

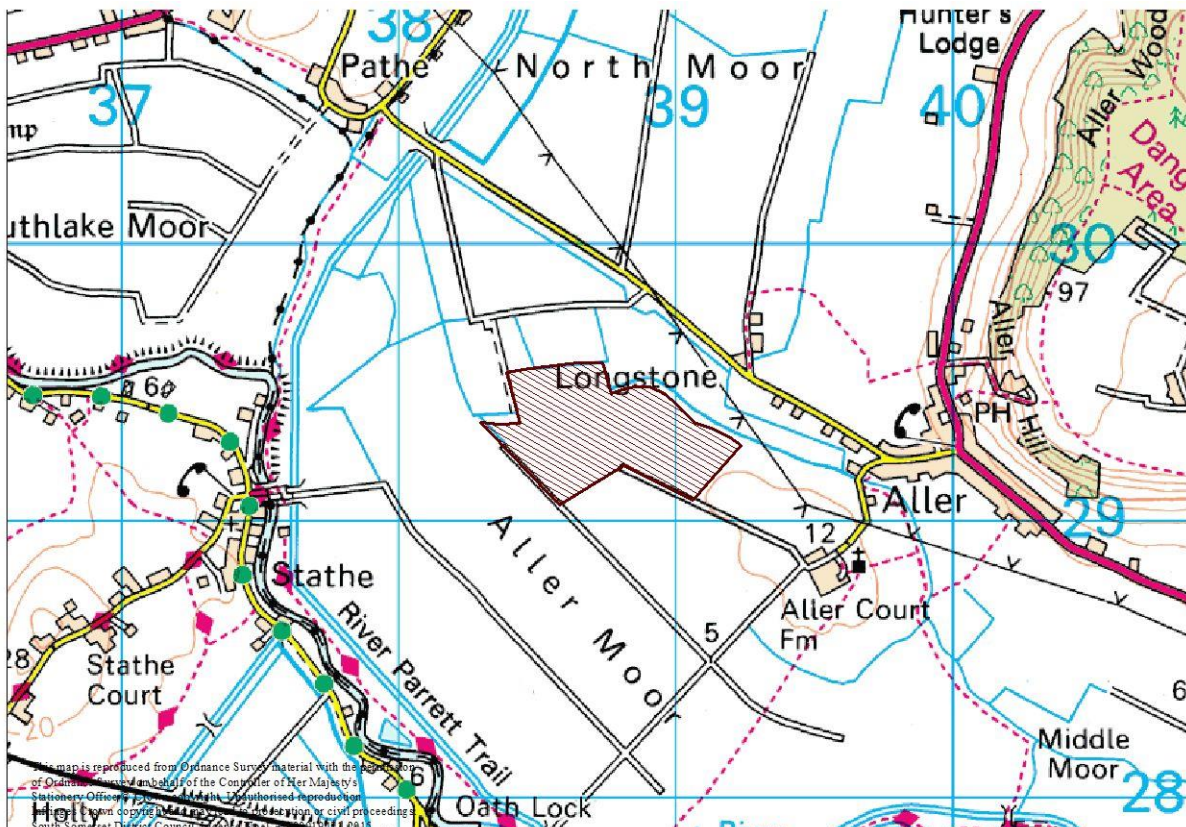
Officer Report On Planning Application: 14/04300/FUL

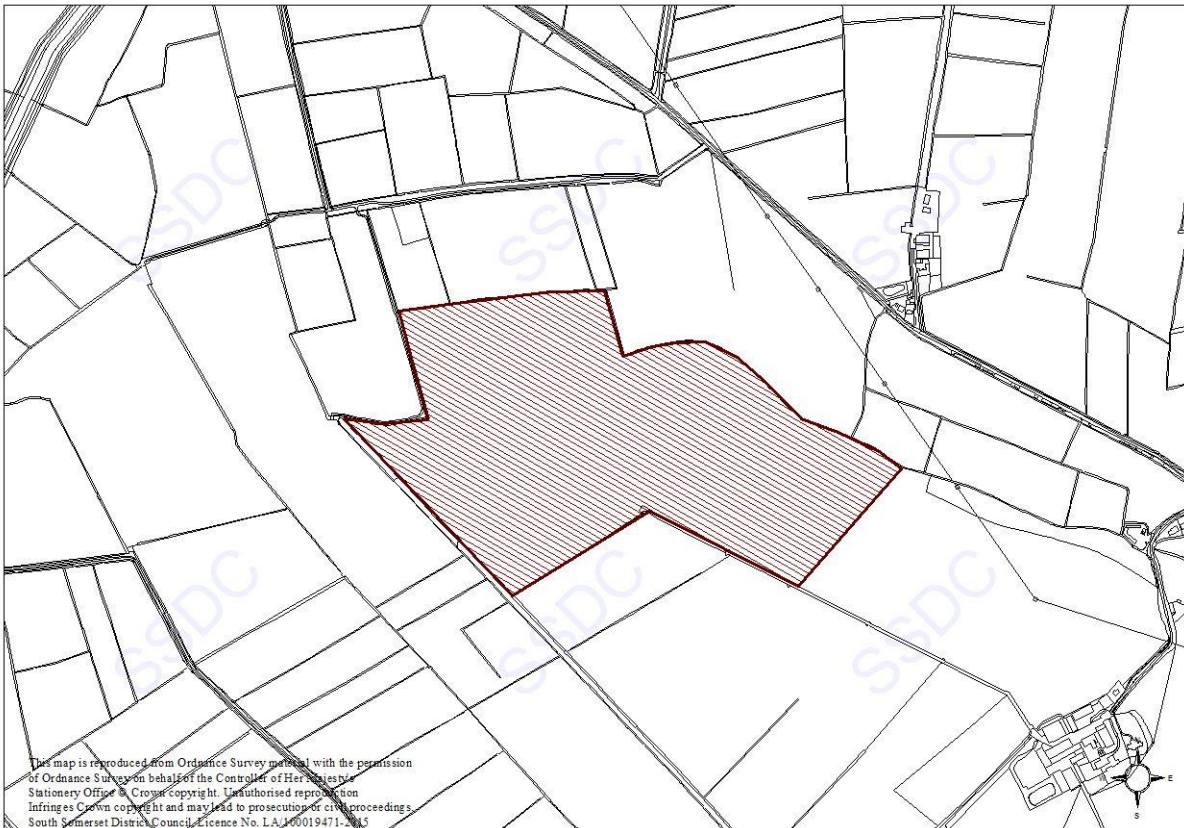
Proposal :	Proposed solar park comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks, ancillary equipment and ecological mitigation measure (GR:338682/129341)
Site Address:	Land At Aller Court Farm, Church Path, Aller.
Parish:	Aller
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	22nd December 2014
Applicant :	Aller Court Farm Solar Park Ltd And Andrew Maltby
Agent: (no agent if blank)	Mr Adrian Hunter, The Landmark Practice, Hope Chapel House, Hope Chapel Hill, Bristol BS8 4ND
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is a 'major major' development and recommended for approval and as such is required to be referred to committee under the scheme of delegation.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a 17 MW solar farm to generate electricity to feed into the national grid over a 25-year period, after which time the infrastructure will be removed and the land restored.

The scheme seeks to erect photovoltaic panels to be mounted on metal posts driven into the ground with an overall height of 2.4m and arranged into rows aligned in a west to east direction. The ground beneath will be left to grass over to allow the land to be grazed. Other associated infrastructure includes 8 inverter stations (approximately 3.0m high), sub-station and 6m high security cameras. The solar park will be enclosed by a 2m high weld mesh security fence.

