

Officer Report On Planning Application: 21/01785/S73A

Proposal :	Section 73A application for a minor material amendment to vary condition 03 of planning permission 19/01786/FUL to allow retention of the installation of a CCTV camera system comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment until 23rd March 2057.
Site Address:	Clapton Farm Solar Park Land At Clapton Farm House Tinkers Lane
Parish:	Cucklington
TOWER Ward (SSDC Member)	Cllr R Bastable
Recommending Case Officer:	David Kenyon (Specialist) Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
Target date :	31st August 2021
Applicant :	Clapton Farm Solar Park Limited
Agent: (no agent if blank)	Mr Richard Mears Savills UK Ltd Wessex House Priory Walk East Borough Wimborne BH21 1PB
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

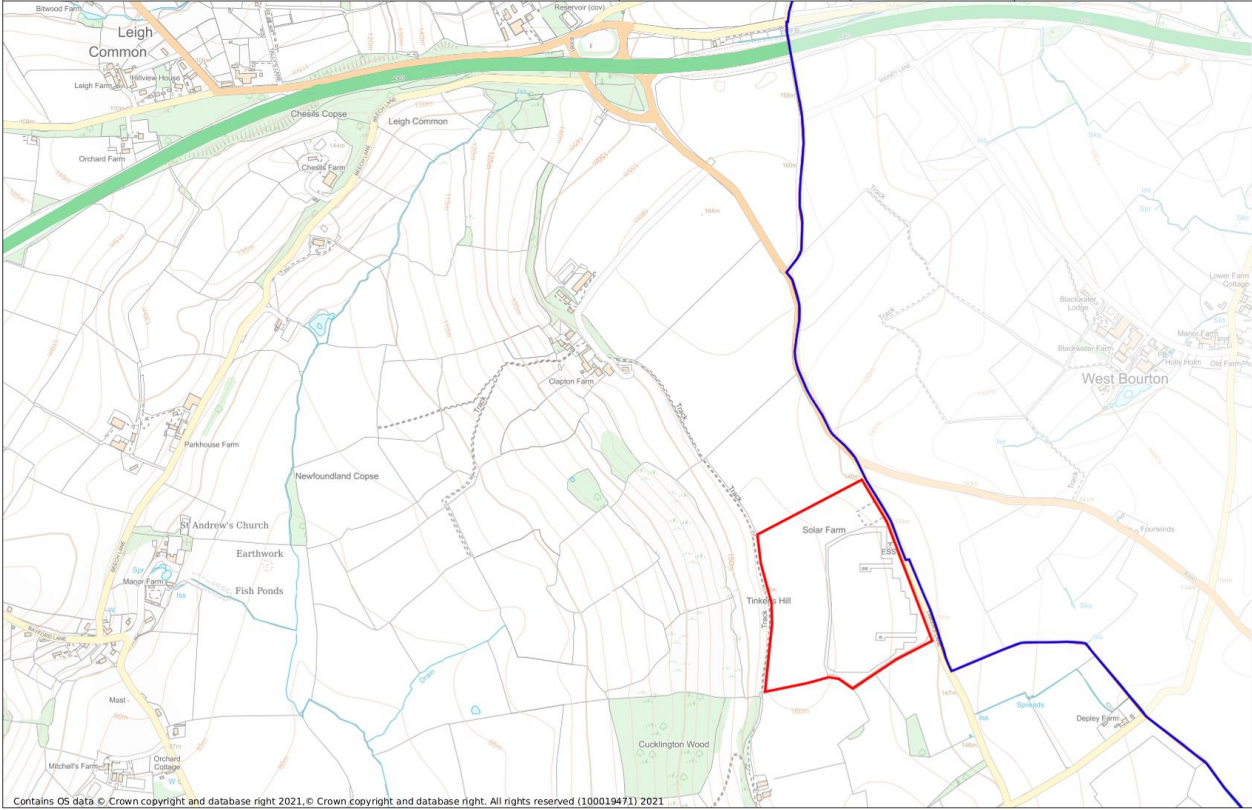
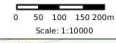
REASON FOR REFERRAL TO COMMITTEE

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major'). No representations have been received raising any objections to the application proposal.

