

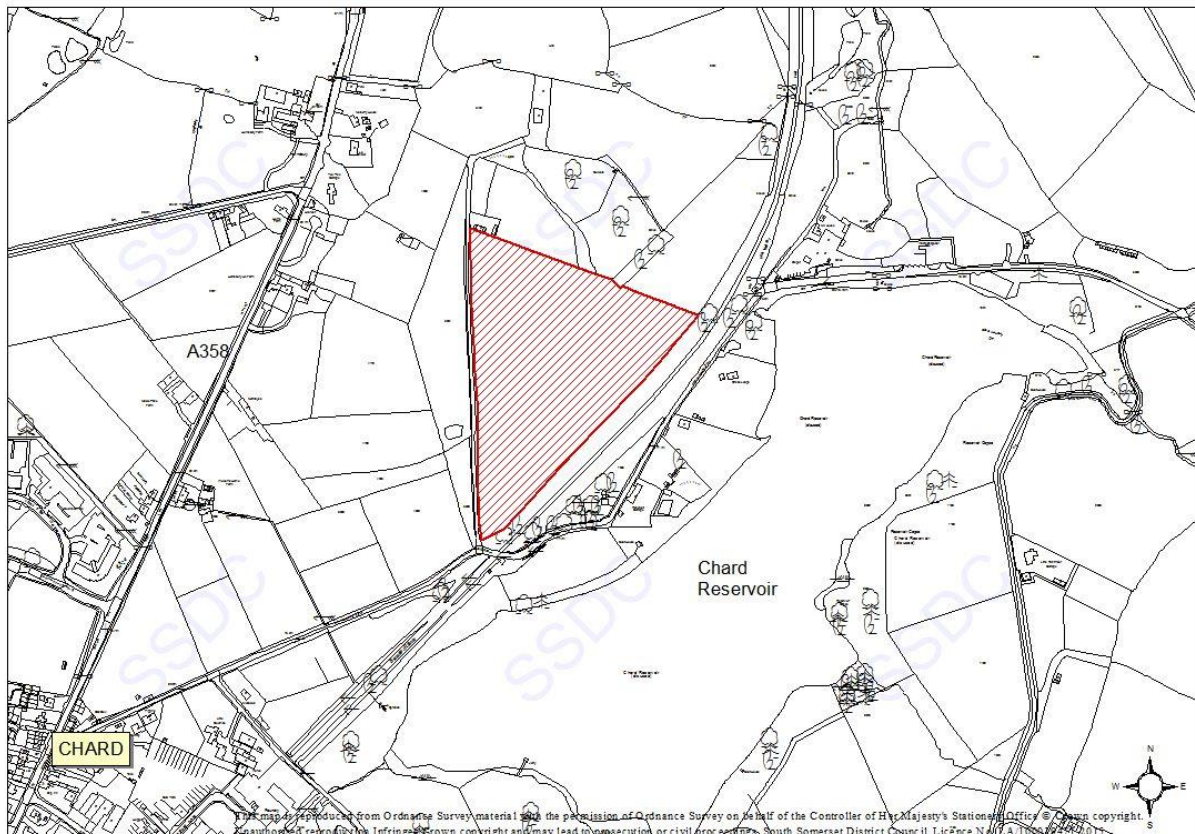
Officer Report On Planning Application: 15/03187/FUL

