

<b>2.8 REFERENCE NO - 15/505010/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Minor Material Amendment for: Development of an up to 18MW ground mounted solar farm on land at Orchard Farm, Iwade, Kent, ME9 8QE to include solar arrays, transformer enclosures; substation and control room, access tracks; perimeter fence and small-scale CCTV cameras (14/502072). Amendments: Removal of the northern parcel of land from development to reduce capacity from 18MW to 10MW, change in the design from a single substation to separate DNO and customer substations including auxiliary transformer, and decrease in the number of modules, weather stations, CCTV poles, fences and roads.			
<b>ADDRESS</b> Land West Of Orchard Farm School Lane Iwade Kent ME9 8QG			
<b>RECOMMENDATION</b> Approval subject to no objections from KCC SUDs Team			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
The scheme now before us would reduce the impact on the environment and reduce traffic to and from the site during and after construction.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Parish Council objection			
<b>WARD</b> Bobbing, Iwade & Lower Halstow	<b>PARISH/TOWN</b> Iwade	<b>COUNCIL</b>	<b>APPLICANT</b> Mr Alejandro Alvarez <b>AGENT</b> Mr Mark Westcott
<b>DECISION DUE DATE</b> 18/09/15	<b>PUBLICITY EXPIRY DATE</b> 18/09/15	<b>OFFICER SITE VISIT DATE</b> 14/07/15	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/502072/FULL	Development of an up to 18MWp ground mounted solar farm on land at Orchard Farm, Iwade, Kent, ME9 8QE to include solar arrays, transformer enclosures; substation and control room, access tracks; perimeter fence and small-scale CCTV cameras	Approved	22.10.2014
14/505397/SUB	Submission of details - Condition 8 - Construction Management Plan, Condition 12 - Substation details, Condition 14 - Surface Water Drainage, Condition 15 - archaeological watching brief, Condition 16 - Badger Survey Report, Condition 19 - Construction Management Plan; Condition 20 - acoustic treatment.	Approved	30.06.2015

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

1.01 The application site totals 23ha (56.8 acres) and is located approximately 1.5 km to the southwest of Iwade village. The site is currently in agricultural use as arable fields. The ground is mostly flat and level with the surrounding roads – High Oak Hill and Stickfast Lane. The fields are largely visible from these roads with little screening by way of trees and hedgerows. There is however a strong tree line along the eastern boundary of the site. Orchards lie to the north of the site.

- 1.02 Orchard Farm Cottages lies immediately to the north of the site. Tiptree Cottage also lies to the north, on the opposite side of the road. Tiptree Bungalow lies opposite the site approximately halfway along the western boundary of the application site, and there is also a gypsy site opposite the western boundary.
- 1.03 There is an existing access track from High Oak Hill that currently serves the farm and also leads to a model aircraft flying field that would be surrounded to the west and south by the proposed solar farm.
- 1.04 The land to the west of this site slopes upwards to a ridge before descending towards the Medway Estuary. The surrounding area is characterised by arable fields interspersed with trees and hedgerows.
- 1.05 The site lies on land identified under the Agricultural Land Classification (1988) data as partly Grade 3a (north section and part of southern section) and partly Grade 3b southern section.

## **2.0 PROPOSAL**

- 2.01 The original proposal would have seen solar panels occupying the whole of the application site - 23 ha. The current proposal has reduced the area to be covered by solar panels to 13.7ha. The parcel of land to the north of the existing access road from High Oak Hill (leading to the model aircraft field) would now not be developed. The output from the solar panels would therefore be reduced from 18MW to 10MW.
- 2.02 The panels would be a height of 1.8 metres above ground level and would be 0.4-0.7m above the ground. The solar farm would be decommissioned after 25 years. This has not changed since the original application.
- 2.03 Access to the site would still be from the existing access off High Oak Hill. The proposal would result in the access being widened slightly to the east. Internal access tracks would be created. These internal tracks would be changed slightly under this application to reflect a slightly different layout to the solar panels.
- 2.04 The site would be secured by deer fencing at a height of 2 metres with timber posts. Gates would be installed at the end of the main access track to allow access to the site. CCTV cameras/poles are proposed to be erected around the perimeter of the site. There would also be a fence and CCTV provided across the middle of the site, dividing the north and south parts of the land and this is a change since the original proposal. The number of CCTV poles within the southern parcel of land would increase slightly as a result but only by 4. The CCTV would be a height of 3m as under the previous planning application.
- 2.05 The proposal also includes mitigation measures in the form of tree and hedgerow planting along the boundaries of the site, retention and improvement of existing hedgerows, a native species-rich grass and wildflower seed mix will be sown under the panels and in the areas around the boundaries of the site to develop a wildflower meadow. Other ecological enhancements include the provision of bat boxes, hibernacula and copse. The applicant is providing mitigation measures to address the presence of Great Crested Newts and Badgers.

