

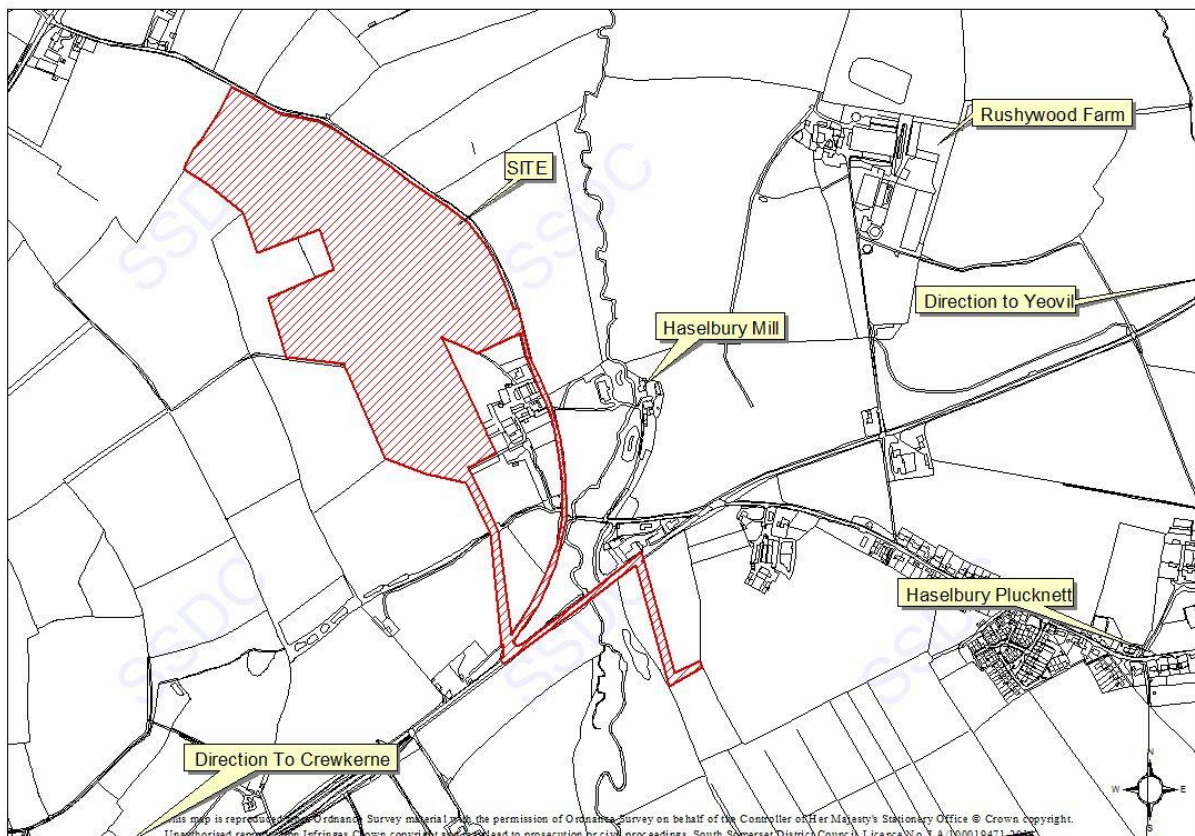
## Officer Report On Planning Application: 14/03128/FUL

|                                       |   |
|---------------------------------------|---|
| <b>Proposal :</b>                     | Installation of a 10.80MWp solar farm and associated infrastructure (GR 345439/111331)                              |
| <b>Site Address:</b>                  | Land OS 4734 Adjacent Lower Severalls Farm Lower Severalls Farm Road Crewkerne                                      |
| <b>Parish:</b>                        | Merriott  |
| <b>EGGWOOD Ward (SSDC Member)</b>     | Cllr P Maxwell  |
| <b>Recommending Case Officer:</b>     | Linda Hayden<br>Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk  |
| <b>Target date :</b>                  | 14th October 2014   |
| <b>Applicant :</b>                    | Sigma Solar Ltd   |
| <b>Agent:<br/>(no agent if blank)</b> | Mrs Joanne Hawksworth 1 Blenheim Court<br>Beaufort Office Park<br>Woodlands<br>Bradley Stoke<br>Bristol<br>BS32 4NE |
| <b>Application Type :</b>             | Major Other f/space 1,000 sq.m or 1 ha+   |

