

02/15/0006

BLACKSTOCK FARMS LTD

**CONSTRUCTION OF SOLAR FARM FOR UP TO 5MW OF GENERATING CAPACITY COMPRISING OF INSTALLATION OF SOLAR PHOTOVOLTAIC PANELS AND ASSOCIATED INFRASTRUCTURE INCLUDING TRANSFORMER CABINS, SUB STATION BUILDINGS, ACCESS TRACKS, FENCING AND CCTV ON LAND AT PIXFORD FRUIT FARM, RALEIGHS CROSS ROAD, COMBE FLOREY**

Location: PIXFORD FRUIT FARM, RALEIGHS CROSS ROAD, COMBE FLOREY, TAUNTON, TA4 3HS

Grid Reference: 315101.130125 Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

**RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

- (A4) Flood Risk Assessment
- (A4) Archaeological desk based assessment
- (A4) Ecological Assessment
- (A4) Geophysics survey report
- (A4) Landscape and Visual Impact Assessment
- (A4) Transport statement
- (A4) Planning statement
- (A4) Arboricultural impact Assessment
- (A3) Locaton Plan, figure 1
- (A3) Zones of theoretical visibility, figure 7
- (A3) DNO substation
- (A3) Layout plan
- (A3) Layout plan 2
- (A3) Meter Room
- (A3) Deer fence

(A3) DNO track - 4 metres  
(A1) Drawing no. 1009-(01)-29-01-0 client substation planning drawing  
(A1) CCTY specifications  
(A1) Drawing no EPTMP 4L MS19112014 mounting structure  
(A4) Archaeological evaluation  
(A4) Agricultural Land Classification Report 25 Sept. 2015  
(A4) Solar photovoltaic Glint and Glare study V2 (16 Sept. 2015)

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

3. Within 25 years and six months following the development hereby permitted being brought into use, or within six months of the cessation of electricity generation by the solar PV facility hereby permitted, whichever is the sooner, the solar PV panels, frames, ground screws, inverter housings, and all associated structures, foundations and fencing approved shall be dismantled and removed from the site. The site shall subsequently be restored in accordance with a scheme and method statement (that shall include deconstruction traffic management) that shall have been submitted to and approved in writing by the Local Planning Authority no later than three months following the cessation of power production.

Reason: To ensure that the site is adequately restored following the decommissioning of the site in the interests of the visual amenities of the area.

4. The site operator shall inform the Local Planning Authority within 5 days of the site being brought into use that it is operational and producing electricity.

Reason: To allow the Local Planning Authority to keep a firm record of the date of operation, to allow effective future monitoring of the development.

5. The development hereby permitted shall not be commenced until details of a strategy to protect and accommodate wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of the Ecological Assessment submitted with the application produced by Envirogaugue, document reference EVG-14-033-EA and dated 14th June 2015 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance.
3. Measures for the retention and replacement and enhancement of places of rest for the species.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the new habitat and resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new habitats and related accesses have been fully implemented.

Reason: To protect wildlife and their habitats from damage.

6. (i) Before any part of the development hereby permitted is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the hedgerows and trees to be retained and the method of protection during the construction phase.
- (ii) The protection measures for the construction phase shall be installed prior to the commencement of any other work on site. The landscaping/planting scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with the adopted Taunton Deane Core Strategy Policy CP8.

7. Prior to the commencement of development an Environmental, Landscape and Ecological Management Plan and a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Environmental Management Plan shall include details of how risks of water pollution shall be minimised during the construction phase of the development, the proposed method of decommissioning of the development and how the site will be maintained during the course of the development, including any temporary protection of ecological interests on the access routes. It shall include proposals for the ongoing management of hedgerows and landscaped areas over the lifetime of the permission hereby granted. The Environmental Management Plan and Construction Method Statement shall be implemented as approved for the duration of the approved development including the

decommissioning phase.

Reason: To ensure that the site is managed in an acceptable way to protect visual amenity and ecological interests on the site.