- 2.06 The construction phase of the development would have been likely to take 3 months under the original proposal. As the number of solar panels has been significantly reduced, it is anticipated that this construction phase would also be shortened. Construction traffic is expected to travel from the A249, through Bobbing and along Stickfast Lane.
- 2.07 The applicant submitted a request to the Council for a screening opinion as to whether this development required an Environmental Impact Assessment (EIA) (EIA/14/0006). This was for the original scheme that would have seen a larger site area and greater number of solar panels. It was concluded that this development did not have a significant impact on the environment and as such, an EIA was not required. However, the applicant was advised to submit various reports to support their proposal, which have subsequently been submitted.

### **3.0 PLANNING CONSTRAINTS**

- 3.01 Potential Archaeological Importance
- 3.02 The land immediately to the west of the application site is designated as an Area of High Landscape Value.

### **4.0 POLICY AND OTHER CONSIDERATIONS**

#### International, European and National Considerations

- 4.01 In 1997 the Kyoto Protocol set internationally-agreed and binding targets for the reduction in emissions of greenhouse gases up to 2012. The UK had a legally binding target to reduce the emissions of greenhouse gases by 12.5% below 1990 levels. The UK government then set a domestic goal to reduce emissions to 20% below the 1990 levels by 2020. The 2009 Copenhagen Accord, United Nations Climate Change Conference, Durban 2011 and the 2012 UN Climate Change Conference have also had an influence on the UK's approach to tackling climate change.
- 4.02 On a European level, Directive 2009/28/EC – the promotion of the use of energy from renewable sources is significant. Each Member State has a target for the use of renewable energy as a percentage of its overall energy consumption until 2020. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020. In 2009 only 3% of the total UK energy consumption was met from renewable sources. Directive no. 406/2009/EC of the European Parliament set targets for the reduction in greenhouse gases.
- 4.03 At the national level, The 2008 UK Climate Change Bill sets an 80% target for reduction in greenhouse gas emissions 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 UK Low Carbon Transition Plan (2009) white paper is also significant as is the National Renewables Energy Action Plan for the UK. This emphasises the need to drive major changes in the way energy is used and supplied.

- 4.04 Since the Coalition Government came to power (in 2010), various statements have been issued in respect of renewable energy. Climate change is recognised as an urgent threat and the need to respond to this is stressed. In 2011, the National Policy Statement EN1: Overarching National Policy Statement for Energy was approved by Parliament and this is to be a material consideration in the determination of planning applications for renewable energy. This guidance reiterates the targets set at a European and National level. Importantly, this states:

*'Large scale development of renewables will help the UK to tackle climate change,...It will also deliver up to half a million jobs by 2010 in the renewables sector.'* (Paragraph 3.4.2).

- 4.05 The UK Renewable Energy Roadmap was also produced in 2011 by the Department of Energy and Climate Change and identifies eight technologies that have the greatest potential to help the UK meet the 2020 target. Solar farms are not included within these identified technologies but the Roadmap does highlight solar technology as having the potential to contribute towards this target. Dept of Energy and Climate Change: Gregory Barker Letter, dated 1<sup>st</sup> November 2013, titled "Solar Energy" Where he highlights, among other things, his focus of growth "to be firmly on domestic and commercial roof space and previously used land".
- 4.06 Despite this National target for the provision of renewable energy, at a County or Borough wide level no such targets exist.

