machinery and waste from the site, including procedures to be put in place for any emergency deviation of agreed working hours. Such construction works and deliveries shall be carried out only between 08.00 hours and 18.00 hours Mondays to Fridays; 08.00 hours and 13.00 hours on Saturdays, and at no times on Sundays and Bank or Public Holidays, unless the Local Planning Authority gives prior written agreement to any changes in the stated hours.

d) All construction deliveries being made off highway.

e) On-site turning facility for delivery vehicles and egress onto highway only with guidance of a trained banksman.

f) Expected number of construction vehicles per day.

g) All contractor vehicle parking being accommodated off highway including a plan showing the onsite parking arrangements.

- h) Measures to be implemented to prevent the potential for heavy vehicles, plant and machinery from altering the topography (for example by creating wheel ruts), thereby altering surface water exceedance flow routes. Where access tracks need to be provided, permeable tracks should be used, and localised SUDS should be used to control any run-off. There must be no interruption to the surface water drainage system of the surrounding land nor changes to exceedance flow paths as a result of the operations on the site.
- i) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice.
- j) A scheme to encourage the use of Public Transport amongst contractors.
- k) On-site vehicle wheel washing and vehicle wash-down facilities and the regular use of a road sweeper for local highways.
- l) Measures (including screening) to control the emission of dust, fumes, odour, mud/dirt, noise, vibration and external lighting (including security lighting) during the construction period. Regard shall be had to mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites.
- m) Oils/chemicals and materials - materials shall not be left lying loose anywhere on site.
- n) Storage areas and compounds - any chemicals or fuel to be stored on-site shall be in a locked compound, with bunding created around the compound to avoid accidental spillages into the stream.
- o) The location and form of work - all construction materials shall be stored in lifting sacks to prevent accidental spillage or run-off into the river; concrete shall be mixed off-site and poured in a controlled manner; no off-loaded or pumping of any potential pollutants shall be undertaken at any time;
- p) A scheme for recycling/disposing of waste resulting from any construction works. All waste materials on site shall be placed immediately into a skip or vehicle for removal from the site. There shall be no burning of materials arising on site during any phase of demolition and site clearance works and during the construction process, unless prior written approval is obtained from the Local Planning Authority.
- q) Methods and means of management of soils through the construction, operation and restoration phases.

Reason: The agreement of details of a Construction Environmental Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise the risks of pollution from the development; to minimise disturbance to local residents; the prevention of harm being caused to the amenity of the area; in the interests of highway safety during the construction process, and in the interests of European and UK protected species, having regard to Policies TA5, EQ1, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

07. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including nesting bird habitat clearance measures, possible reptile habitat clearance, badgers buffer zones, bats, protection of hedgerows/trees and invasive plant measures for Himalayan Balsam.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The agreement of details of a Construction Environmental Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; the prevention of harm being caused to the amenity of the area; and in the interests of European and UK protected species, having regard to Policies EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

08. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following details:

- a) Description and evaluation of features to be created, restored, protected and managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework, Policy EQ4 of the South Somerset Local Plan, and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

09. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. The landscaping scheme shall include details of:

- a) Planting plans (to a recognised scale) and schedules indicating the location, number, species, density, form root types/root volumes and size of proposed tree, hedge and shrub, and also including native species which occur locally and chosen to provide food for insects on which bats feed. All new trees and hedges planted on site should ideally be from local native stock, such as blackthorn, field maple, ash, hornbeam, hazel, dogwood, spindle and/or beech. All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide

continued foraging for bats, and the shrubs must also appeal to night-flying moths which are a key food source for bats.

b) The method and specifications for operations associated with installation including ground preparation, the use of bio-degradable weed-suppressing geo-textile, staking/supporting, tying, guarding, strimmer-guarding and surface-mulching; and planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting.

c) Written specifications including cultivation and other operations associated with tree, plant and grass establishment.

d) Existing landscape features such as trees, hedges and shrubs which are to be retained and/or removed, accurately plotted (where appropriate).

e) Existing and proposed finished levels (to include details of grading and contouring of land and any earthworks and details showing the relationship of any proposed mounding to existing vegetation and surrounding landform where appropriate).

f) The means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates, ramps, or other supporting structures).

g) The location, type and materials to be used for hard surfacing (including where applicable for permeable paving, tree pit design, underground modular systems, sustainable urban drainage integration and use within tree Root Protection Areas), including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate. Samples may be required to be submitted and approved.

h) The position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge(banks)), where appropriate.

i) An on-going management and maintenance plan of all the approved landscaping features.

j) A timetable for the implementation of the approved hard and soft landscaping scheme.

k) The body or organization responsible for implementation, and subsequent management and maintenance, of the approved landscaping plan.