8. Prior to their installation, details and/or samples of the materials to be used in the construction of the external surfaces of the transformer/inverter buildings, DNO Sub-Station building and proposed EPC housing hereby permitted shall have be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

9. Prior to the commencement of the development hereby permitted, a condition survey of the existing public highway including the road surface and boundary hedgebanks shall be carried out in accordance with details that shall previously have been agreed with the Local Planning Authority in consultation with the Local Highway Authority. Any damage caused to the highway and boundary hedgebanks shall be remedied by the developer within 3 months of the completion of the construction phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the access roads are returned to their former condition in the interests of highway safety and the visual amenities of the area.

10. No development shall commence until a detailed surface water drainage strategy has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that flood risk is not increased.

11. Prior to their installation, full details of the proposed perimeter fencing and CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected and thereafter maintained as such in accordance with such approve details.

Reason: In the interests of the visual amenities of the area and to ensure that

the fencing does not obstruct flood flows.

12. The developer shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in writing by the Local Planning Authority beforehand and fully implemented prior to start of construction, and thereafter maintained until the completion of the construction and dismantling phases.

Reason: In the interests of highway safety.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections, fences, or private ways shall be erected, extended, installed rearranged, replaced, repaired or altered at the site, other than those hereby permitted, without the further grant of planning permission.

Reason: To protect wildlife interests and the visual amenities of the area.

14. No external artificial lighting shall be installed on the site unless the details of that external artificial lighting have first been submitted to and approved by the Local Planning Authority.

Reason: To protect wildlife interests and the visual amenities of the area in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

15. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

#### Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.
2. It is expected that the buildings permitted on this site shall be finished in brown/grey materials.

3. Your attention is drawn to the publication 'Secure by Design' as a means of designing out crime. You are advised to contact the Police Liaison Officer at Somerset West Police District, Police Station, Shuttern, Taunton, TA1 3QA.
4. WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 0845 1300 228). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

5. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 0300 123 2224. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

## **PROPOSAL**

It is proposed to install a solar PV farm and associated infrastructure over an area of 6.78ha. The proposal seeks planning permission for the installation of a number of

rows of solar arrays, which are supported at intervals by posts driven directly into the ground. The site will consist of modules which are supported by a table/racking system which typically hold 32 modules each. The photovoltaic modules will be supported on steel tables/racking which will be supported by a steel pile system; the 32 module racks typically have 8 support posts for each table. The piles are likely to be around 0.1m diameter and will elevate the tables above ground level. The arrays will be up to 2.5m in height and the site will generate renewable electricity for 25 years, after which the solar farm will be dismantled. The solar park is expected to have a capacity of 5MW, which will generate enough electricity to power 1,525 average homes.

The proposal includes the following associated infrastructure:

- Three transformer units;
- A DNO sub-station (containing switchgear and meter units connected to the electrical grid). This will consist of a brick built cabin measuring 4.5 metres in length, 4.9 metres wide and 3.6 metres at its highest point, plus a 0.1 metre concrete plinth.
- A client sub-station (containing switchgear and meter units connected to the DNO substation). This will measure 3.65 metres in length, 2.75 metres in width and 3 metres in height, plus a concrete plinth.
- A switchgear/meter room. This will consist of a small box measuring 1.1m long x 1.1m wide x 1m in height, plus 0.07m concrete plinth;
- Deer proof fencing along the site boundary with access gates;
- Security closed circuit television (CCTV), with intruder detection system sensors located within the fencing;
- Underground cables;
- On site track to allow service access to the DNO sub station.