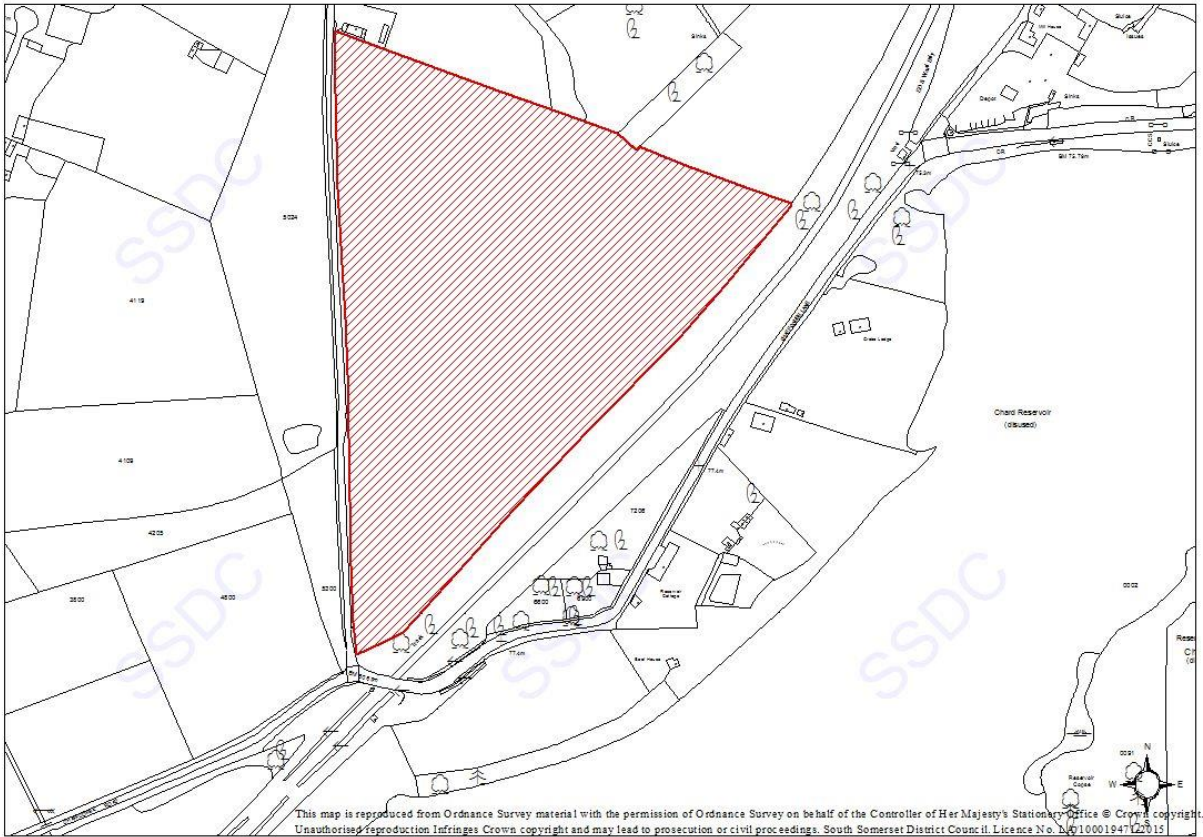
Proposal :	Installation of up to a 3 MW solar farm comprising ground mounted photovoltaic solar arrays together with power inverter systems, transformers and substations, internal access track, landscaping, deer fencing, CCTV and other associated infrastructure and equipment. (GR 333685/110125)
Site Address:	Land Os 5600 Chaffcombe Road Chard
Parish:	Chard
AVISHAYES (CHARD) Ward (SSDC Member)	Cllr G Shortland
Recommending Case Officer:	Louisa Brown Tel: (01935) 462344 Email: louisa.brown@southsomerset.gov.uk
Target date :	14th October 2015
Applicant :	Mr James Jenkison
Agent: (no agent if blank)	
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The size of the proposed development is such that under the Scheme of Delegation the application must be determined by Committee.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission for the installation of up to a 3 MW solar farm comprising ground mounted photovoltaic solar arrays together with power inverter systems, transformers and substations, internal access track, landscaping, deer fencing, CCTV and other associated infrastructure and equipment for a period of 25 years. The site is comprised of 2 no. fields forming a triangular site area of approximately 5.12 hectares on the north western side of Chaffcombe Road (also referred to as Chaffcombe Lane) and the eastern side of Black Bench Drive.

The triangular shaped site is located approximately 2 km to the north of Chard Town centre and is bordered on all three sides by mature hedgerows and trees. The site is bisected northeast to southwest by an overgrown hedgerow. To the southeast of the site are some residential properties off Chaffcombe Road and Chard Reservoir, now used as a nature reserve. Agricultural fields adjoin the site to the west and northeast.