### REASON FOR REFERRAL TO COMMITTEE

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

### SITE DESCRIPTION AND PROPOSAL



This application is seeking planning permission to erect a 10.8MWp solar farm on a 21.83 hectare site to generate electricity to feed into the national grid over a 30 year period, after which time the infrastructure will be removed and the land restored. The main application site lies 1km north-east of Crewkerne, 1km south-east of Merriott and 1km west of Haselbury Plucknett along Lower Severalls Farm Road, a small part of the site includes a strip of land to the south of the A30 to provide the electrical connection to the grid. There are residential properties to the north-west and south of the site, with the southern site containing a listed farmhouse. Further to the south is the Grade 11\* listed Haselbury Bridge which is also a scheduled ancient monument.

The scheme seeks to erect photovoltaic panels to be mounted on metal posts driven into the ground with a maximum overall height of 2.5m, orientated to face south 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 inverters and transformers, a substation, security fencing, security cameras and access track.

The application site covers agricultural fields (predominantly grade 3b with some grade 3a and 4), 21.83 hectares in area and is in an isolated open countryside location remote from any defined development areas with access currently derived via an existing farm access from Lower Severalls Farm Road. The site slopes gently from the western boundary to the eastern boundary. The site is not crossed or directly bounded by public footpaths but there are two in the immediate vicinity to the north-east (River Parrett Trail/Monarchs Way) and south west. The application does propose a permissive footpath to the immediate north-west of the site to link the two footpaths with a new native hedgerow to screen the path from the installation.

This application is supported by the following documents:

- Design and Access Statement
- Planning and Sustainability Statement
- Landscape and Visual Assessment
- Ecological Appraisal
- Flood Risk Assessment
- Agricultural Land Classification Report
- Transport Statement
- Construction Traffic Management Plan
- Statement of Community Involvement
- Heritage Desk-Based Assessment

## **RELEVANT HISTORY**

14/00622/EIASS: Environmental Impact Assessment (EIA) screening request in relation to a proposed solar farm. EIA not required.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the

adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application.

#### Saved Policies of the Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC1 - Protecting the Best Agricultural Land

EC3 - Landscape Character

EC8 - Protected Species

EH1 - Development Proposals Affecting the Setting of Listed Buildings

#### Policies of Submission South Somerset Local Plan (2006 - 2028)

EQ1 - Addressing Climate Change in South Somerset

EQ2 - Design

EQ3 - Biodiversity

#### International and European Policy Context

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

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

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

#### National Policy Context

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

be generated from renewable sources.

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

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

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

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

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 7 - Requiring good design

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

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

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

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

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

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

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

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

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

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

#### 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**

**Merriott Parish Council:** (majority of site is within this parish):

Initial response

'IN ADVANCE OF A DECISION the Parish Council wish to have information on and agree the appropriate level of community benefit funding that is being offered with this development.

The road floods badly following significant rain fall. Reassurance that this has been identified and that the builders will improve drainage of this area is required.

In principle APPROVAL IS RECOMMENDED.'

In a further comment they note:

'..the contractor will need to be made aware that Lopen is a restricted weight road and access needs to be via the A356.'

**Haselbury Plucknett Parish Council:** (small part of site is within their parish):

1. Concern over increased traffic on what is already a busy 'rat run'
2. Closeness and expanse of road frontage of the development
3. Concern over lack of screening
4. Loss of agricultural land
5. The large scale of the development looks markedly out of character with the surrounding landscape. There are contradictory statements in the application about how visible the development will be but it looks as though it will be widely visible to the surrounding area and have a detrimental impact to the natural environment
6. If the application was to succeed how accessible would grants be for local projects as stated in the Design Statement
7. As stated in the Design Statement they will be improving the public rights of way in the area, in which case we would hope if the application is successful a condition would be made that the permissive path under the A30 is re-opened to provide a safer route for walkers.'