## **SITE DESCRIPTION AND HISTORY**

The proposed solar park development is to take place on agricultural land around 8km northwest of Taunton and approximately 400m to the north of the village of Ash Priors. The site lies to the south of the B3224 accessible off Combe Florey Road. The site currently consists of a single agricultural field and is bounded by agricultural fields to the eastern, northern and southern sides and a fruit farm plantation to the east. A footpath runs approximately north-south along the eastern boundary of the proposed development site. A pond is situated towards the southern boundary. A small farmyard is located immediately adjacent to the south-east corner which contains a number of modern breeze block and corrugated iron built farm buildings. The overall size is approximately 8 hectares, although not all of this will be covered by the solar panels.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

#### *COMBE FLOREY PARISH COUNCIL -*

Comments received **28th July 2015** state the following - Combe Florey Parish Council supports the application subject to TDBC and Ash Priors P.C. having satisfied themselves that there is no adverse impact on an Area of Outstanding

Natural Beauty.

Additional comments received **6th August 2015** state as follows - Further to our earlier response, supporting this application, Combe Florey Parish Council have now become more aware of the high level of opposition to this application – more particularly within the parish of Ash Priors. Whilst not materially changing our response to you (dated 23/7/15) on behalf of our own parish, we would re-iterate that our support for this application was subject to TDBC having satisfied themselves that the visual impact to the local is acceptable. We are also aware that Ash Priors, the area that will be most affected by this application, has no formal Parish Council. We would therefore draw your attention to the letter from Mr. S Jones, Chair of the formally convened Ash Priors Village Meeting.

*SCC - RIGHTS OF WAY* – No comments received.

*SCC - TRANSPORT DEVELOPMENT GROUP -*

I have now had the opportunity to review the application, including the relevant drawings and documents, including the Transport Statement (TS) (issue 1, dated June 2015, prepared by FMW Consultancy), and Appendix A of the TS, the Construction Traffic Management Plan (CTMP).

*Pre-application advice*

The County Council provided pre-application advice to the applicant's transport consultants in an email dated 7th May 2015, which has been appended to the TS.

*Access – Vehicular*

Access to the site is proposed to be via the existing field entrance at the south-west corner of the application site boundary, onto Combe Florey Road close to its junction with an unnamed public highway leading west. The TS explains that minor improvements to this access are proposed to accommodate the largest delivery vehicles which will serve the site (16.5m articulated HGV).

The County Council's preference for construction accesses is always for construction vehicles to make use of roads of the highest possible classification for the greatest part of their journey. In this case the nearby B3324 is designated as a County Freight Route generally suitable for freight traffic to use for deliveries. However, the final section of route to the site, along Combe Florey Road, is very narrow, with varying horizontal and vertical alignment along its route and for the most part tightly bounded by hedges. It therefore does not lend itself to being a construction delivery route used by heavy, wide or long vehicles.

If Combe Florey Road is to be used then it would be preferable for construction vehicles to use the shortest possible length to reach a site entrance. This would be accomplished if a new access were formed at the north-west corner of the site. Your authority may wish to consider the merits of such an option.

### *Swept path analysis*

A drawings has been appended to the TS to show the swept path of the largest vehicle anticipated to be used for construction deliveries to the site along Combe Florey Road. However, the drawing does not show the whole of the relevant section of Combe Florey Road. The applicant should provide an additional drawing of the southern section of the delivery route to confirm that the section to the access gate can similarly accommodate the anticipated vehicles without any modifications being required. This information can be included in a revised Construction Traffic Management Plan.

### *Unloading and Parking Areas – Location*

The TS states that a lay-down area is proposed in the south-west corner of the site some 50m from the access point. This area would be used to drop off materials and enable delivery vehicles to make turning manoeuvres. This is accepted by the County Council. However, no indication is given as to how much, or where, car parking for contractors, is to be situated. The applicant will need to submit details of this as part of a revised CTMP to enable the County Council to be satisfied that sufficient provision is being made on-site.

### *Trip generation – construction phase*

The TS explains that 60 deliveries to the site are required over a 10 week period (an average of 6 per week, peaking at 10 in some weeks). This estimate is based on information provided by the client and experience of other solar farms. Slightly more than half of the deliveries are forecast to be made on 44 tonne articulated lorries, with the remainder divided between 12m long rigid lorries and 16.5m long low loader lorries.

The number of deliveries is therefore relatively low and raises no highway capacity concerns.