South Somerset District Council

Author: D. Gordon

Date: 06/08/2021

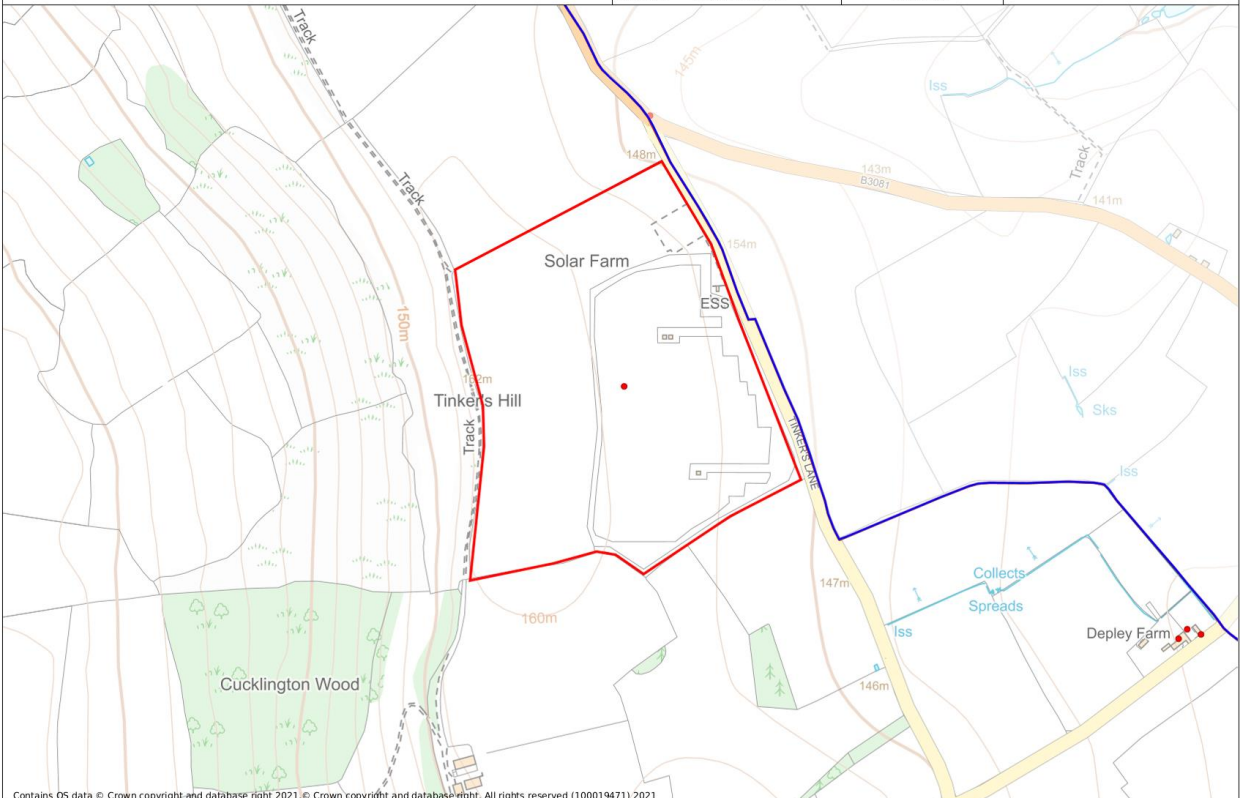


Contains OS data © Crown copyright and database right 2021. © Crown copyright and database right. All rights reserved (100019471) 2021

South Somerset District Council

Author: D. Gordon

Date: 06/08/2021



Contains OS data © Crown copyright and database right 2021. © Crown copyright and database right. All rights reserved (100019471) 2021

SITE DESCRIPTION AND PROPOSAL

This application is seeking planning permission for a minor material amendment to vary condition 03 of planning permission 19/01786/FUL to allow retention of the installation of a CCTV camera system, comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment, until 23rd March 2057.

Planning permission was first granted on 17th November 2015 for the erection of a 5 MW solar photovoltaic array and associated works and infrastructure for a temporary period of 25 years (application ref. 15/03373/FUL). The works included:

- o Framework and solar panels 0.5m to 2.8m in height with up-right piled supports to a depth of 1.2m.
- o 4 no. inverter stations comprising several different structures having an overall area extending to 14.7m by 4.6 and height of 2.3m.
- o 2 no. switchgear 6m by 3m and 3.27 above ground level.
- o Spares container 2.3m by 1.2m and 2.9m high.
- o Access arrangements off the existing field access from Tinker's Lane.
- o 2m high security fencing around the boundaries of the solar array.
- o 5 no. CCTV on 6m high pole mounted - 4 no. thermal imaging cameras and 1 no. fixed day/night camera.

A subsequent S73 application (ref. 17/00512/S73) permitted the 25 years to run from the connection date (31st March 2017) rather than from the date of the 2015 permission (although that permission was never implemented) and a further S73 application (ref. 18/03338/S73A) extended the temporary period of operation of the solar farm until 17th November 2040.