The proposal seeks to erect photovoltaic panels approximately 2.6 metres high arranged in south facing rows. A number of inverter units will be spaciouly located on the site to monitor the panels and converting energy which will then be fed to the national grid via a small substation near the site entrance. Deer fencing, approximately 2 metres high, will also be installed with CCTV cameras on 3 metre high masts. The access to the site already exists and located near the junction of Black Bench Drive with Chaffcombe Road. Improvements will be made to its visibility splays.

This application is supported by the following documents:

- Planning Design and Access Statement
- Landscape and Visual Impact Assessment
- Flood Risk Assessment and Sustainable Drainage Systems
- Ecology survey

- Great Crested Newt Survey
- Wintering Bird Survey
- Breeding Bird Survey
- Heritage Desk-Based Assessment
- Tree Report
- Access Appraisal
- Construction Environmental Management Plan (Revision A)
- Agricultural Statement
- Decommissioning Method Statement
- Statement of community Involvement

RELEVANT HISTORY

15/00213/EIASS: Request for screening opinion from proposed ground based photovoltaic solar farm. Determined no EIA required 04/03/2015.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 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.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006 - 2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA5 - Transport impact of New Development

International and European Policy Context

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

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy

(electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

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

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

UK Solar Strategy Part 2: Delivering a Brighter Future (April 2014)

Sets out advice in relation to large scale ground-mounted solar PV farms and suggests that LPAs will need to consider:-

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;

- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

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

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

The NPPF further advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

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

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

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

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

CONSULTATIONS

Chard Town Council:

Recommend approval

SDDC Area West Development Manager:

No comments received

SDDC Climate Change Officer:

"The UK has a target to meet 20% of energy needs from renewables by 2020. Currently, installed and permitted renewable electricity installations in the district will be generating 16 % of the districts electrical requirement on an annualised basis. This proposed large PV array will be one of several installed in the district recently making a significant impact on reducing carbon dioxide emissions.

The site chosen is suitable because of its proximity to Chard with its 6066 household and commercial electrical demand. This will minimise grid losses and is just the type of application that this council should encourage.

I calculate that the installation will generate over the course of a year, electricity equivalent to that used by 636 households, based on the average household consumption of 4961 kWh/yr per household for the district (DECC statistical report 2012. The site compliments the permitted 4.08 MW PV farm at the opposite side of the town....I have no objection to this application."

SDDC Ecologist:

"I've noted the various ecological survey reports (Michael Woods Associates). These haven't identified any particularly significant constraints to the proposed development.

NPPF (para.118) expects development to deliver some enhancement for biodiversity, through taking opportunities to incorporate features beneficial for wildlife within new developments. I therefore recommend that any consent should include a condition requiring details of measures for the enhancement of biodiversity to be submitted for approval and subsequently implemented."

SDDC Environmental Protection Unit:

No observation to make

SDDC Tree Officer:

Verbally stated no objection subject to works complying with the submitted tree report.

SDDC Landscape Officer:

(Please refer to Appendix A at the end of this report for the Landscape Officer's full comments.)
"National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape. Recent appeal decisions within the district have placed an emphasis upon containment of the visual profile of solar sites when determining the appeals. Looking at this application overall, it is well-contained by the local landscape network of hedgerows and woods; will have minimal visibility once mitigation takes effect; and is at a scale that relates to the landscape pattern. Whilst there is a clear incongruity

of character in the appearance of solar panels within rural fields, given the lack of visual impact, and the negligible impact upon the fabric of the site's surrounds, I do not consider the landscape/visual impact to be sufficiently weighty to enable a landscape objection to provide a basis for refusal.

Should you be minded to approve the application, could you please;

- 1) Condition submission of a detailed planting scheme, and;
- 2) Require the planting scheme to be implemented during the planting season allied to construction."

SCC Highway Authority:

"In my comments dated 13th August we highlighted concerns with the application with regard to highway and transportation aspects of this proposal.

The applicant has now confirmed the details of the Construction Environmental Management Plan, highlighting and addressing the concerns with regard to access and highways safety.

The temporary construction access will be widened to ensure large vehicles can turn into the site. Banksmen will be provided to marshal vehicle movements into and out of the site and mitigate conflicts in movements and impacts on local traffic.