No reference is made in the TS or the CTMP of the number of staff who will be working on-site at any one time. This information should be provided in a revised CTMP.

Hours of working are proposed to be 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays.

### *Traffic generation – operational phase*

Maintenance of the photovoltaic park is expected to be minimal with the TS stating one maintenance vehicle every few months; therefore traffic impact associated with the development once completed is considered to be negligible.

### *Construction Traffic Management Plan (CTMP)*

A CTMP dated June 2015 has been submitted alongside the application, as per the County Council's pre-application advice.

Construction vehicles are anticipated to arrive via the B3224 and Combe Florey Road before turning left into the site at the access gate and turning right onto Combe Florey Road from the access gate when departing. The County Council

will expect this to be conditioned as part of a revised CTMP or Construction Environment Management Plan.

The TS acknowledges that available visibility at the B3224 junction is substandard for the posted speed limit and banksmen are proposed to be present at the junction in order, according to the TS, 'to ensure safe entry and exit when the largest vehicles are in use'. Banksmen are also proposed to be present at the access gate. This approach is accepted by the County Council.

Temporary signage is proposed to be placed on the approaches to the B3224 / Combe Florey Road crossroads and other locations as agreed with the local highway authority to aid driver awareness of turning vehicles. Temporary direction signage is also proposed to aid construction vehicle drivers en route to the site. The County Council will wish this to be conditioned as part of a revised CTMP.

No abnormal loads are anticipated to be required as part of the deliveries of construction materials.

### *Conclusions*

In view of the above the local highway authority recommends no objection subject to the following conditions and informative notes relating to highways, access and parking being attached to any permission granted by your authority:

### Conditions

1. No development shall commence unless a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include details of construction vehicle movements, construction operation hours, construction vehicle routes to and from site, expected numbers of construction and worker vehicles per day, and contractor car parking locations.

Reason: In the interests of highway safety.

2. Prior to the commencement of the development hereby permitted, a condition survey of the existing public highway including the road surface and boundary hedgebanks shall be carried out in accordance with details that shall previously have been agreed with the Local Planning Authority in consultation with the Local Highway Authority. Any damage caused to the highway and boundary hedgebanks shall be remedied by the developer within 3 months of the completion of the construction phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the access roads are returned to their former condition in the interests of highway safety and the visual amenities of the area.

3. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

4. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of works on site and thereafter maintained during the construction and dismantling phases.

#### Informative Notes

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 0300 123 2224. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

#### *DIVERSIONS ORDER OFFICER -*

It should be noted that the public footpath T4/14 runs parallel to the eastern boundary of the proposed site. The path should not be encroached upon in such a way as to reduce its width or change the nature of the surface without the express consent of the Rights of Way Section, Somerset County Council.

#### *LANDSCAPE -*

Comments received 23rd July 2015 - As acknowledged in my initial observations, the development will impact on views to and from the Quantocks AONB.

To mitigate against this I suggested that, in addition to the hedging on the northern boundary proposed by the developer, additional landscaping in the small triangle of land to the immediate north of the site would help to reduce the impact of the development further.

I would like to see a buffer of at least 5m between the panels and the existing hedgerows on site. Edges of the panel rows could also be feathered. This is likely to affect the number of panels the site can accommodate slightly.

In addition the proposed hedging should contain some feathered hedgerow trees and I would like to see the beech replaced with an alternative native shrub such as guelder rose or spindle.

If permission is granted full amended details will be needed of landscaping as well as details of future management of the site.

Further comments received in **August 2015** - As acknowledged in my initial observations, the development will impact on views to and from the Quantocks AONB.

To mitigate against this I suggested that, in addition to the hedging on the northern boundary proposed by the developer, additional landscaping in the small triangle of land to the immediate north of the site would help to reduce the impact of the development further.

I would like to see a buffer of at least 5m between the panels and the existing hedgerows on site. Edges of the panel rows could also be feathered. This is likely to affect the number of panels the site can accommodate slightly.