There shall be no excavation or raising or lowering of levels within any prescribed root protection areas of retained trees and hedges unless previously approved in writing by the Local Planning Authority.

The approved hard and soft landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, managed and maintained in accordance with the approved scheme.

Reason: To clarify the level of detail of landscaping to form part of any subsequent application for reserved matters in order to safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. The proposed biodiversity enhancement measures set out in Section 4 of the document titled "Biodiversity Management Plan" (May 2021), prepared by Wychwood Biodiversity shall be strictly adhered to during the course of the development, regularly monitored by a suitable and competent

ecologist, and completed in their entirety prior to the end of the first planting season following the completion of the construction phase of the development hereby permitted.

Also, photographs showing the installation of the various enhancement measures shall be submitted to the Local Planning Authority by the applicants/developer once the measures have been completed in their entirety and the Local Planning Authority shall acknowledge receipt and confirm its acceptance of the photographs within 21 days thereafter following their receipt.

Thereafter, such enhancement measures shall be retained and maintained in-situ and shall not be removed, either in whole or in part, without the prior written approval of the Local Planning Authority.

Reason: In the interests of safeguarding wildlife and in accordance with Local Plan Policy EQ4 and relevant guidance within the NPPF. The submission to, and written confirmation of acceptance by, the Local Planning Authority of photographs of the various compensation and enhancement measures prior to the occupation of the dwelling is fundamental to ensure there is strict protection afforded to protected species, having due regard to South Somerset Local Plan Policy EQ4, relevant guidance within the NPPF and relevant statutory legislation.

11. Prior to commencement of the construction phase of the development hereby permitted, any access to be used over at least the first 20 metres of its length, as measured from the edge of the adjoining highway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and convenience in accordance with Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

12. Any entrance gates erected shall be hung to open inwards and shall be set back a distance from the carriageway edge as previously agreed in writing by the Local Planning Authority. Thereafter, such approved details shall be maintained in that condition and position at all times.

Reason: In the interests of highway safety and convenience in accordance with Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. No CCTV equipment or other cameras shall be installed on the site other than those shown on the approved solar farm layout plan, in accordance with the CCTV design details submitted with the application other than the poles that should be of timber construction. Each camera hereby permitted shall be static, shall be angled to have a fixed field of vision along the fence line and into the site, and shall be of a visual range all to be submitted to and approved in writing by the Local Planning Authority prior to the installation of any CCTV camera on site.

There shall be no subsequent variation to allow a greater field and range of vision for any of the cameras without the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policies EQ1 and EQ2 of the South Somerset Local Plan.

14. No floodlighting, security lighting or other external means of illumination to light the proposed development, either directly or indirectly, shall be provided, erected, installed, placed or operated at the site, either on a permanent or, notwithstanding the provisions of Article 3, Schedule 2, Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) on a temporary basis, without the approval in writing of by the Local Planning Authority.

Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on any of the buildings themselves), details of such external lighting (including amenity and security lighting) shall be submitted to and approved in writing by the Local Planning Authority, including through the provision of technical specifications. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowl of all external lights to the buildings and any other parts of the application site edged red (as indicated on the approved Site Location Plan) and the hours at which such lighting is to be operated, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form and under no circumstances shall it cause light pollution.

Reason: To safeguard the rural character and appearance of the locality which is in proximity to the Cranborne Chase Area of Outstanding Natural Beauty and designated as an International Dark Sky Reserve; to safeguard the residential amenities of owners/occupiers of the existing neighbouring property; to safeguard biodiversity interests; and in the interests of public safety and convenience, having regard to Policies EQ2, EQ4 and TA5 of the South Somerset Local Plan, the adopted AONB Management Plan, and relevant guidance within the NPPF.

15. No form of audible alarm shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity and to safeguard the rural character of the setting in accordance with the aims of the NPPF and Policies EQ1, EQ2 and EQ7 of the South Somerset Local Plan.