Visibility splays have been agreed as 43m in each direction of the site access. This will need to be illustrated, demonstrated and maintained. Proposals also highlight that during construction temporary warning signs will be provided, along with assistance from on-site personnel to mitigate any highways safety issues or traffic conflicts.

It is stated that appropriate parking and turning will be provided on site. This will need to be demonstrated and be in accordance with SCC policy requirements and suitable for the size of vehicles proposed.

I have no other objections to the proposed works which would not be considered to pose any highway safety concerns as either overly distracting or obstructive to pedestrian or vehicle movements."

SDDC Highway Consultant:

Verbally stated that there is no objection subject to a condition addressing the request of County Highways.

SCC Drainage Consultant:

No objection

SCC Archaeology:

No objection

MOD:

The MOD has no safeguarding objections to this proposal.

SDDC Engineers:

No comments received.

Environment Agency:

No comments received.

Natural England:

Raised no objection and have referred to their standing advice and Technical Information Note

with regard to Solar Parks (full comments are attached at appendix B).

RSPB:

No comments received

Wessex Water:

No comments received.

SCC Mineral Consultation:

No comments received.

REPRESENTATIONS

17 Neighbouring properties were notified, 2 no. site notices displayed and an advert place in the local press.

One letter of support has been received, one letter of representation supporting the proposal in principle but requesting assurance from the developer on the following:

1. That there is a good safety distance between hedges/trees and heat equipment so as to optimise fire safety.
2. Consent should be sought to cut any branches along Black Bench Drove so that they can receive any timber cut.
3. It would be good to see screening of the building.

A letter of objection has been received from the CPRE:

"It is understood that a planning authority in considering a solar array on greenfield land must consider whether part or all of the site occupies Best and Most Versatile Land. Attention has been drawn to the Agricultural Statement submitted on behalf of the applicant. That claims that some sheep might be grazed and some grass cut for animal feed after installation of the panels (website 4 Sept 2015). That surely does not obviate the need for a proper Agricultural Land Assessment because the agricultural value would undoubtedly be reduced. The map included in the Statement seems worthless: it is out of date because it indicates the land to be "good to moderate Grade 3" when Grade 3 has been replaced by Grades 3a and 3b. It therefore remains the view of CPRE that at present South Somerset District Council cannot be in a position to make a decision on this application."

CONSIDERATIONS

There have been no objections on MOD, archaeology, drainage, flooding or Environmental Protection grounds. As such the main considerations for this application are considered to relate to the principle of the development, landscape character and visual amenity, impact on residential amenity, impact on ecology and highway safety.

Principle of Development:

Part 10 of the National Planning Policy Framework (NPPF) states that local authorities should "have a positive strategy to promote energy for renewable and low carbon sources" and "design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts". Additional supplementary guidance National Planning Practice Guidance (NPPG), published in March, accompanies the NPPF and is referred to in the policy section above.

In terms of the land classification, the site is designated as Grade 3 and 4 agricultural land, with

the majority of the site being within Grade 4, and therefore is not considered to be the 'best and most versatile' land. A planning condition restricting the development to 25 years is considered to be reasonable and conditions can also be imposed to require appropriate restoration and continued agricultural use of the land. In any event, the array could be removed before then should the landowner wish to revert to agriculture or use of the array to generate electricity cease.

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

The CPRE have objected to the application stating that the mapping system supplied by Natural England is out of date and requests that a proper land assessment is carried out. It is considered that a full land assessment is not necessary as the information from Natural England is the starting point and the agent clearly indicates that the land can still be used for grazing and haylage/silage making.

Visual amenity, Landscape Character:

The Landscape Architect has carried out a thorough assessment of the proposal and assessed the submitted Landscape and Visual Impact Assessment and, in his view, as the site is well-contained by the local landscape network of hedgerows and woods. With the proposed landscape mitigation the proposal will not result in such a significant adverse impact as to justify a refusal on landscape grounds.