In addition the proposed hedging should contain some feathered hedgerow trees and I would like to see the beech replaced with an alternative native shrub such as guelder rose or spindle.

If permission is granted full amended details will be needed of landscaping as well as details of future management of the site.

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION* – No comments received.

#### *BIODIVERSITY -*

The site, is a single field of improved grassland, currently grazed by sheep. A pond surrounded by trees is located to the south of the field. All existing hedgerows and trees on site will be retained. An existing gateway will be widened to access the site. The section of hedging removed will be replanted.

The assessment included a desk study and Extended phase 1 habitat survey, which commented as follows -

#### *Amphibians*

Due to drying out in the Spring, the pond is unlikely to be an amphibian breeding site.

#### *Reptiles*

The site has low potential for reptiles.

#### *Breeding birds*

Habitat on site such as trees and scrub provide nesting and foraging habitat for birds. The site may have low potential to support a small number of ground nesting birds. The surveyor has suggested resurvey, if works are carried out during the summer months. I support the proposal to erect two barn owl boxes

and two kestrel boxes

*Badgers*

Badger setts were found within the survey area. I agree that the site should be resurveyed prior to any construction.

*Bats*

Two trees on site provide potential roosting habitat for bats. These trees will be retained. The planting of new hedgerows will provide additional foraging sites for bats. I would also like to see some further tree planting to the north of the panels near the public footpath.

*Dormice*

The site hedgerows form part of a wider network of hedgerow habitat which offer potentially suitable habitat for dormice

I would like to see a condition requesting that works are carried out in accordance with the Ecological assessment and a LEMP

In the section Summary and Conclusions of the assessment report it makes reference to A Landscape and Ecological management Plan (ref EVG-14-033-Lemp) as being submitted as part of this application, but I could not find it

*DRAINAGE ENGINEER -*

No objection but suggest condition that drainage proposals shown on J-5337-CFM 3001 in the flood risk assessment are implemented prior to construction commencing.

*SOMERSET HERITAGE CENTRE, SENIOR HISTORIC ENVIRONMENT OFFICER*

The results of the recent field evaluation have demonstrated that there is some potential for the presence of Roman activity at the southeast end of the proposed application area. For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made, as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted (as follows -)

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

*HISTORIC ENGLAND (ALL CONSULTATIONS) -*

### *Summary*

The remit of Historic England in the context of this application is to consider whether the proposed development would have an impact upon the setting of any grade I or II\* listed buildings within the area. From our initial assessment on site there would appear to be two sites that have potential to be affected. Further review in line with the Historic England's guidance - The Setting of Heritage Assets is required, including specific photomontages.

### *Historic England Advice*

Our initial assessment identified seven assets as having potential inter-visibility with

the scheme post completion:

- Gatehouse at Combe Florey House,
- Church of St Peter and Paul
- Cross at Church of St Peter and Paul
- The Old Manor House
- Church of the Holy Trinity
- Sandhill Mansion House
- North Lodge.

Having been to site we are of the view that the four assets to the north at Combe Florey and the Church of the Holy Trinity are outside the area where there would be visibility. Relative to the II\* listed Sandhill Mansion and North Lodge however the situation is less clear. Sandhill Park is grade II\* listed as a country house, dating from 1720 with portico and wings added circa 1815. It is a grand neo Palladian composition faced in red sandstone ashlar, arranged over 7 bays, with a projecting portico supported on paired Tuscan columns. Internally on the ground floor it has a highly decorated rococo plasterwork ceiling which is over 250 years old. The land that is proposed to be developed is believed to have been part of the estate. Whilst a photomontage (No.2) is provided the precise location is not shown. At this stage further analysis is needed before a full assessment can be made. The analysis should be in line with the Historic England's advisory note 3, including photomontages from key locations. Relative to the Photomontage No.2 the location from which it was taken should be made clear.

### *Recommendation*

At this stage further analysis is needed. The analysis should be in line with the Historic England's, Historic Environment Good Practice Advice in Planning, Note 2 – The Setting of Heritage Assets, including photomontages from key locations where applicable.