Informatives:

01. Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted.

For more information, please visit <https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/>

The applicant may find the Defra guidance on soils management helpful https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716510/pb13298-code-of-practice-090910.pdf and also the solar industry guidance which highlights soils on p.9 <http://www.solar-trade.org.uk/wp-content/uploads/2015/05/BRE-Planning-Guidance-for-Solar-Farms.pdf>.

02. Any external lighting should be explicitly approved by the Local Planning Authority and comply with the AONB's Position Statement on Light Pollution and the more recent Good Practice Notes on Good External Lighting and Paper by Bob Mizon on Light Fittings. In this location that means all lighting complying with Environmental Lighting Zone E1 as defined by the Institute of Lighting Professionals 2011.

The International Dark Sky Reserve brings an obligation on partners to reduce year on year the light pollution within the Reserve. That does mean that new development needs to be dark sky compliant. In that context there should be no external lighting installed within the redline area that is not explicitly approved by the Local Planning Authority in compliance with the AONB's Position Statement on Light

Pollution and Good Practice Guides on Good External Lighting Any approved lighting should be installed as approved and maintained thereafter.

Light could cause nuisance to ecological interests. Any lighting should be screened to minimise direct illumination falling on land outside of the development. Appropriate shields, baffles, louvres or diffusers should be installed prior to their use to ensure that nuisance to nearby properties is minimised. As well as giving consideration to direct glare, any lighting scheme shall also take into account upward reflection. Any lighting scheme should be designed in accordance with the Institute of Lighting Engineers "Guidance Notes" for the Reduction of Light Pollution (2011) or similar guidance recognised by the Council, and also Guidance Note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

03. All works which affect the highway, including any signage proposed to alert highway users of construction traffic, must be agreed in advance with SCC Highways and Public Rights

04. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

If any cables, pipes etc are to run through the PROW, they will need to be authorised through a s50 licence. More information is available on the relevant Somerset County Council webpage: <https://www.somerset.gov.uk/roads-and-transport/apply-for-a-licence-to-dig-up-the-road/>

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- o A PROW being made less convenient for continued public use.
- o New furniture being needed along a PROW.
- o Changes to the surface of a PROW being needed.
- o Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- o make a PROW less convenient for continued public use; or
- o create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure: <http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