The Landscape Officer notes that the application site is within an area of small-scale enclosure fields to the northwest of Chard Reservoir at a general elevation of 85 metres AOD, on the west side of the Isle valley a hilltop location with both sites being physically and visually divorced from Chard, which is the nearest settlement. There are a number of scattered dwellings circa 70-100 metres to the southeast. The form of the proposal disrupts neither the fabric nor the pattern of the landscape, and the few landscape components within and defining the site will remain undisturbed.

It is noted that the Landscape Visual Impact Assessment proposed a mitigation package that includes the reinforcement of the bounding hedgerows which the Landscape Officer considers to be commensurate and appropriate. He also considers that the cumulative impact of this proposal with others in the area is not an issue.

Given the location of apparatus and finish in dull tones and no external lighting it is considered by the Landscape Officer that the PV installation is capable of being accommodated without undue impact upon the site's fabric and landscape context.

Natural England have raised no objection but suggested that the Blackdown Hills AONB Partnership be consulted. After discussions with the Landscape Officer it was concluded that as the site is well-contained and has minimal visibility to it and due to the AONB being located some 5km away it was not necessary for the consultation to take place as the proposal would not be visible within the setting of the AONB.

Therefore, subject to the imposition of conditions to secure appropriate landscape proposals and secure restoration of the site the proposal is not considered to raise any substantive landscape or visual amenity concerns.

Residential Amenity:

The nearest residential properties are approximately 70-100 metres to the southeast of the site on the far side of the highway. This is considered to be a sufficient distance away as to not be adversely impacted by the proposal.

One letter of support for the proposal was received and one letter of representation. The concerns raised within the letter of representation relate to fire safety and consent to cut back hedges. The fire safety issue will be managed under separate legislation that the developer would need to adhere to. With regard to gaining consent to cut back hedges and trees on Black Bench Drove, this would be a civil matter.

Highway Safety:

The plans show that the existing access will be used and will be widened during construction to allow larger vehicles into the site. A Construction Environmental Management Plan has been submitted, amended 23 July 2015 to address some concerns raised by county highways. The CEMP also refers to the Access Appraisal submitted by i-Transport and relays the estimated traffic movements to the site during the proposed three month construction time and gives details on how the traffic will be managed in a safe manner by way of construction traffic signs and on site personnel.

The County Highway authority has confirmed they have no objection to the proposal which will have no adverse impact on highway safety subject to condition. Whilst it is clear that there will be a significant number of movements connected with the construction of the site, once the works are completed the site will generate very few movements as only minimal maintenance is required.

The SSDC highway consultant has no objection subject to a condition to meet the requirements suggested by County Highways.

Ecology:

The Ecologist has assessed the various submitted ecological assessments and has no objection to their proposals. In order to minimise any potential risk to secure biodiversity enhancements the council's Ecologist has recommended a condition to require the implementation of the Biodiversity Management Plan.

Natural England has raised no objections but has suggested a number of conditions. The conditions they have requested have been discussed with the SSDC Ecologist and it is considered that the one in relation to bats should be an informative as it is taken from guidance only and the other one is not specific enough in detail to warrant it being reasonable and necessary.

Furthermore the SSDC Ecologist confers that there is no need for his recommended condition as all of the submitted surveys carried out by Clarkson & Woods Ecological Consultants give recommendation for mitigation and enhancement. As such it is considered appropriate to condition that the scheme is carried out in accordance with the recommendation within the surveys unless agreed in writing.

On this basis the proposal is not considered to raise any substantive ecology related issues.

Other Matters:

Environmental Impact Assessment - The proposal falls within the scope of Schedule 2, sub-section 3a of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requiring that a formal screening decision be carried out. This was carried out prior to the submission of this current application when it was concluded that an Environmental Impact Assessment was not required.

Conclusion:

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). The current application has assessed issues in relation to highway safety, visual amenity, landscape character, residential amenity and ecology. A thorough assessment of the potential impacts of the development indicates that, for the most part, they are acceptable - or can be made acceptable by appropriate mitigation measures - in the context of Government advice and the clear need for renewable energy sources. Where impacts can be overcome by way of pre-commencement or other conditions (i.e. highways, ecology, landscaping) appropriate conditions are recommended. Subject to the appropriate controls set out in conditions, it is considered that the impacts of the proposal can be considered 'acceptable' as set out in Government guidance.