National Planning Policy Framework 2012 (NPPF)

- 4.07 The NPPF was released with immediate effect; however, **Paragraph 214** states that "for 12 months from this publication date, decision-makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework."
- 4.08 The 12 month period noted above has expired. As such, it was necessary for a review of the consistency between the policies contained within the Swale Borough Local Plan 2008 and the NPPF. This has been carried out in the form of a report agreed by the Local Development Framework Panel on 12 December 2012. All policies cited below are considered to accord with the NPPF for the purposes of determining this application and as such, these policies can still be afforded significant weight in the decision-making process.
- 4.09 The NPPF at **paragraph 14** sets out the presumption in favour of sustainable development. It outlines a set of core land-use planning principles (**Para 17**) which should underpin both plan-making and decision-taking including to, support the transition to a low carbon future in a changing climate and encourage the use of renewable resources but to also:
- Take account of the different roles and character of different areas recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
  - Contribute to conserving and enhancing the natural environment and reducing pollution.
  - Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework; and
  - Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high value.

- 4.10 Meeting the challenge of climate change, flooding and coastal change states that,
- “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions... and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.”
- 4.11 **Para 28** supports a strong rural economy and **Para 97** continues 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 co-locating potential heat customers and suppliers.”
- 4.12 **Para 98** 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.”
- 4.13 Conserving and enhancing the natural environment states the planning system should contribute to and enhance the natural and local environment by:
- “protecting and enhancing valued landscapes; and minimising impacts on biodiversity and providing net gains in biodiversity where possible, contribution to the Government’s commitment to halt the overall decline in biodiversity.”
- 4.14 **Para 112** reads as follows:
- “Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land (namely Grades 1, 2, and 3a). Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”
- 4.15 **Para 118** advises that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles relevant to this development:

“if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

4.16 DCLG’s “Planning Practice Guidance for Renewable and Low Carbon Energy” (July 2013)

4.17 **Para 013** relates to large scale ground mounted solar photovoltaic farms in particular advises Local Planning authorities to consider, amongst other things:

- encouraging the effective use of previously developed land, and if a proposal does involve greenfield land, that it allows for continued agricultural use 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 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.
- 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.

#### South East Plan

4.18 The South East Plan (SEP) has now been revoked and, as such, carries no weight. However Members may find it useful to note that the SEP set regional and sub-regional targets for production of renewable energy. The regional target for 2016 was 895 MW of installed capacity (or 8% of total regional electricity generation capacity) and 1130 MW (or 10%) in 2020. The sub-regional target for Kent was 111 MW in 2010 and 154 MW in 2016.

4.19 Kent County Council’s ‘Renewable Energy for Kent’ report (2012) should also be noted.

#### Swale Borough Local Plan 2008

4.20 The following policies are relevant to this case: SP1 (sustainable development), SP2 (environment), SP3 (economy), SP5 (rural communities); SP6 (transport and utilities); E1 (general development criteria), E6 (rural restraint), E9 (landscape which includes a degree of protection for Areas of High Landscape Value), E10 (trees and hedges), E11 (biodiversity), E16 (archaeological sites), E19 (design), RC1 (rural economy); (RC7 (rural lanes), and U3 (renewable energy).

4.21 Supplementary Planning Document 'Swale Landscape Character and Biodiversity Appraisal' (2011)

This document identifies the application site as being within the Iwade Arable Farmlands. The document identifies gentle undulating rural landscape. The medium and large scale arable fields provide uninhibited views across the open landscape in places. There are many fragmented woodlands and mature broken hedgerows. Narrow country lanes connect small villages and isolated cottages. Many intrusive pylons and power lines cross the landscape and are prominent on the skyline. Condition is poor and sensitivity to change of moderate. The SPD recommends restoring and creating.

4.22 Bearing Fruits 2031 - The Swale Borough Local Plan, Publication Version (December 2014)

4.23 Draft policy DM31 is particularly relevant to this application. It states:

*“Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the built-up area boundaries. Development on best and most versatile agricultural land (specifically Grades 1, 2 and 3a) will not be permitted unless:*

1. *The site is allocated for development by the Local Plan; or*
2. *There is no alternative site on land of a lower grade than 3a or that use of land of a lower grade would significantly and demonstrably work against the achievement of sustainable development; and*
3. *The development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land.”*

4.24 Draft policies DM3 (Rural Economy) and DM20 (Renewable Energy & Low Carbon Energy) from the Emerging Local Plan are also relevant.

Other guidance of material consideration

4.25 The Government has also produced a number of documents that are of relevance: UK Solar PV Strategy Part One: Roadmap to a Brighter Future (2013); UK Solar PV Strategy Part Two: Roadmap to a Brighter Future (2014); National Solar Centre Planning Guidance for Development of Large Scale Ground Mounted Solar PV Systems and; National Solar Centre National Planning Guidance – Biodiversity.