On 15th January 2020, planning permission was granted for the installation of a CCTV camera system comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment (ref. 19/01786/FUL). Condition 03 attached to that permission states:

03. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of 31 March 2017 or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

As a result of market changes and technological advancement, which allow solar farms to be maintained for longer periods of time, a further planning permission was granted on 26th April 2021 to extend the operational lifetime of the solar farm until the 23rd March 2057 (ref. 20/03701/S73A).

The CCTV system granted planning permission in January 2020 serves the wider Clapton Solar Farm, comprising of a network of 20 wooden pole-mounted cameras, a control cabinet, ducting and other small ancillary and related equipment. The need for this CCTV system is to deter intruders, ensure public safety and meet insurance requirements. As the CCTV system is an intrinsic part of the Solar Farm with a clearly acknowledged need this application seeks permission to vary condition 3 of planning permission 19/01786/FUL to state:

The development hereby permitted shall cease on 23rd March 2057, or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner. Within 6 months of power generation ceasing, or such other period as agreed in writing, all solar farm structures, materials and any ancillary equipment shall be removed and the land restored to agriculture use, in accordance with a restoration plan that has previously been submitted to and agreed in writing by the Local Planning

Authority. Such details shall include the time scale for decommissioning.

This proposed variation would allow the operational lifetime of the CCTV system to synchronise with the extended operational lifetime of Clapton Solar Farm.

No further built form is proposed under this application.

The application site is located within open countryside, a little less than 1 km north of Cucklington and 1 km south of the A303's interchange with the B3081. The application site comprises a single agricultural field with its eastern boundary adjacent to Tinker's Lane. The overall field area is approximately 13 hectares, although the area of the solar farm within the security fence extends to only 6.35 hectares. The majority of the site is classed Grade 3b agricultural land while 2 hectares (out of 6.35 hectares on which the solar array has been erected) is classed 3a agricultural land.

The site's north eastern corner is close to Tinker's Lane junction with the B3081. The site's western boundary aligns with a Restricted Byway, an historic drove way. The site is enclosed by established hedgerow and located on a plateau falling in a west to east direction. The land to the west beyond the site slopes steeply down, whereat there are extensive views out over the Blackmore Vale, whereas to the east and south is undulating with a gradual slope eastward and again, extensive views.

RELEVANT HISTORY

15/01091/EIASS - Proposed Installation of a photovoltaic array - EIA not required.

15/03373/FUL. The erection of solar photovoltaic panels and associated works and infrastructure, including switchgear, inverter stations, access tracks, security fencing, security cameras, grid connection, together with temporary construction access, compound and unloading area.

Conditional approval 17.11.2015 - 25 years temporary permission, i.e. until 17th November 2040.

Condition 04 stated:

The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

15/04696/FUL. Cable route application in association with the solar farm application 15/03373/FUL at Clapton Farm (cable connection between the solar park and national grid connecting point).

Conditional approval 10.12.2015.

15/05612/DOC. Discharge of conditions 3 (Landscape and Ecology Management Plan), 5 (Details of access and contractors' parking/compound area), 6 (Construction Environmental Management Plan), 7 (Road Condition Survey) of approved application 15/03373/FUL.

Conditions discharged 16.03.2016.

16/04071/NMA. Application for a non-material amendment to planning application 15/03373/FUL (Solar PV panels) with amended drawings 1171-0201-00 issue 13 (layout) 1171-0205-03 issue 01 (fencing detail) 1171-0206-09 issue 01 (mounting detail) and 1171-0207-14 issue 01 (inverter station).

This application sought to alter the approval by:

- o Reducing the number of panels from 21,978 panels to 19,008;
- o Altering the degree of the panels to 22 rather than 15- 20 degrees;
- o Varying spacing of the rows 2.47m to 2.95m rather than the fixed 2m spacing gaps; and
- o Two inverters rather than 4 being more than halved in length, 6.06m rather than 15.18m, but

slightly higher 2.9m rather than 2.4m and wider 2.44m rather than 2.05.
Agreed 10.10.2016.

17/00372/NMA. Application for a Non Material Amendment to planning permission 15/03373/FUL for amendments to the inverter stations, panel angles and spares container.

This application sought to alter the approval by:

- o Reducing the number of inverters stations from four to three, with two placed in the same location;
- o Confirming panel angles at a 15 degree angle and up to a height of 2.4m; and
- o Providing spares container details.