RECOMMENDATION

Approve with conditions

01. It is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies EQ1, EQ2, TA5 and EQ4 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 date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below)

Drawing no. D14_2124_01 received 9 July 2015

Drawing no. D14_2124_02 received 9 July 2015

Drawing no. D14_2124_08 received 9 July 2015

Drawing no. D14_2124_05 received 9 July 2015

Drawing no. D14_2124_04 received 9 July 2015

Drawing no. All_Projects_10 received 9 July 2015

Drawing no. PRG_C412_A received 9 July 2015

Drawing no. CWS_AP_07 received 9 July 2015

Drawing no. D14_2124_09 received 9 July 2015

Drawing no. ISD-SGD-008 Revision #2 received 9 July 2015

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

03. The development hereby permitted shall be removed and the land restored to its former condition 25 years after the date of first export of electricity to the National Grid, 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 the submitted Decommissioning Method Statement attached to the approved application, dated July 2015. Any variations to the Decommissioning Method Statement shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

04. Within one month of the date of first export of electricity to the grid, written confirmation of this date shall be submitted to the Local Planning Authority for their records.

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

05. The supporting posts to the solar array shall not be concreted into the ground.

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

06. The scheme of landscaping shall be carried out in accordance with the submitted Landscape and Visual Impact Assessment and specifically the Landscape Strategy fig. 7 dated June 2015, unless otherwise agreed 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 completion of the development hereby approved; 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 landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

07. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interests of landscape character, visual amenity and to safeguard the rural character of the area in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

08. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area in accordance with Policy EQ2 of the South Somerset Local Plan (Adopted March 2015).

09. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in

British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

10. The development hereby approved shall be carried out in accordance with recommendations and suggestions for mitigation and enhancement contained within the submitted Ecological Survey, Breeding Survey, Wintering Bird Survey and Great Crested Newt Survey (carried out by Clarkson & Woods Ecological Consultants), unless otherwise agreed in writing by the Local Planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4

11. The construction of the works hereby approved shall take place in full accordance with the submitted Tree Report carried out by Hellis Tree Consultants, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the health, structure and amenity value of protected trees in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the policies EQ2 and EQ4 of the South Somerset Local Plan (Adopted March 2015).

12. Any gates shall be located 5 metres back from the edge of the highway and open inwards.

Reason: In the interests of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

13. The development hereby approved shall be strictly carried out in accordance with the submitted Access Appraisal by i-Transport including the plans attached to the appraisal, the Construction Traffic Management set out within the submitted Construction Environmental Management Plan Revision A, dated July 2015 and the submitted Vehicle Swept Path Analysis drawing no. ITB11019-GA-003 dated September 2015, in regard to the following points, unless otherwise agreed in writing by the Local planning authority;
1. Access to the site off Chaffcombe Road is from the west only and visibility splays are maintained and retained as shown within the Access Appraisal
 2. A Banksman is provided for safe access to and from the site from Chaffcombe Road for HGVs
 3. During construction signs are placed on Chaffcombe Road to warn of HGVs accessing the site.
 4. Traffic to enter and leave the site only between the hours of 07:30 and 19:00 Monday to Friday, 08:00 and 17:00 on Saturday and no time on Sundays or Bank Holidays
 5. A temporary on-site construction compound to be provided with turning for HGVs

6. All access tracks, both permanent and temporary shall be installed before any other works commence on site or deliveries made.
7. The tracks shall be installed as per the details submitted in the CEMP
8. Wheel washing facilities to be provided in line with details submitted in the CEMP

Reason: In the interests of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

Informatives:

01. The Applicant is advised that the Highway Service Manager for South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, BA22 8RT Tel: 0845 345 9155, email: countyroads-southsom@somerset.gov.uk must be consulted with regard to the proposed temporary signage.
 02. Please be aware of the comments and advice set out within the Natural England's letter dated 14 august 2015, in particular you are advised to follow guidance.TIN101:Solar Parks; Maximising environmental benefits in relation to bat protection. The mitigation required for foraging bats is a 6 -9 metre buffer next to ditches and 5 metre buffer adjacent to the hedges.
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Appendix A

Landscape officer comments:

The application is sited within an area of small-scale enclosure fields to the northwest side of Chard Reservoir, and circa 0.5km north of Chard and east of the A358, Chard-Ilminster road. It lays at a general elevation of 85 metres AOD, on the west side of the Isle valley. A former rail-line that is now part of a national cycle route, runs along the site's southeast boundary.