**County Highway Authority:**

Comments not yet received verbal update to be given.

**Landscape Officer:**

'I have read through the material submitted in support of the above application, which seeks consent for a 10.8MW solar array on farmland to the northwest of Lower Severalls Farm, and to the west side of the Merriott - Haselbury Plucknett road. I am familiar with the site and its wider landscape context.

National planning policy supports the development of renewable energy projects, providing there is no unacceptable adverse impact upon the landscape. Additionally, recent appeal

decisions relating to PV array within the district have placed an emphasis upon containment of the visual profile of solar sites, where positively determining the appeals. Consequently I consider the prime landscape concerns to be;

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

The application includes a detailed landscape and visual impact assessment (LVIA) which considers the extent of likely impacts upon the landscape context that may arise from the installation of this proposal. Looking at the proposal before us, with that evaluation to hand, I would comment;

(1) The application site lays over gently falling ground to the west side of the Parrett valley, immediately northwest of Lower Severalls Farm, and is proposed to extend across 4.5 arable fields that are typical of the mid-scale and open-ness of the fields that fold over the eastward falling hillsides between Furrington Hill at the edge of Crewkerne to the west, and the river valley. The fields are typically defined by low-managed hedgerows that have a broad correspondence to the NW-SE axis of the Merriott-Haselbury road, but are also bounded to the south by poplar belts. The hedgerows offer a degree of enclosure, and this is noted by the L&VIA as usefully providing screening of the site from the south.

It is apparent that the proposal disrupts neither the fabric nor the pattern of the landscape, and landscape components within and defining the site - primarily the hedgerows - will remain in evidence, albeit subject to a form of management that perpetuates a robust hedge profile. Also to advantage is a degree of correspondence of the array arrangement with the general uniformity of the immediate field pattern; and the gentle fall of the topography, which enables the array to be contained within the field pattern and its wider landscape context. I also note that an array is a passive element in the landscape, generating neither sound nor movement. I view these elements of the proposal as positive.

Conversely, it is acknowledged that PV panel forms within security fencing can be viewed as being 'industrial' in character. Such character is at variance with this landscape setting, which has a clear sense of rural character as expressed by the pattern and strength of the hedgerow network; its enclosed farmland; and a low-level of development presence. Development features that are found within the locality are of agricultural scale, hence there is some incongruity of scale when considered alongside this 21.83ha proposal. Additionally, within the (west edge) field where partial development is intended, the array arrangement does not follow field boundaries, but is set-back into two corners (presumably to avoid a badger sett) which due to the reduced scale, relates poorly to the wider field pattern.

(2) Turning to visual impact, a zone of visual influence (ZVI) is offered, which confirms that whilst there are potential for long views toward the site, the prime viewpoints are primarily restricted to either side of the stretch of the valley within which the array is sited. The LVIA offers a visual appraisal utilising 10 representative vantage points (appendix 2) with the visual impact upon each receptor evaluated paras 5.6 - 5.48. It identifies receptors corresponding to two local footpaths, and two regional trails to be high sensitivity, but suggests that mitigation in the form of hedgerow consolidation, and hedge management, will reduce the initial visual effects of the array. With such mitigation in place, then the LVIA states that the array can be accommodated within the landscape without harm.

I have reviewed the visual assessment, with which I partly concur. The location of the array is

well selected, to restrain its visual profile, and I would agree that the pertinent visual receptors in this case lay in close proximity. However, I place a higher emphasis of sensitivity upon the regional trails than the local footpaths, particularly that stretch of the Monarchs Way between Haselbury Mill and Rushy Wood Farm, which has overview of the site, and from which the array will be a major element of the close landscape, not dominant, yet drawing the eye due to its incongruous forms, presenting sideways-on as well as facial views. The set-backs in the arrays configuration (west-edge field) noted above will also be more apparent, as it projects into open land without bounding containment, and this too will draw the eye. Thus I view the visual effects from this viewpoint only, as greater than evaluated by the LVIA. I agree that landscape mitigation can assist in reducing visual impact, and overall has the capacity to fulfil an ameliorating role, though I consider a more robust scheme is necessary to deal with the prospect from the Monarchs Way.