Agreed 27.01.2017.

17/00512/S73. S73 application to vary the wording of Condition 4 of approval 15/03373/FUL to provide a time frame of 25 years.

Temporary permission for 25 years had been given from the date of the original permission, i.e. 17 November 2015 application ref 15/03373/FUL. This S73 application sought to vary condition 4 of that permission so that the 25 years would run from the connection date, namely 31 March 2017, rather than the date of the original planning permission.

Conditional approval 18.04.2017 - 25 years temporary permission from connection date, i.e. until 31st March 2042.

This permission was not implemented and has now lapsed.

17/02841/FUL. Buried high voltage connection cable for solar farm (revision to approval 15/04696/FUL) - retrospective.

Conditional approval 06.10.2017.

17/02943/NMA. Application for a Non Material Amendment to 15/03373/FUL for the installation of a farmer's gate and change of design to perimeter fencing.

This application sought to alter the approval by:

- o Inserting a farmer's gate at the north-east corner of solar farm; and
- o Changing the design of the perimeter fencing from deer mesh to panel mesh.

Agreed 11.08.2017.

18/03338/S73A. Application to vary conditions 02 (approved plans), 03 (Landscape and Ecology Management Plan) and 10 (landscape planting scheme) on 15/03373/FUL to allow changes to landscaping as shown on drawing number 694-03S.

Conditional approval 14.12.2018 - 25 years temporary permission reflecting the original condition 04 attached to permission 15/03373/FUL, i.e. until 17th November 2040.

Condition 03 stated:

The development shall be removed and the land restored to its former condition on or before 17th November 2040, or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

19/03213/NMA. Non Material Amendments to planning approvals 15/03373/FUL and 18/03338/S73A to allow for the relocation of the 5 approved security cameras and their reduction in height and change in materials/ appearance.

This application sought to alter the approvals by:

- o Slightly varying the siting of the 5 camera positions; and
- o Erect said cameras on 3 metres high posts constructed of solid timber (oak) instead of the approved 6 metres high galvanised steel poles.

Agreed 28.11.2019.

19/01786/FUL. Installation of a CCTV camera system comprising of a network of wooden pole mounted cameras, related cabinets and ducting, plus ancillary and related equipment.

Conditional approval 15.01.2020.

Condition 03 requires cessation of the development within 25 years of 31 March 2017 or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority.

20/03701/S73A. The erection of solar photovoltaic panels and associated works and infrastructure, including switchgear, inverter stations, access tracks, security fencing, security cameras, grid connection, together with temporary construction access, compound and unloading area (without complying with condition 04 of planning permission 15/03373/FUL and condition 03 of planning permission 18/03338/S73A to extend the operational time to 23rd March 2057).

Conditional approval 26.04.2021.

Condition 02 states:

02. The development hereby permitted shall cease on 23rd March 2057, or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner. Within 6 months of power generation ceasing, or such other period as agreed in writing, all solar farm structures, materials and any ancillary equipment shall be removed and the land restored to agriculture use, in accordance with a restoration plan that has previously been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the time scale for decommissioning.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 47 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the adopted development plan comprises the 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

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

EP5 - Farm Diversification

TA5 - Transport Impact of new development

TA6 - Parking Standards

National Planning Policy Framework -July 2021

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

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

National Planning Practice Guidance

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

The Climate Change Act 2008 (as amended)

The Climate Change Act 2008 created a new legal framework for the UK to reduce, through domestic and international action, greenhouse gas emissions to at least 80% below 1990 levels by 2050.

3.3. On the 28th June 2019, section 1(1) of the Climate Change Act 2008 was amended changing the requirement that the net UK carbon account for the year 2050 is at least 80% lower than the 1990 baseline to at least 100% lower than the 1990 baseline.

The Energy white paper, entitled Powering our net zero future - published on 14 December 2020.

This sets out how the UK will '*clean up its energy system and reach net zero emissions by 2050*'. The document acknowledges that a '*low cost, net zero consistent system is likely to be composed predominantly of wind and solar*' and states that '*Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios.*'

CONSULTATIONS

Cucklington Parish Meeting: No comments received.

Pen Selwood Parish Council: No comments received.

Dorset Council: Does not wish to make any comments.

SSDC Environmental Protection Unit: No comments received.

Highways Authority: Standing advice applies.

SSDC Highway Consultant: No highways issues, no objection.