The proposal seeks consent for a 3 MW solar array over an area of 5.20ha. and I consider the prime landscape concerns to be;

- 1) the impact upon landscape character, particularly relative to the scale and pattern of the local landscape;
- 2) the potential visibility of the proposal, especially as viewed from sensitive receptors;
- 3) the potential for cumulative impacts to arise, and;
- 4) achieving a site layout and design that is landscape-sympathetic.

The application includes a detailed landscape and visual impact assessment (LVIA) which considers the extent of likely landscape and visual impacts that may arise from the installation of the array upon its context. Turning to the proposal detail, and with the LVIA to hand;

(1) The application site lays over gently sloping land falling to the south east and is composed of two small fields that form a triangular shape within a well-hedged, agricultural surround. There are a number of scattered dwellings circa 70-100 metres to the southeast, on the far side of the former rail-line, which is the closest development form in the vicinity. The fields are typical of the general small scale of the area, and are defined by mature hedgerows which offer a sense of enclosure, to go some way toward enabling the site's assimilation into the local landscape pattern.

The form of the proposal disrupts neither the fabric nor the pattern of the landscape, and the few landscape components within and defining the site will remain undisturbed. By laying at a comparable level to its surround, the array reposes within the hedgerow pattern without disruption of landform, or encroachment into a different landscape type. There is also the general point that an array is a passive element in the landscape, generating neither sound nor movement, and I view these elements of the proposal as positive. However, PV panel forms and associated structures can be viewed as being 'industrial' in character, and such character is at variance with its host landscape setting, which has a strong rural character - as expressed by the strong pattern and presence of the hedgerow network; the farmland context; and the dilute development presence. Within the local landscape, development is no more than residential/small agricultural scale, hence there is some incongruity of development scale when considered alongside this 5.20 ha array area.

(2) I have reviewed the findings of the visual assessment, with which I concur. The LVIA notes that the site's visual envelope is closely drawn, with theoretical visibility primarily limited by a mix of undulating landform, and enclosure provided by mature woody vegetation in both the immediate and wider landscape, which offer the prime containment of the site. It is only from the immediate boundaries where there is vantage into the site, yet the bounding hedgerows obscure summer views in most part, less so in Winter. To counter the effects of array presence, the LVIA proposes a mitigation package that includes reinforcement of the bounding hedgerows to provide additional containment; and a heightened management regime for the containing hedgerows, as the prime mitigation items, which I consider commensurate and appropriate.

(3) Cognisant of the number and location of PV array applications submitted to date within the

district, and with solar sites in close proximity, in this instance it is clear that cumulative impact is not an issue with this application.

(4) Turning to site detail, I note that the array will stand a maximum of 2.4 metres above ground level, with an intent to raise the profile of the hedge to better effect screening. PV mounting is limited to a steel support frame with its toes driven into the ground. A 2.00 metre tall deer fence along with imaging cameras (but no lighting) provides site security. Transformer and similar structures are located adjacent the site boundaries, and are to be finished in suitable dull tones to thus minimise visual impact. The field surface will continue as grassland, management by grazing is inferred but not specified. With the correct use of materials and finish tones, I consider this PV installation to be capable of being accommodated without undue impact upon the site's fabric and landscape context.

National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape. Recent appeal decisions within the district have placed an emphasis upon containment of the visual profile of solar sites when determining the appeals. Looking at this application overall, it is well-contained by the local landscape network of hedgerows and woods; will have minimal visibility once mitigation takes effect; and is at a scale that relates to the landscape pattern. Whilst there is a clear incongruity of character in the appearance of solar panels within rural fields, given the lack of visual impact, and the negligible impact upon the fabric of the site's surrounds, I do not consider the landscape/visual impact to be sufficiently weighty to enable a landscape objection to provide a basis for refusal.