The application site comprises 26.7 hectares of agricultural land, of which approximately 20% is grade 3a (best and most versatile agricultural land) with the remaining 80% being of lower quality grade 3b land. The site occupies a low moorland position a short distance to the west of Aller village and is accessed via Church Path an unclassified road which leads into Aller Drove and the Langport road A372. The section of Church Path that gives direct access to the site is a narrow, single track road which also gives access to Aller Church, the village recreation ground, landowner's farm and several residential properties.

There are a number of historic cropmarks which are designated as sites of archaeological interest within the site area. Other heritage assets in the area that could be impacted by the proposed development include:

- St Andrews Church, Aller, listed as Grade II*;
- Aller Court Farm, grade II listed;
- Scheduled Monument known as Duck Decoy on Middle Moor located approximately 850m to the southeast; and
- Scheduled Monument known as Burrow Mump, a motte castle, later chapel and

associated earthworks located approximately 2.5km to the northwest.

There are no public rights of way directly affected by the proposed development. The River Parrett Trail passes approximately 900m to the northwest to the southwest of the site. Other public footpaths in the area include paths to the south / east of Aller church and the footpaths leading up to and across Aller hill to the east.

The site does not sit within any areas of special nature designation but is near to the following:

- Kings Sedgemoor a designated Ramsar site and a Special Protection Area (SPA) approximately 1.2km to the north;
- Somerset Levels National Nature Reserves approximately 1.2km to the north and northwest;
- Sites of Special Scientific Interest (SSSI) at Kings Sedgemoor and Southlake Moor;
- RSPB consultation zone which curves around the site to the north, west, south and southeast; and
- County Wildlife Sites of Aller Drove Rhynes to the northeast and Aller Moor to the west.

The northwest portion of the site is located within flood zones 2 and 3.

The application is supported by:

- Planning Supporting Statement;
- Site Selection and Justification Report;
- Agricultural Land Classification Report;
- Glint and Glare Study;
- Landscape and Visual Impact Assessment (LVIA);
- Construction Traffic Management Plan (CTMP);
- Heritage Setting Assessment;
- Flood Risk Assessment; and
- Ecological Impact Assessment

RELEVANT HISTORY

14/02923/ELS: Installation of overhead electricity line. Permitted.

13/02177/EIASS: Request for screening opinion for a 65 acre solar farm. 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

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ7 – Pollution Control

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 4 – Promoting sustainable transport

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

Part 12 - Conserving and enhancing the historic environment

Technical Guidance to the National Planning Policy Framework - Flood Risk

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.

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, March 2013)

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.

Other Material Considerations

South Somerset Sustainable Community Strategy:

Goal 1 - Safe and Inclusive

Goal 3 - Healthy Environments

Goal 4 - Quality Public Services

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

Goal 10 - Energy

Goal 11 - Environment

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

CONSULTATIONS

Aller Parish Council: *Later comments in respect of revised scheme* – The PC does not support the application.

The development would be inappropriate in its size in relation to its setting and in relation to the village of Aller, the adjacent heritage assets and the form, character and setting of the moors landscape in which it would site. The reduction in the footprint of the panels on the site would not reduce the visual impact significantly.

Concerned with aspects of the Construction Management Plan;

- the plan omits a section of Church Path;
- Church Path is a narrow single track road that passes a recreation field used by children and families and is also the route to St Andrews Church and the parish cemetery. There is no footpath alongside the recreation field and consequently pedestrians use the road. ;
- The plan takes no account of events such as weddings or funerals;
- The plan states that the 120 people working on site will combine vehicles but makes no reference to how this will be achieved;
- The periods of no deliveries are stated inconsistently in the plan but were confirmed by the developer as 07.45-09.15 and 16.45-18.15. School buses arrive between 15.30 and 15.45 when children will be walking on the route during a time when it is proposed to have heavy vehicles using the route;
- The route for construction traffic passes Huish Episcopi School rather than the HGV route from Long Sutton to Langport via Tengore Lane; and
- The plan takes no account of the closure of the A372 at Beer Wall which is expected between April and June 2015. During past closures of this road there has been a significant increase in traffic using Aller Drove which meets the planned route to the site at Church Path.

Initial comments - Whilst the principle of solar generation as appropriate and beneficial to farm businesses is accepted we are concerned about the size and location of the proposed installation. It is our view that it does not respect the form and character of its setting in the landscape and that this outweighs any benefit the development might have.

High Ham Parish Council (adjacent parish): *Latest comments* – The Parish Council stand by their original comments and feel that the revised plan is still far too large and therefore object on the grounds of visual dominance to the surrounding landscape and the mass of the

site being too great, dominating and out of keeping with the size of the settlements making the site overbearing.

Comments in respect to the initial submission - Recommends refusal for the following reasons:

- Cumulative impact – a number of solar farms are beginning to emerge in the area around High Ham, some of these have already changed the beautiful rural landscape in a very adverse fashion. We understand the need for sustainable energy generation however they need to be located in the right place and compliant with local and national guidelines. This is not such an example.
- We share the concerns raised by Aller residents, the scale of these objections should be taken seriously.

Huish Episcopi Parish Council (adjacent parish): No comments received.

Curry Rivel Parish Council (adjacent parish): No comments received.

Othery Parish Council (adjacent parish): The PC have concerns that it is being built in an area which floods, the possible use of pylons to conduct the electricity away and the reflection from the panels.

Burrowbridge Parish Council (adjoining parish): Object. The solar park will be a blot on the landscape. The visual impact from Stathe, Burrow Mump and the Parrett Trail would be immense. The area is part of the unique Somerset Levels and Moors, an unspoilt area of wetlands bordered by ancient woodlands and sites of historic interest. Many tourists visit the area to walk and it is of particular interest to birdwatchers.

Sedgemoor District Council: The site is within an area of low lying land and would be visible from a number of higher vantage points further afield within South Somerset District. It is inevitable that a commercial solar farm of this scale will have some visual impact and that it will be visible within the landscape from various vantage points and it is important to assess the proposal from further afield depending on the topography of the land.

In terms of the potential impact that the solar farm would have on the Sedgemoor District, generally views of the site are confined to the local area and are within close proximity to the site and only from a few publicly accessible viewpoints, including quiet lanes, public footpaths and the more distant views. It is likely to be visible from a small number of properties located towards the south-eastern side of Othery and careful consideration will need to be given to the landscaping to provide appropriate mitigation.

Taunton Deane Borough Council: Raise no comments as it would not have significant visual impact on this authority's area but may have significant visual impacts on some of the local residents in the area. We ask that the following aspects are considered during the determination of the application; potential visual impact to residents; scale of the proposal; potential visual impact for users of the Parrett Trail; potential archaeological and cultural remains / interest; required mitigation given the large scale; impacts on birdlife and wildlife due to proximity to Ramsar and SPA sites.

MOD: No safeguarding objections

Environmental Protection: No objection. Solar parks by their nature are not known for producing excessive noise, any noise tends to be produced by cooling fans installed to cool the inverters. The design of the site has placed the inverters within the site so as to increase

the distance from any residential property, it is extremely doubtful that noise will be an issue. What may be more problematic is the construction stage in relation to noise, dust, mud etc. I would suggest a condition to secure a construction environmental management plan to reduce the effects of any noise, vibration, dust and lighting.

County Highways: *Comments in response to local concerns in relation to HGV access along Church Path and the Beer Wall road closure* – Confirmed that he is satisfied that access along Church Path by the proposed HGV traffic is achievable and noted that its use by large farm vehicles supports this view. Accepted that there may be a small amount of overhanging the verge but that the wheels should remain within the carriageway and that it is not possible to object on these grounds.

The closure of the A372 will reduce the traffic on this section of the road however could create problems for traffic accessing the site.