In relation to listed buildings and structures, I consider it is only the setting of Lower Severalls Farmhouse that is affected, and this to a minor-moderate extent - the setting of the farmhouse is characterised by open space to its front (southeast) and farm buildings to the rear (northwest) which intervene between the site and the farmhouse, and also establish development form as part of its backdrop. The scale of the array is incongruous, but given the separation and placement of the array relative to the farmhouse, I do not consider the impact upon its setting to be unduly adverse.

(3) This proposed array lays to the north of a recently constructed PV installation at North Perrott, with approx. 1.35km distance between them. This gives the potential for a cumulative impact to arise. The general context of both sites is the Parrett vale, a broad area that is divided up by rolling topography and tree belts and woodlands. Within this context, both PV installations will only have significance in their immediate vicinity, and it is noted that there are no locations that will perceive the two sites from the same vantage point, nor within the same sightline. Consequently, the cumulative impact is not deemed to be adverse.

(4) Turning to site detail, I note that the array will stand up to a maximum of 2.5 metres above ground level. It appears that no site levelling works are intended, and PV mounting is likely to be a table-post system with its toes driven into the ground without need for concrete. A 2 metre tall fence of reinforced wire mesh on slim metal poles, along with CCTV cameras on 3.5m uprights (but no lighting) provide site security. Inverter structures are located within the array layout, and the field surface will be seeded as grassland. Providing material tones are appropriately dull/dark, I view these details as positive factors toward ensuring the PV installation can be accommodated without undue site impact.

Looking at the application overall, whilst the location selected is only tenuously related to existing development form, and projects some incongruity of character within this agricultural landscape, I would acknowledge that the scale of the proposal has the potential to be accommodated within the context of the fields without undue impact, and the site's visual profile is low in most part. There are some concerns over the prospect of the array from the adjacent stretch of the Monarchs Way, this can be countered in part by raising both boundary and internal hedge heights (by lifting the flail) and additional planting in the vicinity of the marl pit (western field) such that the visually exposed edge is played down by landscape mitigation. Mindful that national government guidance is heavily weighted in favour of renewables, and that LPAs are urged to approve renewable energy schemes providing impacts can be made acceptable, then whilst there are both landscape and visual impacts arising from this proposal, providing the further landscape mitigation is provided, then I do not consider the impacts as sufficiently adverse to generate an over-riding landscape objection to the proposal.

From a landscape standpoint the following information is still required;



- (a) A revised landscape proposal, which includes planting mitigation within the west (marl pit) field;
- (b) Grid connection detail, which to be satisfactory, should be confirmed to be local and underground;
- (c) Confirmation of the panel support system, and;
- (d) The finished details of CCTV installations - to be matt, and of subdued tone.

If you are minded to approve the application, could you please condition;

- 1) A detailed landscape mitigation plan to be submitted pre-commencement, based upon the revised landscape proposal noted in (a) above;
- 2) A landscape and ecology management plan for the whole of the site;
- 3) The detailed planting scheme to be implemented in the forthcoming planting season, November 2014 - mid March 2015, and;
- 4) A site restoration proposal to be submitted for approval, detailing the works necessary to revert the site to open agricultural land on completion of the lifetime of the array, along with the retention of the new landscape features arising from this application.'

(Officer note: Amended landscaping plans have been received and the Landscape Officer has confirmed that he is happy with the details.)

**Natural England:**

Raised no objection and have referred to their standing advice and Technical Information Note with regard to Solar Parks. In terms of the agricultural land classification, they note that the proposal has the potential to impact upon a significant amount of 'best and most versatile' agricultural land. However, they note that the proposals would not lead to the long term loss of such land and the panels will not cause significant disturbance to the soil and could be removed when planning permission expires with no likely loss of agricultural land quality.