4.26 The first of these documents states: “...The key issue is ensuring that proposals to deploy solar PV take account of the circumstances of each project...Likewise, even plots of the highest grade agricultural land could include areas which are in themselves lower grade and could legitimately be used for solar PV deployment. There is increasing evidence that, if well planned and managed, there can be biodiversity benefits arising from the deployment of solar PV at large scale....”

4.27 The document entitled - National Solar Centre Planning Guidance for Development of Large Scale Ground Mounted Solar PV Systems identifies steps for developers to work through with regard to siting development on agricultural land. A flow chart is provided to aid the Local Planning Authority in understanding why a development is proposed on Best and Most Versatile land. If located on Grade 3a land developers should:

- “1. Provide an explanation of why the development needs to be located on the site and not on land of lesser agricultural classification within the area;

2. Provide information on the impact of the proposed development on the local area's supply of farming within the same classification;
  3. If the proposed development site makes up part of an existing farm, provide information on the viability of this farm to continue to function (as an agricultural unit) with the development in situ;
  4. Consider the cumulative impact of the proposed development and other permitted large-scale solar PV development on the supply of agricultural land within the same classification across the local area."
- 4.28 Swale Borough Council has approved its own guidance entitled: Renewable Energy Planning: Guidance Note 2: The Development of Large Scale (>50kW) Solar Arrays. This reiterates much of the guidance and policy above and provides the developer with details on all aspects of the solar farm developments.
- 4.29 Also of note is a speech by Greg Barker (MP) to the solar PV Industry on 25<sup>th</sup> April 2013 where he states:
- "...for larger deployments, brownfield land should always be preferred. Where solar farms are not on brownfield land, you must be looking at low grade agricultural land which works with farmers to allow grazing in parallel with generation..."
- And a letter to Local Authorities on 22<sup>nd</sup> April 2014 in which he states:
- "...the main message from the Strategy is that we are keen to **focus growth of solar PV in the UK on domestic and commercial roof space** and on previously-used land."
- 4.30 Written Ministerial Statement on Solar Energy by Eric Pickles MP, 25 March 2015, also referred to within the NPPG, included the following statement:  
*"Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment. When we published our new planning guidance in support of the Framework, we set out the particular factors relating to large scale ground mounted solar photovoltaic farms that a local council will need to consider. These include making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference to land of a higher quality. We are encouraged by the impact the guidance is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence."*
- 4.31 Also of relevance is the Natural England Technical Note TIN049 (2012) and Natural Environment White Paper the Natural Choice: Securing the Value of Nature (2011).

## 6.0 LOCAL REPRESENTATIONS

None received



## 7.0 CONSULTATIONS

- 7.01 Iwade Parish Council object to the application. They refer to their original comments for 14/502072/FULL. They object on the following grounds: visual amenity – impact on Area of High Landscape Value and Green Corridor between Sittingbourne and surrounding villages; loss of agricultural farmland, 50% of which is grade 3a; size of the development which should be on brownfield land; loss of outlook for residents close to the site; out of character with the surrounding farmland; impact on the safety of the roads; request that no construction traffic enters Iwade Village and concerns over future running and decommissioning policies.
- 7.02 Kent Highways have no comments on the current proposal.
- 7.03 The Environment Agent have no further comments on this proposal.
- 7.04 KCC Ecology note that this proposal would reduce the area of solar array. Protected species mitigation has been agreed under the original permission. No objection on the understanding that this agreed mitigation will be applied to the current application.
- 7.05 The Council's Rural Planning Consultant notes that no further agricultural assessment is required for this proposal which removes an area of land for the original scheme. I repeat his original comments here for clarity:
- “R. Bryan, the applicant's retained arable consultant for the last 30 years, provides evidence that in practice, due to problems with a weakly textured topsoil with a high silt content, the Upper Field (which comprises the majority of the 3a land) also has problems with poor drainage and difficult crop establishment, and has actually proved less productive than the Lower Field (which contains the Grade 3b land). The consultant also explains that another potential alternative field outside the current site, to the north (Tiptree Field) is actually more productive than either the Lower Field or the Upper Field, despite Tiptree Field being ALC grade 3b (albeit the relevant ALC study determining that grading has not been provided, to my knowledge).*
- There was a complete crop failure in much of the Lower Field in 2013, and a crop failure in the Upper Field in 2012.*
- On this basis, whilst at face value the ALC grading would suggest the potential choice for any solar farm development here would be the Lower Field and Tiptree Field, it does not appear unreasonable to accept the owner/farmer's “on the ground” experience, and favour the current proposal for the use of the Upper Field, as poorer quality land, rather than Tiptree Field.*
- To summarise, if a solar farm on greenfield land here is considered necessary, it appears that the requirements of the NPPG would be met, at least in terms of using poorer quality land in preference to higher quality land.”*
- 7.06 Kent Police have no additional comments to make given the reduction in scheme size but draw our attention to their original comments in respect of the type of fencing and general crime prevention.
- 7.07 Natural England note that they previously commented on the original proposal and these still apply here. They do not object.
- 7.08 Comments from KCC SUDs Team are awaited.