HGV movements will be as per the CTMP and will approach from the A303 via the A372, as such the road closure at Beer Wall will not disrupt access to the site by construction traffic. It is not possible to restrict the activities of the developer during the road closure, it will be for contractors to make the necessary arrangements to cope with any detours caused by the closure. Aller Drove is subject to a weight restriction and so HGV traffic will not be able to utilise it for access. Delivery times are already kept away from peak times so there is no reason to believe that the deliveries will interfere with the flow of traffic on Aller Drove.

Initial comments - No objection subject to any permission including the following conditions:

- A construction traffic management plan providing details on the delivery of the PV panels and equipment to the site, specifically identifying the access routes;
- Provision of suitable visibility splays;
- Condition survey of the existing public highway;
- Provision of a parking plan for the site and site compound.

The solar farm is expected to be constructed over an 18 week period. Access to the site during construction will be gained from Church Path, via the A372 which is proposed to be the primary access route. Vehicles are expected to join the A372 from the A303. With the exception of construction traffic the site is not expected to generate daily traffic movements.

The CTMP identifies that the site will generate in the region of 13 HGV trips a week on average, over a 18 week period and between 2-3 daily trips, this level of traffic does not raise capacity concerns. Deliveries would be restricted to arrive and depart between 07:00 – 19:00 Monday to Friday and 07:00 – 13:00 on a Saturday. The CMP sets out that no deliveries will be made during network peak hours of 07:45 -09:15 and 16:45 and 18:15 to minimise impact on the highway network.

During the construction period there are expected to be in the region of 120 staff on site at any one time. Information with regard to where they will be travelling from and in how many vehicles they will arrive in, is not included within the CTMP. It is expected that the construction staff will arrive in shared vehicles and mini buses limiting the number of private vehicle trips accessing the site. Vehicle parking for site workers will be located on-site in a designated area.

Two holding areas are to be located at Laybys on the A303, to ensure deliveries do not arrive before designated delivery slots or at the same time as another delivery.

Church Path is considered to have an adequate level of forward visibility. Dedicated

banksmen are to be provided when required along narrow sections of Church Path to manage two way traffic and ensure highway safety during the construction period, this will also be conditioned as part of the CTMP. Banksmen are proposed to be positioned at the site access to ensure delivery vehicles are not entering and exiting the site at the same time.

A site visit confirmed that the visibility from is considered suitable and does not raise highway safety concerns. It is noted that traffic approaching Church Path Will need to do so from the south due to access arrangement with the A372 Junction, appropriate signing and routing information will need to be provided and conditioned as part of the CTMP. To ensure traffic travels to site in the appropriate direction.

Access to the site will be gained via the existing farm track, which is to be upgraded to provide suitable visibility and width to facilitate safe access to and from the site. Visibility splays of 2.4m x 120 meters as set out in DMRB should be provided in line with the County Highways requirement. Tracking of the largest vehicles proposed to access the site should be provided within the CTMP to ensure that such vehicles can safely access the site. The access will be required to provide sufficient width and radii to enable delivery vehicles to pass in the event of meeting and therefore reduce the likelihood of manoeuvring of the highway and to accommodate the proposed construction traffic.

SSDC Highway Consultant: I do not disagree with the conclusions reached by SCC. It would be essential for the applicant to carry out the necessary mitigation works to the highway verge (under licence or legal agreement with SCC). Also, however, in addition to implementing any measures set out in the CTMP, I would recommend that the applicant is requested to carry out a video survey of the approach road to the site from the A372 with an officer from SCC prior to the commencement of the works and then for a similar survey to be undertaken post construction. If any damage has been caused to the highway verges, roadside boundaries, raised footway, etc., that can be directly attributable to the solar farm construction traffic, then the applicant must be obligated to undertake any remedial works to the satisfaction of the highway authority. This requirement should be within the CTMP and suitably conditioned.

Environment Agency: *Later comments in reference to revisions made to section 3.3.3 of the FRA* – We welcome these revisions and have no further comments to make over and above those raised in our previous response.

Initial comments - No objection subject to the LPA confirming that the sequential test has been passed and the inclusion of the following conditions:

- No permanent raising of ground levels in the flood zones and details of a compensation scheme for any new buildings in the flood zones; and
- No development within 8 metres of the top of bank of any river or ditch.

Whilst we accept the principle that volumes of surface water will not be significantly increased by the development, there is the potential for drainage patterns and concentrations to be adversely impacted. We support the suggestion of the Internal Drainage Board to include some scrape and swales across the site to assist with any localised change in surface water run-off.

Somerset Drainage Board: No objection, however, there are some concerns relating to access and maintenance of the various watercourses abutting the site which need to be addressed. One of these watercourses is Oxleaze Drove Rhyne which is a designated main river and comes under the jurisdiction of the EA who should therefore be consulted. The Board acknowledges that the development does not present a significant flood risk but

requests that a condition be imposed to secure detailed surface water drainage and watercourse proposals.

Lead Local Flood Authority (SCC): Supports EA and Internal Drainage Board comments.

SSDC Engineers: In my opinion this site is not suited to the installation of a solar farm.

Much of the site is at risk of flooding (fluvial and tidal) – this is identified on the EA's flood risk mapping and is supported by historical evidence, the most recent being winter 2013/14. This is also confirmed in the submitted flood risk assessment and other information where site ground levels are shown to range from about 5.00m above sea level to about 6.50. The FRA indicates flood levels in the 100year fluvial event as being 7.58m i.e. depth of flooding ranging up to about 2.5m (a figure of 2.3m is quoted on page 14 of the FRA).

With top height of the solar panels being 2.4m above ground level it is therefore obvious that at times many of these will be totally submerged along with the 'inverter stations' and other systems. I would suggest therefore at this time the panels will cease to function and I don't know what other damage may occur to the electrical systems both locally and further afield. After flood waters have receded (potentially several weeks) the panels will be coated in a layer of silt so will presumably remain inoperative until this is dealt with.

I accept to a degree that the presence of the solar panels will probably not increase risk of flooding elsewhere by a significant amount other than by the physical volume of water that will be displaced by the volume of the panels themselves.

One other aspect of this proposal may be restrictions in access to the nearby watercourses for maintenance purposes. I'm not sure that this aspect has been taken into account. The site is within the Drainage Board's area so they will obviously need to be consulted along with the Environment Agency of course and I would be interested to hear their views.

Climate Change Officer: No objections. The UK has a target to meet 20% of energy needs from renewables by 2020, currently the capacity of installed and permitted renewable electricity installations in the district generates only 10.6% of the district's annual electricity needs. The proposed array will make a significant impact on reducing carbon dioxide emissions.

The site is very suitable due to its close proximity to Langport so grid losses will be minimised. The development will generate electricity equivalent to that used by 3500 households over a year, this roughly equates to the 3487 households that make up the surrounding parishes of Langport, Huish Episcopi, Aller, High Ham, Curry Rivel, Long Sutton and Muchelney. I note the site flooded in 2013/14 and perhaps calls into question the sites value as agricultural land whereas its use for electricity generation can be accommodated within the flood plain.

Archaeology: Recommends that the developer be required to archaeologically excavate the archaeological heritage asset that is known to be on site and to report on any discoveries made, this should be secured by the use of model condition 55 which requires the developer to carry out a programme of archaeological works prior to the development commencing.

Historic England: No objections. The application site lies in close proximity to a number of sensitive, highly graded heritage assets, these comprise:

- St Andrews Church, Aller, listed as Grade II*;
- Scheduled Monument (SM) known as Duck Decoy on Middle Moor; and

- Scheduled Monument (SM) known as Burrow Mump, a motte castle, later chapel and associated earthworks.