**Ecologist (SSDC):**

Notes the Ecological Appraisal and broadly agrees with its comments; recommends a number of conditions/informatives.

**RSPB:**

Advised that RSPB is satisfied that the proposal will not damage existing important biodiversity but are concerned about some aspects of proposals for habitats and their on-site management. (They have made a number of recommendations that have been passed to the agent).

**Archaeology:**

Advise that the determination of the application should be delayed until the results of the geophysical survey are received. (Results of the survey are awaited and it is understood that the plans will be amended to deal with this issue - a verbal update will be given).

**Environmental Protection:**

No observations.

**Environment Agency:**

No objection but recommends imposition of informatives.

**Conservation Officer:**

Request that we influence the route of vehicles with regard to the listed and scheduled road bridge which is easily damaged.

**English Heritage:**

The application will not present 'substantial harm' to designated assets forming part of the historic environment and they do not wish to raise any objection. Note that the site has been assessed as potentially including archaeological deposits and anticipate that applicants will be engaging with the SCC Historic Environment Service.

**Climate Change Officer:**

Notes that the proposal will generate electricity equivalent to that used by 2300 households. Considers that the proposal is a well-designed installation and has no objections to the application.

**NATS:**

No safeguarding objection.

**MOD:**

No safeguarding objections.

**Area Engineer:**

'Solar farms tend not to have much in the way of impact on surface water run-off from the site as rain falling on the panels gets dispersed on the ground underneath the next panel. This situation is pointed out in the Flood Risk Assessment accompanying the application. There can be an issue sometimes if existing ground conditions are not very conducive to infiltration and in such circumstances additional measures to assist infiltration can be required. The FRA also acknowledges this aspect and sets out the use of French drains and/or swales to alleviate any increase in run-off. I am happy with this proposal but we should require drainage details to be submitted for approval.'

**REPRESENTATIONS**

One letter of representation has been received making the following comments:-

- surely a solar farm is better suited on a south facing slope
- question if this is the same landowner that closed the permissive path on the Parrett Trail under the A30.

One letter of objection has been received making the following comments:

- The Design and Access Statement ignores the visual impact from the dwellings to the west; there will be a significant impact as the land slopes to the south. Would like to see increased hedge height to mitigate this visual impact.
- There is little in the proposal to deal with the drainage along the road and prevent flooding - the road was closed for over a week due to flooding in 2013/2014.
- The road is an important link between Merriott and the A30 and can be very busy -

concerned that construction traffic will caused significant delays to commuters and incur damage to the road.

- Question if a bat survey has been conducted as bats are seen frequently in the locality.

## **CONSIDERATIONS**

This application is seeking planning permission to erect a 10.8MW solar farm on a 21.83 hectare site comprising agricultural fields in the open countryside, remote from any development areas. The solar farm comprises the erection of solar arrays (arranged in rows from west to east and orientated to face south), inverter housing, transformer, communications and switchgear buildings, security fencing, security cameras (infrared motion sensor) and access track. The development is sought for a 30 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 principle of the development, landscape character and visual amenity, impact on ecology, residential amenity of nearby residential properties, impact on archaeology, listed buildings, 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". Additional supplementary guidance National Planning Practice Guidance (NPPG), published in March, accompanies the NPPF and is referred to in the policy section above.

Whilst the land is greenfield and includes grade 3a 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 30 years is considered to be reasonable and conditions can also be imposed to require appropriate restoration and continued agricultural use of the land. In any event, the array could be removed before then should the landowner wish to revert to agriculture or use of the array to generate electricity cease.

