

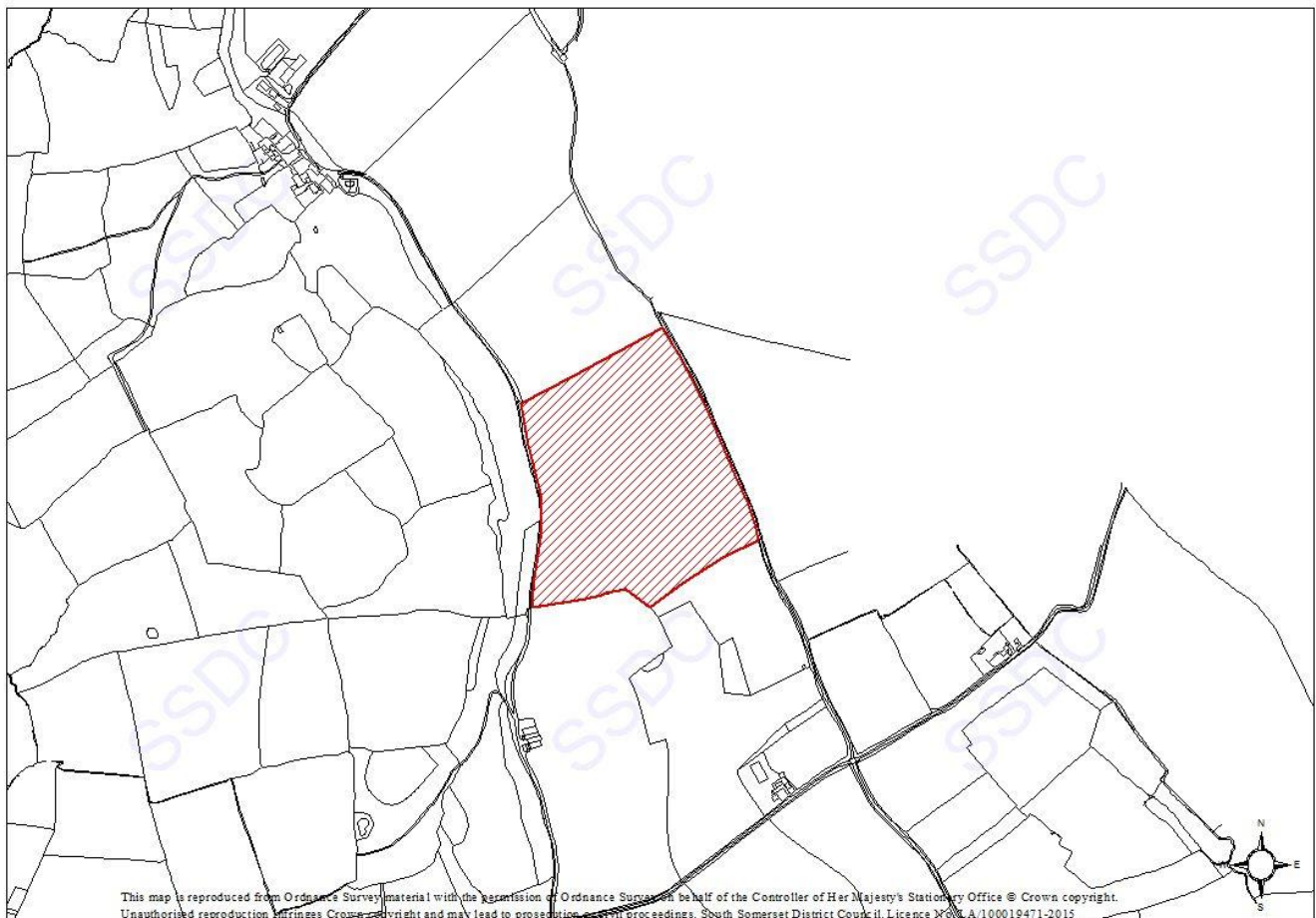
Officer Report On Planning Application: 17/00512/S73

Proposal:	S73 application to vary the wording of Condition 4 of approval 15/03373/FUL to provide a time frame of 25 years.
Site Address:	Land West Of Tinkers Lane, Southeast Of B3081 Cucklington, Wincanton
Parish:	Cucklington
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	28th April 2017
Applicant:	Clapton Farm Solar Park
Agent: (no agent if blank)	
Application Type:	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

As a 'Major Major' application recommended for approval, the scheme of delegation requires its referral to committee.

SITE DESCRIPTION AND PROPOSAL



The application is located within open countryside, a little less than 1km north of Cucklington and 1km south of the A303's interchange with the B3081. The application site comprises a single agricultural field under arable production with its eastern boundary adjacent to Tinker's Lane. 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 actual extent of the solar panels is contained within the eastern half of the field.