Should you be minded to approve the application, could you please;

- 1) Condition submission of a detailed planting scheme, and;
- 2) Require the planting scheme to be implemented during the planting season allied to construction.

Do get back to me if you require clarification on any of the above points, or if there are any other issues related to this application on which you require my input.

Appendix B

Natural England comments:

Thank you for your consultation on the above dated 23rd July 2015 which was received by Natural England on 24th July 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This proposed solar farm is approximately 3MW and sited on 5.12 hectares of land, and close to Chard Reservoir.

Designated Landscapes- Blackdown Hills AONB

Having reviewed the application documents we make some comments below and advise you to seek the advice of the Blackdown Hills AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation.

They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan and the advice of your council's landscape officer.

Landscape Advice to the Local Planning Authority

This is a development proposed within 5km of Blackdown Hills AONB and the setting of the AONB. An assessment of its likely impact must therefore be fully commensurate with the national importance of this designated landscape and the level of protection given to it by national planning policy. Consideration of the cumulative impacts with other solar installations is important and whether the LVIA is satisfactory for this major development with the landscape character of the National Character Area 147 Blackdowns and 140 Yeovil Scarlands.

The LVIA includes proposed mitigation works and if you are minded to recommend approval these need to be secured as planning conditions, to reduce the significance of the impacts visual effects and reductions in significance of effects on the landscape character. However, your Council will need to decide whether the level of impacts and proposed mitigation is acceptable in the overall planning balance.

Landscape Advice to the Local Planning Authority

The statutory purpose of AONBs is the protection of their natural beauty. The Planning Statement recognises that the National Planning Policy Framework (NPPF) affords the highest level of protection to AONB landscapes. To ensure that the landscape and scenic beauty of AONB landscapes is conserved and enhanced the National Planning Policy Framework also sets out the importance of the landscape and scenic beauty of AONBs (at para 115 of the NPPF)

Protected Wildlife Sites

No objection

This application is in the 1.9km proximity of Woodhayes Farm SSSI and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in

determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected Species

We have not assessed this application and associated documents for impacts on protected species. We have noted some ecological enhancement in the Construction Environmental Management Plan and recommendations and conclusions in the Ecological Survey, but are concerned and require that mitigation and enhancement measures are required to be agreed with your ecologist. Your Local plan policy EQ4 is relevant for biodiversity.

Condition: Protection of bats species following guidance.TIN101:Solar Parks; Maximising environmental benefits as provided as a link to this letter and mitigation required for foraging bats is a 6 -9 metre buffer next to ditches and 5 metre buffer adjacent to the hedges.

Reason: Protection of bat species as required by the Habitats and Species Regulations 2010

Condition: The security fence will be installed with a continuous gap of 25cm beneath the fencing to allow passage of key species.

Reason: To follow policy guidance for the protection of no net biodiversity loss in the NPPF.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Solar Parks - Further information

For additional information relating to Solar Parks please refer to the Technical Information Note at the link below, which provides a summary of advice about their siting, their potential impacts and mitigation requirements for the safeguarding of the natural environment, as well as advice on potential enhancements

Solar parks: maximising environmental benefits (TIN101)

Green Infrastructure and biodiversity enhancement potential

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. As such, Natural England would encourage the incorporation of GI into this development.

Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement.

Additional evidence and case studies on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages

- The application provides for an extensive green infrastructure. The LPA should review the proposed green infrastructure carefully to ensure that:
- it can be established and provide the required level of mitigation within an acceptable period;
- the planting design, species mix and other aspects of the scheme are appropriate to their landscape setting (particularly important within a nationally designated landscape); and
- the appropriate management of the green infrastructure is properly provided for in terms of funding and a long term management plan.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Andrew Burns on 03000601341. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

We also welcome your feedback on Natural England's revised standing advice in terms of its usability (ease of access, presentation), quality of content and, its clarity and effectiveness as a tool in guiding decision-making. Please provide this, with any suggested improvements, by filling in the attached customer feedback form or by emailing your feedback direct to consultations@naturalengland.org.uk