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

### **Landscape character and visual amenity:**

The Landscape Architect has carried out a thorough assessment of the proposal and assessed the submitted Landscape and Visual Impact Assessment (as detailed above) and, in his view, with the proposed landscape mitigation the proposal will not result in such a significant adverse impact as to justify a refusal on landscape grounds. The Landscape Officer notes that the application site lays over gently falling ground and that the array will extend across 4½ fields that are typical of the mid-scale and openness of the fields within this vicinity. He confirms that the hedgerows on the site offer a degree of enclosure and the Landscape and Visual Impact

Assessment notes that they provide screening from the south of the site. The Landscape Officer considers that the proposal does not disrupt the fabric or the pattern of the landscape and the hedgerows will remain in evidence. Whilst noting that the predominant character of the array can be viewed as industrial in nature and therefore at variance with the rural context, he acknowledges that the scale of the proposal has the potential to be accommodated within the context of the fields without undue impact and the site's visual profile is, in the most part, low. The Landscape Officer concludes that, in light of the policy support for renewable energy and that Local Planning Authorities are urged to approve such schemes where impacts can be made acceptable, provided appropriate landscape mitigation is required he does not consider the impacts of the proposals as sufficiently adverse to generate an over-riding landscape objection.

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

### **Residential amenity:**

The residential properties to the north-west of the site are 250m from the site of the panels with hedgerows to provide screening. As such, it is not considered that the proposal will be unduly intrusive to their visual amenity. As noted by the Landscape Officer, the hedgerow can be increased through the lifting of the flail during hedge cutting and this will allow for enhanced screening (such a requirement can be included within the landscaping proposals). Given the relatively low profile of the proposed development and its inanimate nature it is not anticipated that the proposal will cause any demonstrable harm to these residents.

In terms of the group of properties to the south of the site (which includes the grade II listed farmhouse), apart from the modern farmhouse (owned by the applicant), these are considered to be well screened by the large agricultural buildings that are situated to the west of the site. The remaining houses are therefore well enclosed by existing development and it is considered unlikely that there would be any demonstrable harm to residents of these properties.

### **Setting of Listed Buildings:**

As mentioned above, the listed farmhouse is situated within the main farm holding and as such is protected by the existing large agricultural buildings within the yard. The garden to the farmhouse will be protected by existing mature hedgerows and trees. As such, it is not considered that the proposal will have any adverse impact upon the setting of the listed house. This view is supported by English Heritage.

In terms of the listed bridge to the south-east of the site this is considered to be sufficiently distance from the installation as to remain unaffected by the proposal. In terms of the protection from construction traffic, the Construction Traffic Management Plan requires all construction traffic to use the larger access onto the A30 and not the smaller access over the bridge.

### **Access and highway safety:**

At the time of writing the report there has been no response from the County Highway Authority.

Access to the site will be via an existing farm access leading from Lower Severalls Road to the north. This is a modern access that has been created in accordance with highways

requirements with regard to visibility and materials. During the construction phase of the development it is anticipated that there will be significant levels of construction traffic accessing the site however once the site is operational traffic levels will be very limited and are unlikely to be any greater than that for the on-going agricultural use of the land. The Construction Traffic Management Plan confirms that construction traffic will access the site from the A30 and will not use the smaller road over the listed bridge. On this basis the proposal is not considered to raise any substantive highway safety concerns.

### **Ecology:**

The Ecologist has assessed the Ecological Appraisal that accompanies the application and broadly agrees with its conclusion. In order to minimise any potential risk to legally protected species and to secure biodiversity enhancements the council's Ecologist has recommended conditions in relation to; removal of older trees; submission of a Biodiversity Management Plan; pond and hedge protection; and protection of nesting birds. On this basis the proposal is not considered to raise any substantive ecology related issues.

### **Archaeology:**

There is one archaeological feature in the area; the historic bridge to the south-east of the site. English Heritage has confirmed that they have no objection to this proposal and do not consider that it will not present 'substantial harm' to designated heritage assets.

At the time of writing this report, the County Archaeology department has advised that the determination of the application should be delayed until the outcome of geophysical report is completed. Early indications are that a small part of the land has been found to contain some archaeological finds and therefore the layout plans will be amended to deal with this issue. A verbal update on the situation will be given at the meeting.

### **Drainage and Flooding:**

The application site is located within Flood Zone 1 and the Environment Agency (EA) has confirmed that they have no objection to the proposal. The EA have further confirmed that volumes of surface water are unlikely to significantly increase as a result of the development. They suggest that comments be sought from the Local Drainage Engineer who has confirmed that in accordance with the FRA a drainage condition should be imposed.