The application may result in changes to the settings of these assets. We have engaged with the applicants and offered advice on this assessment and mitigation of potential impacts to the historic environment. Our advice in this matter has been followed positively. We have closely examined the submitted documentation and undertaken an extensive site visit and note that the Heritage Setting Assessment accords with our guidance of 2011 (The Setting of Heritage Assets) and that offered in paragraphs 13 and 17 of the DCLG Planning Practice Guide 'Conserving and enhancing the historic environment'.

In our view the proposal will not result in impacts to the setting (and thereby the significance of) the grade II* listed church of St Andrews or the Duck Decoy (SM).

It is our opinion that the proposals would result in an impact to the setting of Burrow Mump, however, the impact is not of a scale or intensity that we would wish to raise an objection to on this occasion. In this context we note the small proportion of the field of view from Burrow Mump impacted by the proposal, the distance between the SM and the site (circa 3km) and the relatively small scale of the site when viewed from the SM.

Conservation: I have been kept informed of the views of the Council's Landscape Architect, and those of Historic England (previously English Heritage). I have no reasons to disagree with their views.

National Trust (NT): We have concerns about the proposed solar farm which would be a significant greenfield development in a sensitive landscape.

The NT owns Burrow Mump, a scheduled ancient monument (SAM) with a grade II listed ruined church on top, the Trust also owns parts of Turn Hill and Red Hill to the north and south of the application site. The proposal is around 2.7km from Burrow Mump, which is around 24m high above the Levels, from where the land then rises slightly towards the application site. The solar farm could potentially be more visible in the landscape than indicated on the applicant's photograph VP11, which shows the solar farm after the planting has taken effect to screen it (which would take some 5-7 years to establish). The angular nature and commercial scale of the solar arrays may be more apparent to visitors walking up Burrow Mump than is currently envisaged and as that the Council carefully considers its impact on the views and setting of this heritage asset. It is not clear whether the liability of the site to flooding would affect the establishment of the planting.

From Turn Hill the mapping suggests the solar would not be visible. From Red Hill there would be glimpsed views in between the trees (or more extensive views in winter). It would be even more apparent looking down from Aller Hill (not NT land).

We also ask that the Council consider the loss of grade 3a agricultural land.

Campaign for the Protection of Rural England (CPRE): Question the agricultural land classification. There is an indication from Natural England that about 40% of the Aller site is grade 2 with the rest being grade 3 (whether 3a or 3b is not clear) which contradicts that stated in the applicant's agricultural land assessment which concludes that 20% is grade 3a with the remainder being of grade 3b. There is information of an anecdotal nature that local people regard the site as being on the best arable land in the neighbourhood.

No consideration has been given to other solar farms that lie outside the study area (i.e. within 2.5km radius of the grid connection). There is an application for a solar park in

Taunton Deane at Stathe and permission has been granted for a solar installation at Helland, North Curry.

RSPB: The proposed solar park lies close to the Somerset Levels & Moors SPA and Ramsar site, a wetland of international importance during winter. Although there is some data on use of the proposed site by SPA waterbirds there is no evidence that flyover activity has been monitored. We know that SPA waterbird movement across the levels is substantial in winter when birds range widely between their favoured roost sites and suitable feeding areas. For this reason we would seek a condition of any planning consent requiring a post-construction monitoring and mitigation plan (MMP) to be agreed by the LPA on the advice of ourselves. This should run for at least three years to allow any potential risks to the SPA waterbird assemblage to be assessed.

Since 2009 the landowner and the RSPB have worked together to provide feeding areas for a reintroduced population of European Cranes on Aller Moor. This has been a very positive relationship and we are satisfied that the proposal is unlikely to significantly impact cranes although we do seek reassurance that any overhead cabling is made sufficiently visible to cranes and waterbirds and advise the cabling is encased in an aluminium sheath as employed elsewhere on Aller Moor, or the use of bird deflectors. Any cabling must not be obscured by planting but should be clearly visible to flying birds. These measures should be secured through a condition.

Natural England: The site is in close proximity to the Somerset Levels and Moors Special Protection Area (SPA) which is a European site and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010. The site is also listed as Somerset Levels and Moors Ramsar site and notified at a national level as West Sedgemoor Site of Special Scientific Interest (SSSI), Southlake SSSI and Kings Sedgemoor SSSI.

In considering the European site interest, NE advises that the LPA have regard to any potential impact that a plan or project may have. The conservation objectives for each European site explain how the site should be restored and / or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The LPA must demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered. Should the LPA be minded to approve the application we support the advice offered by the RSPB regarding the use of a planning condition to enforce the implementation of a post-construction monitoring and mitigation plan.

When recording your Habitats Regulation Assessment (HRA) we recommend you refer to the information in the Ecological Impact Assessment (September 2014) to justify your conclusions regarding the likelihood of significant effects and comments received from the RSPB.

Proposed mitigation – The ecological report acknowledges that mitigation through tree planting may be a problem for ground-nesting birds but does not appear to address this issue. Also, in an open landscape such as this tree-planting will not always be an appropriate form of landscape mitigation. It is important that mitigation (and enhancement) measures are based on a full consideration of wildlife and landscape interests.

Landscape – The proposal is in an area of distinctive local landscape. The LPA is reminded that all proposal should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

Protected species – please apply our standing advice to this application.

Biodiversity enhancements – There may be opportunities to incorporate features into the design which are beneficial to wildlife. The authority should consider securing measures to enhance the biodiversity of the site, in accordance with paragraph 118 of the NPPF.

Other advice – The LPA should consider impacts on local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species.

Ecology: No objection subject to any approval including the following conditions:

- Submission of post-construction monitoring and mitigation plan for impacts to birds;
- Submission of details to be applied to overhead line to minimise risk of harm of collision by birds;
- Construction Environmental Management Plan to include wildlife protection measures; and
- Submission and implementation of measures for the enhancement of biodiversity.

In accordance with the requirements of the Habitats Regulations 2010 I have carried out a 'Test of Likely Significant Effects', which concludes that there are unlikely to be significant detrimental effects upon the quality features of the Somerset Levels and Moors Special Protection Area.

The application site is close to (680 metres south east of), and lies between, several distinct Sites of Special Scientific Interest (SSSI's) that are part of the European designation of 'Special Protection Area' (SPA) and the international designation of 'RAMSAR' site due to being a wetland of international importance. These designations (SPA and RAMSAR cover an identical area) apply to a number of sites across the larger Somerset Levels and Moors landscape area.

The main qualifying interest features of the SPA and RAMSAR are large numbers of overwintering waterfowl (various species of duck, swan and wading birds) and a rich and diverse assemblage of aquatic insects and other invertebrates, including rare species, associated with the network of rhynes (drainage ditches). Cranes have been reintroduced into the area recently through the Great Crane Project.

The application site itself is not subject to any statutory designations (such as those above) nor any non-statutory designations (County/Local Wildlife Sites). Aller Moor Local Wildlife Site lies adjacent to the application site, and similar to the statutory designations, is designated for its wintering bird interest and network of species-rich rhynes.

Although the application site isn't subject to any designations, it is at the edge of the Somerset Levels and Moors, and hence could potentially be used by, or the solar panels could potentially have an effect upon, species associated with the designated sites. The Ecological Impact Assessment includes specific surveys to inform an assessment of these potential effects.

I agree with the consultant's assessment that the site is of no more than 'Local' value for birds and conclude that the change of habitat from arable to solar park is unlikely to represent a significant loss of habitat for wintering birds. I am not aware of any significant evidence of harm to birds from large scale solar parks however I note and agree with the RSPB's comments with regard to the possible lack of monitoring with regard to the possible

collision risk in respect of the proposal. Hence a condition to secure a post-construction monitoring and mitigation plan in respect of the impact to birds.

I agree that the proposed tree planting could provide increased perching opportunities for predatory birds which could in turn have a negative impact upon ground nesting species, I consider the low numbers of ground nesting birds and relatively small increase in trees makes it unlikely that the magnitude of this effect would be particularly significant.