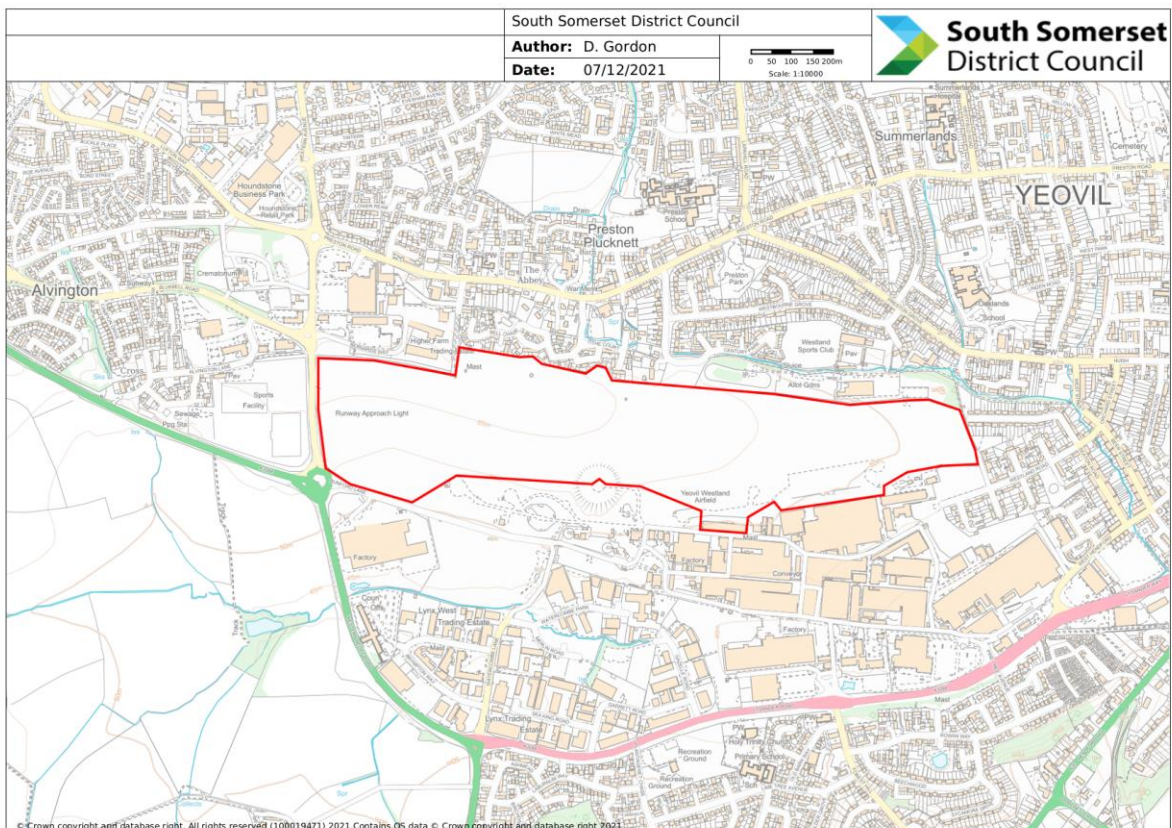
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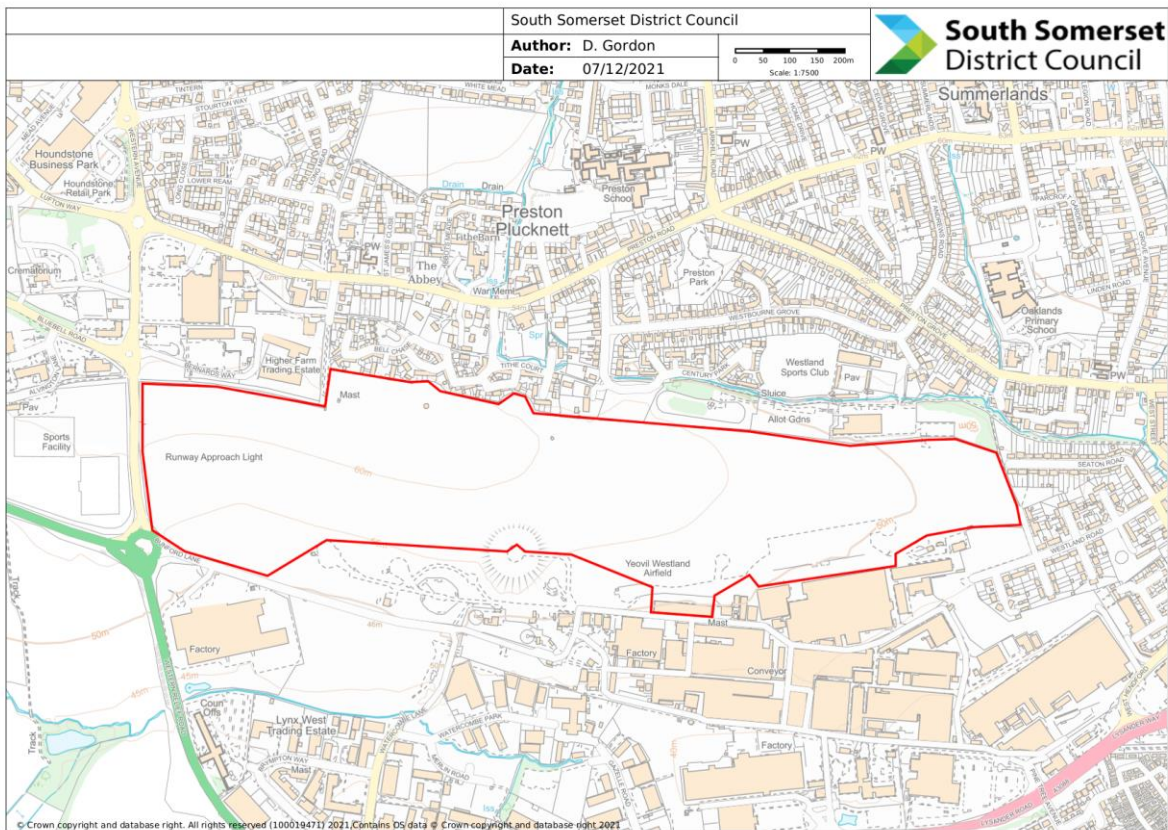
Officer Report On Planning Application: 21/02788/S73