### **Other matters:**

Permissive Path - It is understood that there has been an issue with regard to the permissive path under the A30; however, it is not considered that this can be resolved through this application. A permissive path is proposed to the north of the site to link the two footpaths in the vicinity and this is welcomed.

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

## **CONCLUSION**

Government advice is clear. Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable (NPPF Para 98). The current

application has raised some concerns in relation to visual amenity, landscape character, flood risk, archaeology and ecology. A thorough assessment of the potential impacts of the development indicates that, for the most part, they are acceptable - or can be made acceptable by appropriate mitigation measures - in the context of Government advice and the clear need for renewable energy sources. Where impacts can be overcome by way of pre-commencement or other conditions (i.e. archaeology, ecology, landscaping) appropriate conditions are recommended. Subject to the appropriate controls set out in conditions, it is considered that the impacts of the proposal can be considered 'acceptable' as set out in Government guidance. Notwithstanding the objections received, the proposal is considered to represent sustainable development. Therefore, provided no new concerns or issues are raised by County Archaeology or the County Highway Authority the application is recommended for approval.

## **RECOMMENDATION**

Approve subject to no objection being maintained by County Archaeology and receipt of an amended landscaping scheme.

Justification - 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 of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC6, EC7, EC8, EU1, EH11, EH12 and EP3 of the South Somerset Local Plan 2006.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans Drawing No.'s 5469/ASP03/LS Rev C received 26 August 2014; D01 (Site Layout) received 2 September 2014; D01 (Site Location Plan), 9 (CCTV details), 6.1 and 6.2, (Transformer Housing), N-SO86-1T-02 (access arrangement), 5 (track detail), 7 (Substation Housing details), 4 (Frame and anchor detail), 8 (fence detail), 3 (panel detail) and 6.3 (Control centre housing) received 11 July 2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 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 interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

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

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

05. The landscaping / planting scheme shown on the submitted plans (drawing numbered \*\*\*\*) shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. 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 EC3, ST6 and EP3 of the South Somerset Local Plan.

07. No CCTV equipment shall be installed on the site other than that shown on drawing no. D01 received 2 September 2014 unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

08. The development hereby permitted shall not be commenced unless the external finish, including the colour, of the CCTV equipment has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

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

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy ST6 of the South Somerset Local Plan.

10. The development hereby permitted shall take place in accordance with the Construction Management Plan prepared by Matrix Transportation Planning received 11 July 2014 unless otherwise agreed in writing by the Local Planning Authority.

Reason in the interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

11. Before the development hereby permitted is commenced, surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use.

Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that appropriate drainage is provided on the site.

12. The removal of, or works to, the dead oak tree and the Lombardy Poplars shall be subject to safeguarding measures for bats as detailed in section 6.5. of the Ecological Appraisal (Aspect Ecology, July 2014).

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EC8 of the South Somerset Local Plan (adopted), The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

13. Any work within 250 metres of any pond shall only be undertaken between 1st November and 28th February unless a Method Statement detailing precautionary measures for the protection of Great Crested Newts has been submitted to, and approved in writing by, the local planning authority. In the event of the latter, the approved measures shall be implemented in full.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EC8 of the South Somerset Local Plan (adopted), The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

14. Prior to the commencement of the development hereby approved a Biodiversity Management Plan detailing measures and management of the site for the benefit of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan 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 NPPF.

15. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

16. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first



available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with NPPF and Policy EC8 of the South Somerset Local Plan (adopted), The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

**Informatives:**

01. You are reminded that the highway authority has requested 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 have to be remedied by the developer to the satisfaction of the highway authority once all works have been completed on site.
02. Please be aware of the comments set out within the Environment Agency's letter dated 01/08/2014.
03. Please be aware of the recommendations set out in the RSPB's letter dated 08/08/2014.
04. Please be aware that reptiles (particularly slow worms) are likely to be present in small parts of the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to provide site specific advice.