REPRESENTATIONS

64 third parties have been notified, a site notice displayed and an advertisement has been placed in the local newspaper. No representations have been received

CONSIDERATIONS

The National Planning Policy Framework (NPPF) states that, when determining planning applications for renewable and low-carbon development, local planning authorities should approve the application if the impacts are (or can be made) acceptable (paragraph 158 of the NPPF).

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.

Permission exists for the establishment and operation of a solar array on the application site until 23rd March 2057. This includes, not only the solar panels, associated switchgear and inverter buildings associated with such operations and 2 metre high security fencing around the solar site, but also 4 thermal imaging cameras and a fixed day/night camera, each installed on 3 metres high posts constructed of solid timber (oak).

In addition permission exists for the installation of a CCTV camera system comprising of fifteen wooden poles, each measuring three metres in height, around the perimeter of the solar array site on which an infrared camera system and ancillary equipment have been installed, together with ducting linking to a CCTV control cabinet which is located within the solar array site itself and which measures 0.6m x 0.6m x 0.58m high, coloured light grey, and designed to fit under an existing solar panel. These proposed 15 no. cameras are in addition to the 5 no. cameras referred to in the preceding paragraph but this current permission for the CCTV camera system requires its removal by 2042, rather than 2057 which is the case with the solar array as a whole.

Mindful that it has been established that a solar array and its associated infrastructure are acceptable in this location until 23rd March 2057, it is considered the CCTV camera system should be allowed to remain in situ for the same temporary period of time. There would be no change in the nature of the impacts upon the surrounding landscape all of which were considered to be acceptable under planning permission 19/01786/FUL. It should be noted that the proposed variation of condition continues to ensure the CCTV equipment remains temporary, would only be in situ for as long as the wider Solar Farm continues to generate electricity and would be fully reversible in time.

There are no dwellings in close proximity to the site so that it is not considered that harm would result for the amenity of the residents.

This proposal does not raise any material concerns in relation to highway safety, flood risk or biodiversity. Nor would there be any harm caused to any designated heritage assets.

Conclusion

The proposal to vary the condition for retention of the CCTV camera system to coincide with the same temporary period of time as the operational lifespan of the solar farm as a whole is considered acceptable, and has no material impact on the temporary nature of the permission, which continues to respect the character of the area and causes no demonstrable harm to neighbour amenity and highway safety or the impact on the setting and local environment. The proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, TA5, EQ1, EQ2, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and the application is recommended for approval.

RECOMMENDATION

That application reference 21/01785/S73A be approved for the following reason:

01. The retention of the CCTV camera system for the same temporary period of time as the operational lifespan of the solar farm as a whole is considered acceptable, and has no material impact on the temporary nature of the permission, which continues to respect the character of the area and causes no demonstrable harm to neighbour amenity and highway safety or the impact on the setting and local environment. The proposal is in accordance with the aims and objectives of the NPPF and Policies SD1, TA5, EQ1, EQ2, EQ4, EQ5 and EQ7 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the approved drawing no. BSL-001 Rev A: Site Location Plan, and the following approved drawings which form part of the planning permission dated 15th January 2020, application ref. 19/01786/FUL:

Drawing no. 1088-0200-01: Site Boundary Plan

Drawing no. 26377-1-B: CCTV Layout - Site Layout - Planning Application (Proposed Additions)

Drawing no. 26377-1-C: CCTV Layout - Site Layout - Planning Application (Overall Security Design)

Drawing no. GBSG SD-1B: GBSG Standard Detail - Wooden Post Detail

Brochure: IP55 Outdoor Wall Mounting Cabinets, DS-CW55 Series

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

02. The development hereby permitted shall cease on 23rd March 2057, or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner. Within 6 months of power generation ceasing, or such other period as agreed in writing, all solar farm structures, materials and any ancillary equipment shall be removed and the land restored to agriculture use, in accordance with a restoration plan that has previously been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the time scale for decommissioning.

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

03. No CCTV equipment or other cameras shall be installed on the site other than those shown on the submitted drawings nos. 26377-1-B and 26377-1-C, in accordance with the CCTV design details submitted with the application.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the landscape in accordance with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

04. Each camera hereby permitted shall have a fixed field of vision, being angled and of a visual range as indicated on the submitted drawings nos. 26377-1-B and 26377-1-C and there shall be no subsequent variation to allow a greater field and range of vision for any of the camera 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 Policy EQ2 of the South Somerset Local Plan.

05. Other than the on-site audio challenge facility (described in the agent's email dated 5th November 2019 as part of the planning permission dated 15th January 2020, application ref. 19/01786/FUL) forming part of the security system hereby permitted, no other 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 EQ2 and EQ7 of the South Somerset Local Plan.