There is no evidence to suggest that the solar panels will have a detrimental impact through the process of polarotaxis upon aquatic insects of conservation importance that are present in the surrounding ditches.

I disagree with the Somerset Wildlife Trust recommendation for refusal based on badger activity on the site. Badgers will still be permitted access to the site through gaps in the boundary fence. The change from arable to grassland is likely to improve worm numbers and foraging for badgers. The proposal includes an appropriate buffer zone around the badger setts.

I agree that the proposal is unlikely to give rise to any significant detrimental effects to legally protected species (bats, dormice, brown hare, reptiles, otters, water voles).

Somerset Wildlife Trust: Object. The location is very close to a number of significant wildlife and other environmental sites. The presence of badgers on the site is also very significant and there is extensive badger and activity within the site. The report highlights the presence of a range of important bird species which use the site including skylarks, lapwings and great cranes. The ecological report indicates that various features on the site are of local and / or regional significance. The Wildlife Trust is not opposed in principle to solar farms, particularly where they are constructed on intensively farmed agricultural land where there is little wildlife, however, we feel that this site is not an appropriate location for this development.

Landscape Officer: *Latest comments responding to revised details:*

“A revised layout is now before us. From the plans I note;

- (a) A reduction in the site area of the array;
- (b) Greater separation of the array from the west edge of Aller;
- (c) The mass of the array is now broken by a central hedgerow and associated open space, to lessen the visual mass, and better tie the site into the wider landscape pattern;
- (d) Additional copse planting is intended to intervene in lower trajectory views from Aller, and;
- (e) Panels have been removed from the most elevated part of the site.

I have previously noted both positive and negative elements of the proposal, and that the landscape view is finely balanced. As stated before, whilst the scale of the proposal is not at variance with the moor's breadth, it is the character impact of a PV installation upon an open; undeveloped tract of low-laying land, where farm- and water- management over the years has created a landscape that is distinctive, which will be both incongruous and adverse, and thus provides grounds for objection, LP policy ST5 para 4. However, Government guidance concerns itself primarily with visibility, and in this respect, the site does not have a high visual profile, other than in relation to specific properties in Aller, and a short length of the hilltop footpath. The changes to the layout now indicated by the revised plan, further reduce the visual impact both before planting mitigation, moreso after 5 years growth.

Clearly, an array in this location will bring about change, and landscape and visual impact will occur. To that end, local plan policies supporting the conservation and enhancement of landscape character in the face of landscape impact could be called upon to refuse this proposal. However, I am also mindful that despite some dilution of its views on PV, government guidance remains heavily weighted in favour of renewables, with heritage and visibility the prime concerns. Given the positive amendments of the scheme now before us, and its reduced visual profile, then from a landscape standpoint, I am not persuaded that the overall landscape impacts are so significantly adverse, as to provide an over-riding landscape case for refusal.”

Full initial comments to be found in Annex A at the end of this report. The following is a summarised version of the Landscape Officer’s comments in response to the initial submission:

Recent appeal decisions relating to PV arrays within the district have placed the emphasis upon containment of the visual profile of the solar sites when positively determining the appeals. Consequently I consider that the prime landscape concerns will be;

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

Looking at the application overall, it is clear that there are both positive and negative elements to the proposal. Whilst the scale of the proposal is not at variance with the Moor’s breadth, it is the character impact of a PV installation upon an open undeveloped tract of low-lying land, where the drainage and farm management has created a landscape that is nationally renowned, which will be both incongruous and adverse. However, Government guidance has concerned itself primarily with visibility and in this respect the site does not have a high profile other than in relation to dwellings on raised ground at Aller’s north edge on the sides of Aller Hill and along Aller Drove where a substantive visual impact will occur.

National planning guidance remains weighted in favour of renewables, and LPAs have been urged to approve renewable energy schemes providing impacts can be made acceptable. This proposal clearly will have adverse landscape-character and local visual impact, but this is finely-balanced in relation to the national planning weight favouring renewables. However, there have recently been government changes to solar strategy, where;

- (a) a ministerial letter from the DECC to LPAs in relation to the UK Solar Strategy (Nov 2013) emphasised that “Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them”;
- (b) The updated Renewable & low carbon energy PPG of March 2014 emphasised that in relation to ‘solar farms’, visual impact is a particular factor for consideration. It changed para 13 of the PPG, to encourage large-scale solar farms on ‘non-agricultural land’ as well as previously developed land, and;
- (c) A DECC letter to LPAs April 2014 relating to the UK Solar PV Strategy Part 2 stated the main message to be a focus of growth of solar PV in the UK on domestic and commercial roof space and on previously-used land. Whilst it states there remains a place for larger-scale field-based solar, such new solar installations are to be sensitively placed.

With this shift of emphasis, I believe that the local landscape impacts can now be given sufficient weight to tell against this application. From a landscape standpoint, the proposal clearly does not respect the 'form, character and setting' of the moors landscape, contrary to the requirements of LP policy ST5 para 4, neither in its current form does it satisfy LP policy EC3. There may be scope for a reduction in the scale of the array, to draw it further from Aller's edge, but this would need to be a substantial reduction, and with further and substantive planting mitigation.

Western Power Distribution: Confirmed that there are currently widespread grid capacity concerns. In respect of large scale renewable schemes where grid connection has not yet been secured by the developer then there is a 3-6 year waiting list before a connection offer is likely to be agreed. As far as the Aller Court Farm site is concerned a grid connection has already been secured and will remain available to the developer to take up whilst they are actively pursuing planning consent for the site. If the developer gives up their interest in pursuing planning consent on this site or wish to pursue another site then their grid connection offer will no longer be valid.

REPRESENTATIONS

Approximately 240 written representations have been received from members of the public raising a variety of objections and concerns including:

Principle

- Contrary to paragraph 98 of the NPPF.
- The need for renewables does not automatically override environmental protections;
- the scheme does not accord with SSDC's own guidelines for large scale solar arrays;
- Harm to local tourism.
- The place for solar panels is on roofs not on sites like Aller Moor.
- Loss of the best and most versatile land to agriculture.
- The land has previously been extensively drained and benefits from a pumping system makes the land more fertile and capable of producing high quality arable crops. To reverse this situation with a solar installation is controversial and would make the farm unviable in the future.
- The NFU's letter appears to offer an opposite view to the NFU's recent statement that the most productive land should be used to produce food.
- This is an inefficient use of agricultural land over a long period of time.
- There is no compelling evidence to support this project.
- This is a massive project that only brings negative benefits to the local community.
- If approved this will set a precedent for other similar developments in the area.
- Solar panels are not so green and have a carbon footprint 4.5 times greater than that of nuclear power and 11 times that of wind.

Visual amenity

- Harm to landscape character of this special and unique area.
- Cumulative impact. There are already a number of solar farms in the locality – one at Nythe near Pedwell, permission has been granted for one at Tengore Lane, Somerton, another at Somerton Door and one at Stathe. There may be more in the pipeline.
- The reduction in site area makes no credible difference to the visual impact of the proposal. The number of overall panels has not changed and are presumably more condensed as a result.