Proposal :	The formation of a hard surface airstrip, associated lighting and ancillary lighting control building. S73 application to vary conditions 04, 05, 07 and 08 of planning approval 19/02614/FUL to amend wording of pre-commencement conditions.
Site Address:	Leonardo Helicopters, Lysander Road, Yeovil, BA20 2YB
Parish:	Yeovil
YEOVIL WESTLAND Ward (SSDC Member)	Cllr D Gubbins Cllr A Soughton Cllr K Gill
Recommending Case Officer:	Linda Hayden (Specialist) Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	14th December 2021
Applicant :	Shaun Travers
Agent: (no agent if blank)	Shaun Travers Boon Brown Architects Motivo Alvington Yeovil BA20 2FG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major').





SITE DESCRIPTION AND PROPOSAL

The application is in relation to the existing grass airstrip and surroundings at Leonardo Helicopters, Yeovil. The northern boundary is to a set of commercial uses to the north west, comprising of self-storage shed, garden centre and restaurant and takeaway/restaurant building. The central-northern section adjoins the residential development of Bell Chase and Yeovil Model Engineering Society and Westlands Allotment and Horticultural Society and Westland Leisure Centre. To the east lies the residential areas of Seaton and Westland Road. To the south is the Leonardo and Garador factory areas. The western boundary is formed by Bunford Lane (part of the Western Corridor link road network).

There is one listed building adjacent to the application site, Watercombe Farmhouse (Grade II). The Cottage (Grade II) lies 50m to the north of the airfield and next door to Watercombe Farm House. Bunford Railway Bridge to the southern boundary is also Grade II listed. A number of trees along the northern boundary are protected by way of a Tree Preservation Order. The site is within Flood Zone 1.

Planning permission (19/02614/FUL) was granted in December 2019 for the formation of a hard surface airstrip, associated aviation lighting and ancillary control building to facilitate all operational and flight testing associated with Leonardo Helicopters. The current application seeks the amended wording of pre-commencement conditions to facilitate the development of the ancillary lighting control building (4.7m x 5.5m) and thus the commencement of the host permission without recourse to pre-start requirements which whilst suitable for the development of the airfield are not considered necessary in respect of the relatively minor development of the lighting building.

The agent has advised that: *'The development of the ancillary lighting building prior to the development of the airstrip is considered preferable to development during the airstrip construction process as it will facilitate normal operational flight movements throughout the airstrip construction process. You will appreciate that the building might ordinarily be considered as Permitted Development under the remit*

of Class H, Part 7, Town and Country Planning (General Permitted Development) (England) Order 2015.'

The proposal would therefore see a rewording of Conditions 04 (Construction Environmental Management Plan (CEMP)), 05 (Archaeological Written Scheme of Investigation), 07 (Dust management) and 08 (Drainage details) of planning approval 19/02614/FUL to amend wording of pre-commencement conditions to allow the lighting building to be constructed.

HISTORY

There is an extremely lengthy planning history for the Leonardo site. The airstrip itself is historic and existed prior to the introduction of the original Town and Country Planning Act in 1947, the use is therefore not restricted by any planning conditions.

The most recent applications include:

19/02614/FUL - The formation of a hard surface airstrip, associated lighting and ancillary lighting control building. Approved 5/12/2019.

19/01740/EIASS - Request for a screening opinion in respect of a full planning application for a hard surface airstrip and associated aviation lighting and ancillary control building. Determined that EIA not required.

19/03143/FUL - Demolition of existing building and the erection of a new warehouse and distribution centre. Approved 02/07/2020.

19/02456/FUL - The formation of hardstandings and installation of 2 No. aircraft with associated landscaping. Approved 25/10/2019.

18/03866/FUL - The siting of 1 No. two storey temporary portakabin building to be used as a flight training centre (Part retrospective). Approved 21/02/2019

18/01630/S73 - Application to vary conditions 2 (approved plans), 16 (noise mitigation), and 17 (travel plan) and remove conditions 4 (finished floor levels) and 8 (access arrangements) of approval 16/03628/FUL. Approved 5/7/2018.