Further comments received on **15th October** makes the following amended response -

Thank you for notifying Historic England of the amended plans and documents received. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. The additional photomontages that have been supplied demonstrate that the impact upon the

setting of the listed assets affected from those vantage points will be minimal. We now recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

*THE QUANTOCK HILLS AONB SERVICE -*

Comments received on **24th August 2015** raise the following concerns - The AONB Service wishes to express its concern about the above planning application for the following reasons:

The proposed location, whilst not within a nationally protected landscape sits between the two nationally protected landscapes of Exmoor National Park and the Quantock Hills AONB.

The LVIA accompanying the application does not include a viewpoint assessment from Lydeard Hill. Lydeard Hill is one of the most visited hilltop locations within the Quantock Hills and, importantly, is a location where people can enjoy the open hilltop views without having to walk out onto the hills (benches being provided at the car park entrance to the open hill - for people to stop, sit, and take in the striking view across the Vale of Taunton Deane and beyond).

From a field visit to Lydeard Hill, the location of the proposal site is clearly visible and on that basis the proposed solar farm would also be identifiable from Lydeard Hill particularly until the proposed hedgerow reaches and exceeds the height of the pv panels. We therefore ask you to consider the appropriateness of being able to identify a solar energy scheme within relatively close proximity to a protected landscape (and within direct sight of one of the Quantock's most visited locations for experiencing the high visual amenity afforded from the open hills).

We are concerned generally about the number of other solar schemes (existing and proposed) within relatively close proximity to the site and ask that full consideration be given to sequential viewing experiences from within the vale looking towards the prominent Quantock Hills backdrop (this does not appear to form part of the LVIA). Whilst outside of the protected landscape boundary, views towards protected landscapes (and in turn the visual amenity of those landscapes) can be adversely affected by developments that by their nature are at odds with overtly rural landscape character.

We are keen to understand at what point the critical limit of solar development within this part of the Vale has been/will be reached.

The AONB Service has since written in **(14th September)** to confirm that the photograph they supplied of a view from Lydeard Hill was taken with a camera at 75mm focal length for identification purposes, and so does not replicate human eye view.

Further comments received **22nd September** make the following points - As you know we have not objected to this application but have raised our concerns as we felt further information should be considered before

determination/recommendation of the application - namely viewpoint assessments of the hills looking from the south of the site towards the Quantocks (e.g. from public vantage points or rights of way) and consideration of impacts on views from Lydeard Hill. We are very pleased the latter has been considered but I am unclear if the former has been taken into account.

As this is an application outside the AONB our interest in the scheme is to seek assurance that should the scheme go ahead it is not contrary to the primary purpose of AONB designation and does not adversely impact on views in and out of the protected landscape - in line with our Management Plan (2014-2019) as adopted by Taunton Deane Borough Council which states - Objective D13: to protect views in to and out of the AONB through involvement in the planning process. Supporting text under chapter 2.6 Development Infrastructure: "The last plan period saw an increase in planning applications for in-field solar energy schemes within and beyond the AONB boundary. The impact of changing landuse from agriculture to energy production, while providing an important diversification alternative to farmers, can significantly affect the character of a place and has the potential to negatively impact on the quality of Quantock views".

With the above in mind, we trust that should the scheme be approved it will not threaten the visual amenity of this nationally protected landscape nor adversely affect the character of its setting.

## **Representations**

A total of 135 representations have been received, some from the same persons. However, of these, 130 objections have been received from 102 different people. 5 are either in favour or not objecting.

Of those objecting, the following comments have been raised -

### Principle

- The proposal is contrary to Core Strategy, policy DM1, General Requirements, para d and e, which states that the appearance and character of any affected landscape should not be unacceptably harmed by the development, and noise, glare, vibration and other forms of pollution which could arise should not unacceptably harm the amenity of individual dwellings or other elements of the local environment".
- Policy SP4, (para. 4.57) states that development should respects the integrity of the countryside, and Policy CP8 sets out requirements to ensure that proposals conserve and enhance the natural and historic environment.
- The application contradicts government policy that only brownfield sites should be used.
- Surely there are more suitable sites in Somerset and beyond. The applicant has not done enough research on the surrounding area.
- We [CPRE] are not opposed to solar installations however their scale and location must be considered against their environmental impact.