- This will be a visual blight on the landscape.
- The size and scale will be totally disproportionate to the size of Aller. It will overshadow the village and dominate the landscape.
- This amounts to the industrialisation of the countryside.
- The site will be visible from many important public viewpoints – Burrown Mump, Red Hill, Turn Hill, the public right of way on Aller Hill, Aller Woods, Beer Woods (SSSI), Burton Pinsent Monument, Aller Drove, Little Hook Drove and Aller Drove bridge.
- Revisions to section 3.3.3 of the FRA show that some of the equipment including some inverters situated within flood zones 2 and 3 will have to be set at an elevation of 2.7m above ground level. This will have significant landscape impacts and affect any landscape mitigation required.
- There are numerous alternative sites that could be used that would have less impact on the environment.
- The site is on raised ground and is impossible to screen, it will be visible from many local areas of high ground. The planting in winter will particularly have little effect.
- The planting of more trees is not in keeping with the open landscape of the Levels and Moors and will not provide screening for many years.
- The solar farm could not possibly be construed as an unusual crop or water.
- The proposed diagonal line of trees across the solar farm will be totally incongruous with the medieval grid pattern of the levels.

Residential amenity

- Noise and disturbance during construction.
- Noise resulting from the humming of the electrical equipment as well as wind noise in the structures.
- Fumes from the construction traffic.
- Harm to views from our property.
- Construction hours are far too long and will cause huge disruption and disturbance to local residents.

Glint and glare

- the glint and glare report does not include the majority of properties in Stathe. They have only used the lowest lying properties along Stathe Road, therefore the height measurements used are not representative. The development will not be screened to us by planting;
- the report states that properties on Aller Hill are unaffected because they are screened by trees, this is not the case;

Heritage assets:

- Could cause significant harm to the setting of the various heritage assets in the area in particular Burrow Mump, St Andrews Church at Aller and the historic farm buildings next door.
- St Andrews Church has historical importance in the development of the English Nation.
- Spoil the tranquillity of the church and cemetery.

Access and highway safety

- Access roads to and from the site are not suitable.
- Concerned that the swept path analysis for the Weir Bridge section of Church Path is inaccurate and that some of the larger delivery lorries will not be able to negotiate this section successfully and the safety implications this has for anyone walking to the church or playing field.

- The CMPT fails to provide a realistic plan to ensure safe vehicular and pedestrian access along church Path where there are no passing places or paved footway.
- The footpath over Weir Bridge is raised up above road level adding to the difficulties.
- I have seen the milk lorries struggle with the Weir Bridge bend.
- The suitability of Weir Bridge to carry large HGV's should also be investigated.
- Access from the A372 along Church Path could be more difficult than suggested due to parked cars along the sides of the road.
- Absence of parked vehicles from the CTMP.
- Site delivery times ...
- Delivery times will conflict with school children walking to the bus at 08.30.
- Insufficient / conflicting information relating to site delivery times and numbers of movements for staff vehicles.
- Potential conflict in construction traffic movements resulting from the temporary road closure at Beer Wall.
- Potential property and road damage resulting from the number of heavy vehicles passing along Church Path.
- Beggars belief that the highway authority is happy to support a route for construction traffic that goes pass Huish Episcopi Academy.
- Who will put right any damage to the roads as a result of the development?

Ecology:

- Loss of habitat.
- The area contains many sites of special ecological interest. The development would have a negative impact on these unique and valuable national assets.
- The farm is paid to manage some fields for breeding lapwings and other species. As pointed out by Natural England planting more trees that predators such as rooks and crows can use as vantage points to prey on chicks of ground nesting birds is counterproductive.
- Impact of noise and disturbance during construction to wildlife. The site is used by a wide array of wildlife.
- Loss of hunting grounds for birds of prey.
- Harm from overhead lines to flying birds.
- Concerned that the Council's Ecologist disagrees with some of the findings of Natural England and Somerset Wildlife Trust.

Other matters:

- Has there been any analysis carried out as to the long-term effects of such a large area of heavy metal regarding emissions to the atmosphere.
- Increased run-off from the site.
- The site is in an area known to flood.
- The FRA is out of date and ignores the flooding 2012, 2013 and 2014.
- Offended by the applicant's financial offer to the community. This cannot possibly compensate for the harm it will do.
- Some solar farms have resulted in serious broadband interference.
- Disruption to any funerals and other services held at Aller Church.
- Cannot guarantee local people will be employed in the development.

Five written representations have also been received from members of the public expressing support for the development:

- How do we expect to continue turning on our lights if we do not have renewable energy.

- In regard to spoiling views, no one has a right to a view.
- The site is poor quality farm land, liable to flooding, is not AONB, does not have a footpath through it, has no archaeological sites, it will not affect wildlife.
- Whilst I would prefer this to occur on brownfield land or close to a motorway at present this is not a viable option.
- The site will provide good habitat to birds and wildlife generally.

APPLICANT'S CASE

In the conclusion of the Planning Statement it is stated:

“The application demonstrates the need for development within the context set by national and local policy. It will provide a reliable energy source which is not dependent on the use of fossil fuels and contributes to both local and national renewable energy targets.

Impact avoidance and mitigation measures are embedded within the masterplan and the approach to development. These will satisfactorily address landscape, ecological, flood and drainage, archaeological and cumulative effects of development. The proposed enhancement measures will create long-term landscape and biodiversity benefits to the local area, in addition to the economic benefit of agricultural diversification during the period of operation of the solar park.

The information provided with this application demonstrates that the proposed solar park development is in accordance with planning policy at the national and local levels. It will provide a reliable energy source which is not dependent on the use of fossil fuels and contributes to both local and national renewable energy targets.”

CONSIDERATIONS

This application is seeking planning permission to erect a 17 MW solar farm to generate electricity to feed into the national grid over a 25-year period, after which time the infrastructure will be removed and the land restored.

The main considerations for this application are considered to relate to the impact it will have upon landscape character and visual amenity, ecology, residential amenity of nearby residential properties, archaeology and other heritage assets, flooding and drainage and highway safety.

Principle:

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”. In March 2013 additional supplementary guidance for large scale ground-mounted solar PV farms, paragraph 013 of National Planning Policy Guidance (NPPG) was published and accompanies the NPPF and is referred to in the policy section above.

Whilst the land is greenfield and includes some grade 3a (approximately 20% of the total site area) agricultural land it is not considered that the proposed development would result in the loss of such best and most valuable (BMV) agricultural land that a refusal on this issue alone would be justified especially given the ‘temporary’ nature of the development. In this respect

it is suggested that any permission could be subject to a temporary permission after which the land would revert to agriculture. A planning condition restricting the development to 25 years is considered 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 ceases.

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 which can be secured by condition.

The local concerns raised in regard to the methodology used to assess the quality of the agricultural land are acknowledged, however, there is no evidence to support the claim that this has not been carried out in accordance with the government's accepted methodology – as set out within the Ministry of Agriculture Fisheries and Food (MAFF) revised guidelines and criteria for Agriculture Land Classification published October 1988. Whilst the applicant's detailed findings do not entirely tally with that of Natural England's given, in NE's own words they state that their maps are intended for strategic uses and are detailed for a field by field assessment.

The matter of lack of grid capacity for solar parks such as the one proposed to feed into the national grid has also been raised. The local power operator, Western Power, has confirmed that such capacity issues are relevant to this area but that in this instance the developer has already gained their agreement for the application site to connect to the grid.

Therefore, notwithstanding these concerns the proposed development is considered to comply with the aims and objectives of the NPPF and its accompanying practice guidance and to therefore be acceptable in principle.

Landscape character and visual amenity:

The application site forms part of Aller Moor and as such occupies a low position within the wider landscape and is surrounded by agricultural farmland, much of which is subject to periodic flooding and as a consequence has an open, unfettered character with little development. The few development features that are found within the locality tending to be of domestic scale or farmsteads.

In the Landscape Officer's initial comments, which related to the scheme as initially submitted he raised a landscape objection to the proposal, stating that it did not respect the form, character and setting of the moors landscape but acknowledging that there was potential to address this concern. Following discussions between the Landscape Officer and the applicant amended plans have been submitted revising the layout of the panels removing any structures from the eastern most section of the site, which is the portion set on slightly rising ground, and the inclusion of additional planting. In the Landscape Officer's own words these amendments achieve the following:

- A reduction in the site area of the array and removal of panels from the most elevated part of the site;
- Greater separation of the array from the western edge of Aller; and
- The breaking up of the massing of the array by the inclusion of a central hedgerow and associated open space and additional copse planting to intervene any lower trajectory views from Aller.