17/00658/FUL - The installation of 3 No. air receiver tanks with associated works to the roof of premises. Approved 31/03/2017.

16/03628/FUL - The erection of a research and development building, incubator office and light engineering facility (Use Class B1) with associated parking, landscaping, access and security facilities. Approved 2/12/2016

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise
South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development

SS1 - Settlement Strategy
YV4 - Yeovil Airfield Flight Safety Zone
TA5 - Transport Impact of New Development
EQ2 - General Development
EQ3 - Historic Environment
EQ4 - Biodiversity
EQ7 - Pollution Control

National Planning Policy Framework

4. Decision-making
6. Building a strong competitive economy
8. Promoting healthy and safe communities
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance

Air quality
Conserving and enhancing the historic environment
Design
Flood Risk and Coastal Change
Health and Wellbeing
Light pollution
Natural Environment
Noise
Tree Preservation Orders and trees in conservation areas
Use of planning conditions

CONSULTATIONS

Yeovil Town Council:
Support

Brympton Parish Council (adjacent Parish):
Support the application.

West Coker Parish Council (adjacent Parish):
Support the application.

County Highway Authority:
'The Highways Authority have no objection to the proposed amended wording of these conditions.'

Environmental Protection:
No comments.

MOD:
No objection.

Ecologist (Somerset Ecology Services):

No comments.

Natural England:

No comments.

South West Heritage Trust:

No objection to variation of Condition 5.

Local Lead Flood Authority (LLFA):

'Following review of the provided plans, and noting the small footprint of the building on an area of existing hardstanding, the LLFA requests that the first sentence is reworded as below but is otherwise content with the proposed variation of Condition 08.

Other than the development of the ancillary lighting control building, no development hereby permitted shall be commenced...

The application is still subject to the discharge of all relevant and amended drainage conditions, which should be approved by the Local Planning Authority prior to commencement other work on site.

REPRESENTATIONS

562 letters were sent to local residents, a number of site notices were displayed around the site and an advert placed within the local newspaper. Eight letters of objection, two letters of representation and two letters of support have been received their comments are summarised as follows:

Objections:

- o Noise pollution, impact on mental health
- o Impact on wildlife
- o Impact on property prices
- o Invasive lighting
- o Pollution
- o Lack of privacy
- o Will allow for increase in aircraft activity

Representations:

- o Concerns with times and frequency of flights
- o no objection to this application, but feel the argument against residential development of the land on the premise of the flight path should no longer be an issue

Support:

- o Welcome the investment and the jobs it will bring
- o This site is a longstanding aircraft factory and major employer
- o Development of airstrip is in the interest of local economy
- o Cannot understand why people would buy a house near a helicopter factory and then complain of the noise.
- o There is considerably less noise than when the jets used to fly from Yeovilton.

CONSIDERATIONS

Principle

Approval was granted in 2017 for this scheme but works have not yet commenced. With an existing permission remaining extant, the principle of development is considered to be established. The only matters that need to be considered here are those that the current application seeks to amend which relate to the erection of the ancillary lighting building and the associated amendments to conditions 04 (Construction Environmental Management Plan (CEMP)), 05 (Archaeological Written Scheme of Investigation), 07 (Dust management) and 08 (Drainage details).

Residential Amenity

It is not considered that the erection of this small ancillary lighting building would result in a demonstrable loss of amenity to neighbouring properties. The site is within the urban area of Yeovil where there is already an accepted level of illumination at night.

In terms of the other objections raised by local residents, these were considered as part of the original application for the airstrip. It was accepted that the airstrip is a historic use and therefore there are no planning conditions in relation to number or timing of flights. The Civil Aviation Authority (CAA) currently govern the permissible flight patterns, timings and boundaries based on a number of criteria including residential amenity. As such, the concerns raised in respect of residential amenity by neighbours are regulated by another body.

The agent advised that Leonardo Helicopters continue to develop state of the art military, para-public and civil aircraft, as it has done for over a century, and the comprehensive flight-testing of those products remains an essential part of the success of that business, including night flying. They stated that the business is also very mindful that it supports Ministry of Defence (MoD) helicopter assets that are of critical importance to national defence and it must retain the capability to support urgent operational requirements unhindered. They considered that the CAA and MoD were perhaps better placed to balance the national interest with neighbour amenity in this instance.