- Having written the Core Strategy with such clear guidelines for rural development, the Council cannot blatantly ignore the very rules and standards that it has set.
- There should be a balance between the undeniably important development of alternative energy and the other needs of the community. This balance becomes more important given the current housing projects in the Deane, which remove agricultural land and increase the population. This application would destroy any such balance.
- 

### Landscape and visual impact

- It is proposed on an elevated site on the side of a hill, which will be very visible from our house, other properties, public roads and footpaths.
- The difference between a grass field of sheep and 17 acres of solar panels and assorted buildings could not be greater.
- The planning statement states that there will be minimal visual impact but this is completely untrue.
- Ash Priors has been the subject of intense scrutiny by Members in the past with some being turned down because of visual impact and for not being in keeping with the surrounding area. Members must be consistent.
- The area is scenic and the proposal would destroy the natural beauty of the area.
- The site is very visible from the frequently-used footpaths on and adjacent to it, from the wider surrounding area, from two properties opposite it, and from the Quantocks, and is in attractive, tranquil, green, open farmland.
- The proposed fencing that will be required for the security of this site will turn this area into an unsightly and ugly sight.
- The view from the Quantock hills when the sun shines on this development will ruin what is currently an area of natural beauty.
- It would be unsightly and far from being in keeping.
- Walkers' experience would not be made more enjoyable by the sight, noise and glare of solar panels and high fencing.
- Any screening would take years to mature.
- The whole site is highly visible from the Quantocks - I checked with binoculars myself.
- The site will be visible from the air.
- Would adversely affect the view from the Bishops Lydeard to Minehead steam railway.
- The TDBC Landscape Character Assessment identifies the area of the site as being in the 'Farmland and Settled high Vale' landscape type, where the key element is to focus on enhancing the quality of the landscape. This is reflected in Policy DM 1 of the TDBC Core Strategy that states that development will not be permitted where it would be detrimental to the appearance and character of any affected landscape.
- This site will be highly visible and the landscape character of the area will clearly be harmed by the incongruous presence of such a large solar installation.
- We are in an Area of Outstanding natural Beauty and this will no longer be the case if this project is allowed to proceed.
- It will have strong adverse visual and audible local impact which will not be reduced by existing and newly planted screening which will be deciduous and of even less impact in the winter.
- A near neighbour was required by the Landscape Officer to use a certain roof tile

on their proposed house to reduce the landscape impact. Also, the windows and doors were required to be timber to protect the character and appearance of the surrounding landscape in accordance with policies DM1 and CP8 of Taunton Deane's Core Strategy". To allow a solar farm on this site would therefore be nonsensical.

- This is an area that is visited by many thousands of walkers ramblers and general tourists who visit the area because of its unspoilt beauty and this development will be in danger of ruining the tourist trade upon which a large number of small businesses rely for a living.
- The landscape officer's report has completely ignored the visual impact on the properties to the south of the site.
- Solar "farms" have their place, but not in the middle of some of the most beautiful countryside in the UK, which should be protected and enhanced.
- Individual houses are not entitled to a view in Planning terms, but planners have a duty to prevent the visual and physical desecration of an open sweep of green pasture land, and to protect the rural environment.
- Landscape screening will stop us from seeing the beautiful views.
- Whilst the other solar farms in Ash Priors (Halse Farm and adjacent to Lethbridge Park) are on low lying, unobtrusive sites, this proposal is sited on top of a hill, visible from footpaths, roads, a number of houses and the Quantock Hills to the East.
- The proposed site is extremely exposed.
- Once the leaves have fallen, there will be 87 months of total visual exposure to the solar farm.
- This is a stunning greenfield site overlooked by 3 properties.
- Solar farms are dramatically industrialising our countryside.
- During construction of this proposed development a considerable length of ancient hedgerow would have to be removed to provide access. Replanting the hedgerow after the build would not replace what has been removed as many years must pass before the biodiverse environment of an ancient hedge is reclaimed.
- Because of the fields open exposed topography, it is impossible to screen it.
- We feel it is imperative that an Environmental Impact Assessment is carried out due to the sensitive nature of this proposed project.
- There is nothing to guarantee that the site would be cleared if the developer ceased trading or if the site was to become economically unviable.