## **8.0 BACKGROUND PAPERS AND PLANS**

Covering letter and general layout plan.

## **9.0 APPRAISAL**

### **Principle of Development**

- 9.01 The principle of this development has already been established by the approval of the previous planning application which would have seen the development of a much larger area of farmland. The applicant explains the reduction in size as being a more efficient use of the land. As such, one can only assume that it is more financially viable to concentrate the development on the parcel of land to the south of the access road. Whilst it is a shame that the energy produced from the site would be reduced as a consequence, the remaining solar array would still provide a good amount of renewable energy and any negative effects of this reduction must be weighed against the positive impact that the reduced site area would have on the environment, local roads, landscape impact and local residents.

### **Visual Impact**

- 9.02 The reduction in the size of the solar array would be of benefit to the landscape and visual amenities in my view. As well as the solar panels, the proposal would also result in a reduction in the number of transformer cabinets within the site, the removal of CCTV poles and fence from the northern parcel of land and internal access roads. The amount of built development/engineering works would therefore be significantly reduced and I consider that this can only be of benefit to the landscape character and visual amenities of the area. I have considered the proposal against the previously approved landscaping scheme and note that the current proposal does not seek to change this in any way. However, I do not anticipate that the applicant will be providing the agreed additional soft landscaping surrounding the northern parcel that will now not be developed. The boundary that would now enclose the northern extent of the solar array already has a thick, mature strip of vegetation with a mix of trees and shrubs. However, there are some areas of this boundary that will need to be planted with new trees/hedges so that the solar panels are screened at this location. I have recommended a condition to require the submission of a revised landscaping scheme to ensure that the additional planting is provided along the new northern boundary and also to remove the requirements to provide additional planting to the boundaries surrounding the northern parcel.

### **Residential Amenity**

- 9.03 The amendments would see the solar array moved away from the residential properties at Orchard Farm and Tiptree Farm. Again, I can only see a benefit to residential amenities as a result.

### **Highways**

- 9.04 As this proposal will reduce the amount of construction required, the traffic impact from construction vehicles will therefore be reduced. This is a positive outcome of the proposed amended scheme in my view.

### Other Matters

- 9.06 In terms of the impact on protected species, the mitigation measures that were agreed under the previous proposal will be similarly required for this proposal. The applicant's agent notes that the revised scheme will actually reduce the impact on Great Crested Newts as the development would be located further from ponds to the north of the site. I note the comments of KCC Ecology who have no concerns about the current proposal providing that the agreed mitigation is carried out. It is true that the amount of biodiversity enhancement would reduce as a consequence of this proposal. However, this is relative to the reduction in the amount of land occupied by the solar array. I therefore consider that this proposal would have no detriment to ecology/biodiversity.
- 9.07 Members should note that I have adapted a number of the original conditions to reflect that agreement of further details that were required to be submitted post-decision. These details were agreed under 14/505397/SUB.

### 10.0 CONCLUSION

- 10.01 Having considered the comments from Iwade Parish Council, consultees and the relevant planning policies, I am of the view that the proposal would actually have a reduced impact on the landscape, environment, ecology/biodiversity, residential amenities and, highway safety and amenity. The larger solar array development at this site has already been granted planning permission by the planning committee in October 2014 and this current scheme seeks to make changes to this approval by way of reducing the area upon which solar panels would be placed – 23ha down to 13.7ha. Whilst this reduction and the subsequent changes to the arrangement of the solar panels and associated plant and engineering works are material, they are minor in their impact on the surrounding area in my view and will have no significant harm.