It is also important to note that the airstrip will be shortened in length in order to allow for the installation of lighting at either end. This reduction in length means that currently only small fixed wing aircraft will be able to land and take off at the airfield.

The noise and air quality assessments submitted with the original application advised that there are no grounds to refuse the application with regard to noise or air quality and the Environmental Protection Officer did not object to the scheme.

Given these considerations, the Area South Committee considered that the historic use, controls of other authorities and the inability of the airstrip to cater for larger aircraft, meant it would not be reasonable to impose conditions on flights at the site. Furthermore, they accepted that the use is historic and, as such, all occupiers of housing within the vicinity would have been purchased in the knowledge that there was an active airstrip at the site. The Committee therefore agreed that it would not be reasonable to refuse the application on the grounds of impact upon residential amenity and the proposal was acceptable in relation to the requirements of Policy EQ2 of the South Somerset Local Plan 2006-2028.

Given that this application is for the installation of a very modest lighting building it is not considered that it would adversely impact upon residential amenity given that the principle of the hardsurfacing of the airstrip had been agreed in principle. The proposal is therefore considered to comply with Policy EQ2 of the Local Plan.

Highway Safety

The Highway Authority did not object to the original application as it was considered that the proposals would not lead to any significant increase in traffic once complete. It was recognised that there would be an impact during construction and therefore the County Highway Authority required the imposition of a Construction Environmental Management Plan (CEMP) condition to ensure that details relating to construction traffic are agreed before works commence at the site (Condition 04) . This proposal would allow for the installation of a modest building prior to the agreement of the CEMP. The Highway Authority have confirmed that they have no objection to the rewording of the condition. As such, the proposal is considered to be in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

Setting of Listed buildings and impact upon visual amenity

The impact upon the setting of listed buildings and visual amenity was considered as part of the original application and found to be acceptable. It is not considered that the bringing forward of this small ancillary building before the agreement of details in relation to the CEMP, archaeological report, dust management and drainage details would result in any additional impacts upon the setting of listed buildings or visual amenity.

The proposals are therefore in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

Drainage

The LLFA have confirmed that subject to a small amendment to the proposed wording of condition 08 (which has been agreed by the applicant's agent) they are content with the proposed variation of the condition.

As such, the proposals are considered to be acceptable in regard to drainage.

Ecology

The original application was accompanied by an Ecological Impact Assessment that did not raised any significant concerns about the implications of the development upon ecology within the site. A number of informatives relating to wildlife on the site were attached to the original consent and these will be re-imposed on the revised scheme.

The proposal does not include any additional development over that already approved and, as such, the proposals will not result in any additional ecological impact. The proposals are therefore in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

Other issues

House prices - This is not an issue that can be given any significant weight in determining a planning application.

Conclusions

The principle of development has been established with the grant of the original permission. This

proposal will allow for the installation of a very modest lighting control building with associated variation of Conditions 04 (CEMP), 05 (Archaeology report), 07 (dust management) and 08 (drainage) of planning approval 19/02614/FUL. It is not considered that the application could reasonably be refused on the grounds of impact upon residential or visual amenities and the proposals will not result in harm to the setting of nearby listed buildings/structures, highway safety, drainage or ecology.

RECOMMENDATION

Approve

01. The proposal supports the essential infrastructure of an important local employer which will not unacceptably impact upon residential and visual amenities, the setting of adjacent listed buildings/structure, highway safety, drainage and ecology. As such, the proposals comply with Policies SD1, SS1, YV4, TA5, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan 2006-2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the 05th December 2019, (being the decision date of original planning permission 19/02614/FUL).

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:

- Site Location Plan 3980-BB-XX-XXX-DR-A0001 16/09/19
- General Arrangement 129792/1000/D 05/02/19
- Construction Phasing General Arrangement 129792/1001 26/09/19
- Runway Plan and Long Sections
- 1 of 3
- 129792/1100/B 18/04/19
- Runway Plan and Long Sections
- 2 of 3 129792/1101/B 18/04/19
- Runway Plan and Long Sections
- 3 of 3 129792/1102/B 18/04/19
- Taxiway and Access Road Plan and Long Section 129792/1103/B 18/04/19
- Proposed grading contours 129792/1104/B 18/04/19
- Runway Cross Sections Sheet 1 of 5 129792/1105/B 18/04/19
- Runway Cross Sections Sheet 2 of 6 129792/1106/A 28/06/19
- Runway Cross Sections Sheet 3 of 5 129792/1106/A 28/06/19
- Runway Cross Sections Sheet 4 of 5 129792/1108/A 28/06/19
- Runway Cross Sections Sheet 5 of 5 129792/1109/A 28/06/19
- Taxiways and Access Road Cross Sections 129792/1110/A 28/06/19
- External Works General Arrangement 129792/1200/B 28/06/19
- External Works Sections 129792/1201/B 28/06/19
- Proposed Sloping Ground Test Area General Arrangement 129792/1202/A 28/06/19
- Proposed Runway External Works Details 129792/1203/B 28/06/19
- Vehicle Tracking 129792/1250/B 03/06/19
- Proposed Runway White Lining General Arrangement 129792/1500/B 28/06/19
- Runway Plan AGL Ducting Layout
- Sheet 2 of 4 129792/2201/A 28/06/19
- Drainage Standard Details

Sheet 1 of 2	129792/2002/B	24/06/19	
Drainage Standard Details			
Sheet 2 of 2	129792/2003/A	24/06/19	
Manhole Schedule	129792/2004/A	24/06/19	
Drainage Outfall	129792/2005/B	24/06/19	
Indicative Contractors Site Compound Location	129792/2100/B	23/05/19	
Runway Plan AGL Ducting Layout			
Sheet 1 of 4	129792/2200/A	28/06/19	
Runway Plan AGL Ducting Layout			
Sheet 4 of 4	129792/2203/B	28/06/19	
B-Centre Building Proposed External Works General Arrangemens (sic)	129792/4000/B	03/06/19	
B-Centre Building Proposed General Arrangement	129792/4001/B	03/06/19	

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

03. Prior to the first use of the airstrip hereby approved a detailed plan for the restoration of the site to include landscaping details shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan 2006.

04. Other than the development of the ancillary lighting control building, no development shall commence unless a 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:
- o Construction vehicle movements;
 - o Construction operation hours;
 - o Construction vehicular routes to and from site;
 - o Construction delivery hours;
 - o Expected number of construction vehicles per day;
 - o Car parking for contractors;
 - o Efficient means for cleaning the wheels of all lorries leaving the site;
 - o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - o A scheme to encourage the use of Public Transport amongst contractors; and
 - o Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and residential amenity in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

05. Other than the development of the ancillary lighting control building, the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority prior to the commencement of the hard surface airstrip hereby permitted. The WSI shall include details of archaeological evaluation and subsequent excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure appropriate recording of archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.

06. Prior to the installation of any lighting associated with the airstrip details shall be submitted to an approved by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved scheme and retained and maintained in the agreed manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

07. Other than the development of the ancillary lighting control building, a Dust Management Plan to follow the advice contained in the Air Quality Assessment (prepared by Air Quality Consultants Ltd dated April 2019) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the hard surface airstrip hereby permitted. The development shall take place in full accordance with the approved plan.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

08. Other than the development of the ancillary lighting control building, no development hereby permitted shall be commenced until details of the surface water drainage scheme based on the Flood Risk Assessment and Drainage Strategy Issue 3 (dated 20/08/19) and sustainable drainage principles, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- o Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- o Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- o Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- o Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

Informatives:

01. Attention is drawn to the response from Wales and West Utilities dated 23/10/2019
02. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
03. Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). As such, no vegetation removal works around the site should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and ensure that appropriate measures are in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
04. Water voles are fully protected under the Wildlife and Countryside Act 1981 (as amended). A riparian survey of stream banks for water voles and other notable and protected riparian species should be carried out prior to the final design of the drainage infrastructure proposed off-site to the north of the proposal. The results of the survey should inform the final drainage design, ensuring negative impacts are avoided. A copy of the survey report should be issued to South Somerset District Council before any drainage infrastructure is constructed.
05. It is recommended that the applicant consider a biodiversity and mitigation plan which could include (if in accordance with operational constraints at the site):
 - o Installation of 4 X Kent bat box, purchased or built, on to mature trees along the northern end on site, facing south or west, at a height above 3m.
 - o Planting of Three 10x2 metre stretches of wildflower beds along the northern boundary. All new plants must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.