Government guidance concerns itself primarily with visibility, and in this respect, the site does not have a high visual profile, other than in relation to specific properties in Aller, and a

short length of the hilltop footpath. The changes to the layout now indicated by the revised plan, further reduce the visual impact both before planting mitigation and moreso after 5 years growth. Clearly, an array in this location will bring about change, and landscape and visual impact will occur. To that end, local plan policies supporting the conservation and enhancement of landscape character in the face of landscape impact could be called upon to refuse this proposal. However, government guidance remains heavily weighted in favour of renewables, with heritage and visibility the prime concerns. Given the positive amendments of the scheme now before us, and its reduced visual profile, the Landscape Officer concludes that the overall impact of the proposal is not sufficiently adverse to generate an over-riding landscape objection.

Comments from the National Trust in respect of views gained from other public vantage points including Turn Hill and Red Hill to the north and south of the site, Burrow Mump to the northwest are noted as are public comments relating to views from properties in Stathe, Pathe and Othry as well as the River Parrett Trail to the west. However, such views are either so low level and interspersed by existing / proposed planting or fleeting that any visual impact is likely to be very limited.

The CPRE (Campaign for the Protection of Rural England) has queried how well the applicant has considered the cumulative impact of the development along with any other similar developments that already exist or have permission in the area. They specifically mention two solar parks that are in the Taunton Dean area, one at Stathe (Ref: 51/14/0011) and one at Helland, North Curry (Ref: 24/14/0020). The Stathe proposal, at the time of writing this report, had yet to be determined is for a very small array (250kw) positioned very close to the southern edge of the village where it will be viewed little in conjunction with the application site. The Helland application is a 1242kw array which due to its distance from the site again will not be viewed in the context of the Aller scheme. It is not considered that the current proposal gives rise to any significant cumulative impact concerns.

Therefore subject to the imposition of conditions to secure appropriate landscape proposals and the later restoration of the site at the end of the operational lifespan of the solar park the development is not considered to raise any substantive landscape or visual amenity concerns.

Glint and glare:

The impact of possible glint and glare resulting from the solar panels has been carefully considered in regard to impact upon landscape character and residential amenity of neighbouring properties in the locality. The Environmental Protection Officer has acknowledged that a small number of properties could be affected by some glint and glare in the early morning during the summer months he is of the opinion however that the impact to the amenities of these properties would be limited. The Landscape Officer has also confirmed that he does not believe that glint and glare should be of any significant concern in terms of landscape character.

Residential amenity:

Other than the landowner's own properties, the nearest residential properties to the site are along Aller Drove approximately 190m to the north. Given the relatively low profile of the proposed development, its inanimate nature, intervening distance and planting it is not anticipated that the proposal should have an overtly dominant presence in terms of the outlook of these properties or cause any other demonstrable harm to the amenity of these residents.

The solar farm is likely to be visible from a number of more distant properties, most notably a number of properties located higher up on Aller Hill. Although this will undoubtedly alter their

views, the planning system offers no protection over an individual's view or the potential financial devaluation of their property through new development. The intervening distance between the development and these properties is such that the proposal cannot be considered to be overbearing or to cause any other significant loss of residential amenity. Therefore, whilst the desire of the owners of these properties to maintain the current unfettered views is understandable it is not considered that this issue constitutes a substantive reason to object to this proposal.

Other concerns raised locally relate to noise and disturbance both from the construction activities and once operational, i.e. the hum from the electrical equipment and wind noise from the structures. The Environmental Protection Officer has considered these issues and is of the opinion that none of these issues will result in undue disturbance to nearby residents. Subject to a condition to secure a construction management plan (to address noise, vibration, dust, lighting etc during construction) the scheme should not result in any substantive harm to residential amenity.

Heritage assets:

There are a number of heritage assets in the locality as identified within the site description at the beginning of the report. The views of English Heritage (now Historic England), County Archaeology and SSDC's Conservation Officer have all been sought in regard to the impact the proposal would have upon these heritage assets.

Historic England has carried out a comprehensive assessment of the impact the proposal would have upon the setting of the nearby scheduled ancient monuments (SM) and listed buildings (LB). Whilst they acknowledge that the proposal may result in changes to the settings of these assets they are of the opinion that the scale and intensity of these changes would not be so great as to affect their significance. In terms of the listed church and Aller Court Farm and the duck decoy (SM) none of these assets have direct visibility over the application site. In the context of Burrow Mump (SM), the intervening distance (3km) and relatively small area of the site visible from the Mump is such that the proposal will cause little disturbance to its moorland setting. Historic England therefore raises no objection to the proposal.

With regard to the more minor archaeological interest to be found within the site itself, the County Archaeologist is satisfied that a condition requiring a programme of archaeological works will appropriately address and record such interest.

For these reasons it is not considered that there sufficient concerns to raise an objection based on harm to heritage assets.

Access and highway safety:

Whilst traffic generation in association with the solar park will be very limited once it is operational, the construction phase is anticipated to generate significant levels of traffic.

Access to the site for the construction phase of the development will be via an existing farm track that leads directly into Church Path and in turn on to the A372, with HGV vehicles routed via Langport to gain access to the A303 to the south. The solar farm is expected to be constructed over an 18 week period and it is noted that the Construction Management Plan (CMP) identifies that the site will generate in the region of 13 HGV trips a week on average over this period averaging between 2-3 trips daily. The number of staff employed on site at any one time during this period is expected to be up to 120 and the applicant has stated that staff will be expected to arrive in shared vehicles and mini buses to minimise vehicle numbers as much as possible.

The CMP also goes into some detail as to the hours of when deliveries can take place to avoid peak commuting times and also sets out holding areas for delivery vehicles with designated delivery times to avoid conflicting HGV movements as well as the use of banksmen for the largest vehicles to guide them along the narrow sections of Church Path and avoid damage and manage conflicting vehicle movements.

Local concerns have been raised in respect of the access arrangements and construction traffic with particular concerns raised in relation to the suitability of Church Path for access by HGV traffic (in particular the Weir Bridge section), possible conflict with increased traffic using Aller Drove whilst the A372 is closed at Beer Wall and the routing of HGV's passed Huish Episcopi Academy.

The County Highway Officer has confirmed that he has visited the site and following the careful consideration of the proposal in terms of types of vehicles, number of vehicle movements and the relatively short-term nature of the construction phase has concluded that the proposal will not result in any significant highway safety or capacity concerns. During the course of the application the local concerns relating to transport and highway safety implications of the development have been brought to the attention of the highway officer and applicant. In relation to the issues surrounding HGV access along the narrow no-through section of Church Path, specifically the ability of the largest HGV's to manoeuvre the Weir Bridge section near the recreational field, the applicant has provided an additional Transport Note along with a swept path analysis including topographical details. Both County Highways and SSDC's Highway Consultant have concluded that Church Path can acceptably accommodate these larger HGV's.

Therefore, notwithstanding the local highway and transport concerns, and subject to the imposition of a condition requiring a Construction Management Plan as sought by the County Highways Officer the proposed development is not considered to give rise to any significant highway safety concerns.

It is noted that the highway authority has requested a condition to secure a condition survey of the highway to address any damage to the highway as a result of the construction traffic. This matter however falls under the highway authority's own control and legislation and as such an informative reminding the applicant of the need to undertake such a survey is the appropriate way to address this issue.