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.

Temporary permission for 25 years was given 17 November 2015 following its consideration by Area East Committee. Condition 4 is sought to be altered so that the 25 years runs from the connection date, namely 31 March 2017, rather than the date of the planning permission.

Condition 4 reads:

'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.'

RELEVANT HISTORY

17/01091/NMA - Application for a Non-Material Amendment, Permitted.

15/03373/FUL - Erection of Solar Park, Approved.

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

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.

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

National Planning Policy Framework - March 2012:

Chapter 7 - Requiring good design

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

Chapter 11 - Conserving and enhancing the natural environment

The NPPF 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.

CONSULTATIONS

Cucklington Parish Meeting - To be reported.

North Dorset District Council - No objection

Bourton Parish Council (Adjacent) - Maintains their objection

Somerset County Highway Authority - No observations

REPRESENTATIONS

There has been one neighbour notification response raising general observations to the effect the site can be seen from the highway contrary to para.7 of the application form and the whole field is outlined in red whereas planning approval was given for a smaller area to the east. OFFICER Note: the area of solar panelling remains as approved within the eastern halve of the land outlined in red.

CONSIDERATION

Principle of development

This is a slight readjustment of timing that permits the 25 years to operate from the point of connection to the national grid, involving a relatively non-controversial site permitted by Area East Committee. As such, and in support of renewable energy there is support in principle.

Landscape character and Visual Appearance

There is limited impact on the character and appearance of the area by adjusting the 25 years to operate from the point of connecting to the national grid.

Highway Safety

There are no highway safety issues involved in permitting the 25 years to run from the date of connection to the national grid.

Other Matters

The conditions attached to the original permission are adjusted to reflect the subsequent details submitted and agreed as part of the discharge of conditions.

RECOMMENDATION

Approve

01. The proposal is considered reasonable, accepting the change in date for the commencement of the 25 years to run from the date of connection to the national grid without adversely affect landscape character, in accordance with the aims and objectives of Policy SD1, EQ1 and EQ2 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 17 November 2015.

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:

1088-0200- 01 Issue 01
1171-0201- 01 Issue 011
1171-0204- 00 Issue 01
1171-0205- 04 Issue 01
1171-0903- 05 Issue 01
1171-0206- 15 Issue 01
1171-0207- 16 Issue 01
1171-0207- 40 Issue 01
1171-0208- 10 Issue 01
1171-0208- 54 Issue 01
1171-0208- 71 Issue 01,
694-03H, received 23 July 2015.

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

03. Landscape and Ecology Management Plan detailing measures and management of the site for the benefit of biodiversity shall accord with the details of the Discharge of conditions ref: 15/05612/DOC as agreed in the LPA's letter dated 16 March 2016.

Reason: For the enhancement of biodiversity in accordance with NPPF.

04. 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.

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

05. The construction access and contractors' parking/compound area shall accord with the detailed scheme submitted under the discharge of conditions ref: 15/05612/DOC and as agreed in the LPA's letter of the 16 March 2016.

Reason: In the interests of highway safety further to policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

06. The proposal shall accord with the Construction Environmental Management Plan submitted as part of the discharge of conditions application ref: 15/05612/DOC and agreed in writing by the LPA's letter of the 16 March 2016.

Reason: In the interests of highway safety further to policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

07. Any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site. This shall accord with the detailed survey submitted as part of the discharge of conditions ref: 15/05612/DOC and as accepted in the LPA's letter dated 16 March 2016.

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

08. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, whose details shall accord with those submitted as part of the discharge of conditions ref: 15/05612/DOC and agreed in the LPA's letter dated 16 March 2016.

Reason: In the interests of highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

09. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.

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

10. The landscape planting scheme shall accord with drawing number 694-03R accepted in the LPA's letter of 9 December 2016 in response to the discharge of conditions ref: 16/04958/DOC. The scheme shall be implemented in the first planting season following the completion of the development. Any trees or plant that 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 and landscape character further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

11. Colour tones of all associated structures shall accord with the details given in the applicant's letter of the 20 October 2015.

Reason: In the interests of visual amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

12. The access arrangements off Tinkers Lane required during the temporary construction period shall be removed and the simple field access reinstated on completion of the solar array development hereby permitted.

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

13. The recommendations under 7.69 to 7.74 of Planning and environmental report shall be undertaken as part of the planning permission.

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

14. The applicant, or their agents or successors in title, must implement and complete the programme of archaeological work in accordance with the submitted written scheme of investigation which has been approved by the local planning authority.

Reason: In the interests of the site's archaeology in accordance with Policy EQ3 of the South Somerset Local Plan 2006- 2028.