### 11.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reasons: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance the following approved drawings: General Layout 1.2 rev 3, Landscape Masterplan and Site Layout, CCTV post detail rev. 1, Typical frame and anchor detail, Typical security fence detail, typical control room detail, typical transformer housing detail – preferred, typical solar panel detail, 47069948-TRA-002.

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

3. The planning permission is for a period not exceeding 25 years from the date that the development is first connected to the electricity grid. The date of first connection shall be notified to the planning authority within 28 days of that event occurring. All solar arrays, their supports and foundations; inverters; transformer stations; site substation; access tracks; fencing; and security cameras and their supports; must be removed from site and the site be reinstated to its former arable condition within 12 months of the solar park ceasing to be operational.

Reasons: To reflect the temporary nature of the development and ensure appropriate reinstatement of the site.

4. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity, ), plant sizes and numbers where appropriate, which shall include additional planting to the boundary along the existing internal access road, and an implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the programme agreed in writing with the Local Planning Authority. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reasons: In interests of visual amenity, landscape character and ecology and biodiversity.

5. No impact pile driving in connection with construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times  
Mondays to Fridays or 09:00 to 17:00 hours, unless in association with an emergency or with the prior written approval of the District Planning Authority.

Reasons: In the interests of residential amenity.

6. No construction work in connection with the development shall take place on any Sunday or Bank Holidays, nor on any other day except between the following times:-  
Mondays to Saturdays or 07:00 to 18:00 hours, Sundays 09:00 – 13:00 hours unless in association with an emergency or with the prior written approval of the District Planning Authority.

Reasons: In the interests of residential amenity.

7. No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reasons: In the interests of visual amenity, the residential amenities of occupiers of nearby dwellings and the protection of bats.

8. The details of the area for parking for site personnel/operatives and their construction vehicles/visitors, loading, off-loading and turning on the site approved under 14/505397/SUB shall be submitted shall be implemented as agreed and retained throughout the construction of the development.

Reasons: In the interests of highway safety and convenience.

9. During construction on site, adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway in accordance with proposals to be submitted to, and agreed in writing by the Local Planning Authority.

Reasons: In the interests of highway safety and convenience.

10. The development shall be implemented in accordance with the submitted Transport Report July 2014 and approved under 14/502072/FULL.

Reasons: In the interests of highway safety and amenity.

11. Prior to the removal of the Solar Farm hereby approved, a Decommissioning Management Plan shall be submitted to and approved in writing by the Local Planning Authority and the decommissioning shall not proceed other than in accordance with the approved programme.

Reasons: In the interests of highway safety and the proper programming of the development.

12. The details of the substation as approved under 14/505397/SUB shall be implemented at the site.

Reasons: In the interests of visual amenity.

13. The transformer housing hereby approved shall be finished in Juniper green (BS12B29).

Reasons: In the interests of visual amenity.

14. The details of the method of disposal of surface waters as approved under 14/505397/SUB shall be implemented before the first use of the development hereby permitted.

Reasons: In order to prevent pollution of water supplies and localised flooding.

15. The watching brief approved under 14/505397/SUB shall be implemented throughout the course of the construction work at the site.

Reasons: To ensure that features of archaeological interest are properly examined and recorded.

16. Should works on site not commence within 6 months of the date of this permission, an updated badger survey should be submitted to the Local Planning Authority for

approval in writing and a site walk-over to identify the presence of Great Crested Newts shall take place prior to the commencement of works and any revised mitigation recommended shall be implemented in accordance with the approved details.

Reasons: In the interests of ecology and biodiversity.

17. An ecological impact assessment and mitigation strategy shall be submitted to the Local Planning Authority for approval in writing prior to the decommissioning of the solar array.

Reasons: In the interests of ecology and biodiversity.

18. The mitigation measures and recommendations set out in the Great Crested Newt Advice Document rev A, the recommendations set out in the letters from Landscape Partnership dated 27<sup>th</sup> August 2014 and 12<sup>th</sup> September 2014 and the mitigation measures agreed under 14/505397/SUB shall be implemented.

Reasons: In the interests of ecology and biodiversity.

19. The Construction Management Plan agreed under 14/505397/SUB shall be implemented throughout the construction period of the development.

Reasons: In the interests of highway safety and proper programming of development.

20. The acoustic treatment to the inverters approved under 14/505397/SUB shall be implemented.

Reasons: In the interests of residential amenities.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.