Ecology:

The application site does not sit within any areas of special nature designation, however, it is close to a number of international, national and local sites, as identified in the site description section of this report above. From the Council's Ecologists comments it would appear that the main qualifying features for the nearby site designations are due to the large number of overwintering waterfowl and a rich diversity of aquatic insects and other invertebrates that can be found in the surrounding waterways. He also notes the recent reintroduction of the cranes in the area.

In accordance with the requirements of the Habitats Regulations 2010 the Council's Ecologist has carried out a 'Test of Likely Significant Effects', which concluded that the solar array was unlikely to result in any significant detrimental effects to the quality of the Somerset Levels and Moors Special Protection Area.

Accompanying this submission was an Ecological Impact Assessment report and the Council's Ecologist has confirmed that he broadly agrees with the findings of this assessment in that the application site is of no more than 'local' value for birds and that the change to the habitat as a result of the solar park was unlikely to represent a significant loss of habitat for

wintering birds. There is no evidence of harm to birds from large scale solar parks however it is acknowledged that it is possible that there has to date been a lack of monitoring in regard to possible collision risk in regard to these types of schemes. The RSPB has requested a condition to secure post-construction monitoring and mitigation plan to safeguard against this possibility, which is endorsed by the Council's Ecologist.

The Council's Ecologist does not raise any substantive concerns in relation to impact to ground nesting birds as a result of increased tree planting in the area, aquatic insects, badgers or any other protected species.

Neither Natural England, the RSPB or the Council's Ecologist have identified any significant harm to the local ecology and subject to the imposition of a number of conditions, including one seeking biodiversity enhancements, sought by our Ecologist it is not considered that the proposal raises any substantive ecological related issues.

Drainage and Flooding:

Part of the northern end of the site is located within flood zones 2 and 3 (including 3b – functional floodplain) and should therefore pass the sequential / exception tests set out within the NPPF and its accompanying technical guidance. In terms of the sequential test, whilst there are clearly other sites in the district that could accommodate PV there is also the issue of connection to the grid and it is accepted that with the current grid capacity issues that a revised site location would not be feasible at this time or the foreseeable future.

The requirements of the exception test are set out under paragraph 102 of the NPPF which states it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime taking into account the vulnerability of its users.

In this instance, the proposal will make a valuable contribution towards meeting targets for renewable energy provision and reducing greenhouse gas emissions which in the long-term should help to reduce the incidence of more extreme weather events that lead to flooding. The Environment Agency has confirmed that they are satisfied with the submitted Flood Risk Assessment and there is no evidence to suggest that the development would not be flood resilient and as such be safe for its operational lifetime.

The NPPF's technical guidance also sets out a requirement that developments should not result in any net loss of floodplain storage, impede water flows or increase flood risk elsewhere. The Environment Agency has considered these aspects and are satisfied that the development will not result in any of these issues.

The scheme has been amended to ensure that access to and the maintenance of the various watercourses abutting the site is not hampered, in accordance with the Internal Drainage Board and Environment Agency's requirements.

Therefore, subject to the imposition of conditions seeking a compensation scheme for any water displacement as a result of any buildings and the protection of the maintenance strips for the watercourses, as required by the Environment Agency, it is accepted that the proposal raises no new substantive flood or drainage concerns.

Conclusion:

In summary, the solar farm accords with the government objective to encourage the provision of renewable energy sources and is considered to raise no significant landscape or visual amenity concerns or other substantive planning concern and as such accords with the aims and objectives of the National Planning Policy Framework and policies SD1, TA5, TA6,

EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and is recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

Notwithstanding local concerns 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 the proposal will have on the local landscape character. The development is not considered to cause any demonstrable harm to highway safety, ecology, residential amenity or heritage assets. As such the proposal accords with the government's objective to encourage the provision of renewable energy sources and the aims and objectives of policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and accompanying National Planning Practice Guidance.

Subject to the following:

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered:

- 1074-0200-05, 1074-0204-00, 1074-0205-01 issue 01, 1074-0206-09 issue 01 and 1074-0208-70 issue 01 received 22/09/2014;
- 1074-0207-13 issue 02 and 1074-0208-50 issue 01 received 31/10/2014;
- 1074-0208-76 issue 01 received 24/04/2015; and
- 1074-0201-01 issue 09 received 19/05/2015.

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

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

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

4. The finished height of the panels, building and associated equipment shall accord with the details set out on the approved plans and shall not be altered without the prior written agreement of the local planning authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

5. There shall be no permanent raising of ground levels in the flood zones, and any new buildings in the flood zones will require like for like compensation. Prior to the commencement of any works on site details of a scheme of flood storage compensation, including a timetable for the works, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and the agreed compensation measures shall not thereafter be altered without the prior written agreement of the local planning authority.

Reason: To ensure that flood risk is not increased to accord with the provisions of the NPPF.

6. No development shall take place within 8 metres of the top of bank of any river or ditch at any time during the development.

Reason: To ensure that flood risk is not increased and to allow the maintenance of watercourses and in the interest of protecting the biodiversity value of the watercourses to accord with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

7. No development shall take place unless a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours – 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- South Somerset District Council encourages all contractors to be 'Considerate Contractors' when working in the District by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Measures for the protection of boundary ditches and hedges, ensuring any site lighting is not detrimental to wildlife, the protection of badger setts, and minimising harm to any other potential wildlife interests. (Such measures are likely to require specialist advice from a consultant ecologist.)

Reason: In the interests of neighbour amenity and to protect local ecology and

protected species to accord with policies EQ2, EQ7 and EQ4 of the South Somerset Local Plan.

8. Prior to the commencement of development details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

9. No development shall take place unless there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for post-construction monitoring of impacts on birds, and measures that will be implemented to avoid and mitigate any significant impacts. In particular the details shall include:

- Species to be subject to monitoring;
- Frequency, seasons and duration of monitoring (minimum of 3 years);
- Methods to be used for monitoring;
- Persons responsible for undertaking the monitoring;
- Reporting of results;
- Details of a steering group to oversee and evaluate the results of the monitoring programme;
- Mechanisms for identifying threshold impact levels and for implementing mitigation measures in the event of thresholds being exceeded.

The monitoring and mitigation scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To assess any potential risk to the waterbird assemblage of the Somerset Levels and Moors Special Protection Area, in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

10. No works shall commence on site unless details of measures to minimise the risk of harm of collision by birds with overhead lines have been submitted to and agreed in writing by the local planning authority. The agreed details shall be fully implemented as part of the development and shall thereafter be permanently maintained unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the risk of potential bird collision in the interest of safeguarding the ecological interest of the area in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

11. Prior to the commencement of development a construction traffic management plan providing details on the delivery of the material for the solar farm to the site, details of the parking and storage area; means to ensure that there shall be emission of dust or deposit of mud, slurry or other debris on the highway; and any alterations to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority (and Local Highway Authority) and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

12. No development hereby approved shall take place unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

13. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a 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; 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 occupation of the building 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 interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

14. No works in respect of the solar park hereby permitted unless details of the finished colour of the security fencing and the finished colour and position of the CCTV equipment has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

15. No means 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 to accord with policy EQ2 of the South Somerset Local Plan.

16. No means of external illumination / lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

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

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

Informatives:

1. The developer is advised to refer to the informatives set out within the Environment Agency's letter dated 4 December 2014.
 2. The applicant is advised that Land Drainage Consent will be required for any works proposed within 9.0 metres of the top of bank of any watercourse. Those details together with any proposed underground cabling works, fencing and any access gateways will need to be agreed and consented by the Internal Drainage Board.
 3. The developer is reminded that a condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and that any damage to the highway occurring as a result of this development will need to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
 4. Where works are to be undertaken on or adjoining the publicly maintained highway, a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
 5. The applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted.
 6. Under Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.
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