#### Agriculture related issues

- The site is valuable productive farmland, not some brownfield or scrub land.
- This is not low grade agricultural land.
- There is no public trust in the land reverting to agricultural use after 25 years.
- Can't understand why it has been classified as grade 3b in the Agricultural Land Classification report given that the fields opposite have had crops grown in them.
- The land is incorrectly classified as grade 3b agricultural land.
- The land is either grade 1 or grade 2 and the Government are now recommending that you do not build on this good quality land.
- Any decision on development should be postponed until a comprehensive soil report has been prepared.
- To erect this monstrosity on pasture land within this beautiful unspoilt tranquil village would be unforgiveable.
- I don't think sheep could graze in between the panels because if they rub against

them they will bend the poles.

- Food and farming are the number one manufacturing industry in the UK and this is being undermined by the increasing number of solar farms.
- Whilst we have people on our planet still starving and a growing population in the UK, how can we morally take away good agricultural land instead of just using less energy?
- We really do need every acre of good quality land for cultivation and farming in order to feed our growing population.
- The farmer receives a better return on high grade agricultural land for solar panels than he can using his land for crops or dairy farming, and this is due only to the current Government incentive.

### Green and renewable energy issues

- The application should not be approved merely because the Government is promoting green energy.
- They should be on low lying brownfield sites or on roofs of buildings where they were originally intended.
- Solar farms should be developed in already blighted areas such as side of motorway.
- The Government revised their policy on solar farms in April 2014 stating that they did not want to see them on greenfield sites.
- The ad hoc pattern of solar PV installations across the country suggests that there is no national or regional policy on the location of solar farms and that their number and location is being dictated by developers and not by a coherent planning policy.
- It makes no sense to allow another solar farm when Government policy will disallow this in 7 months time.
- The Government will veto solar farms on greenfield sites next April.
- Recent Government announcements have highlighted that the UK now has sufficient renewable energy to meet its legally binding EU targets. So there is no urgency for this project.
- The UK has already installed more solar farms than anywhere else in Europe.
- Government subsidies which are driving the solar expansion are about to be cut in an effort to stop expansion on farmland.

### Wildlife

- Impact on a wildlife corridor between the hills behind Bishop's Lydeard and the woods of Halse, Combe Florey, Lydeard St. Lawrence and on towards the Brendon Hills.
- There are a number of bat species resident at Sandhill Park.
- There is a diverse range of plant and wildlife nestling in the shadow of the Quantocks, and surrounded by farmland.
- The site will severely affect foraging habitat for a large colony of lesser horseshoe bats, barn owls and other birds of prey.
- Why is it not proposed to graze sheep on the land in the spring and summer? Could it be because it is too hot? Ecosystems under panels are being damaged and essential carbon is not being held in the soil.
- You must take into account the 'Natural England Technical Information Note TIN101 (Solar Parks: maximising environmental benefits)', and in particular the paragraphs pertaining to bat roosts, navigation to foraging sites, bats colliding

with panels and take further advice from a bat specialist.

- I would like to request that you ask the applicant to submit the LEMP and Soil report.
- Why have the views of Natural England, the Somerset Wildlife Trust and the Quantock Deer Management & Conservation Group not been sought?

### Noise and glare

- It will make a continual low level buzzing noise (fans from inverter buildings).
- Will glare when hit by the sun.
- The thought of having to wear sunglasses for the next 25 years as Glint (Flash) and Glare (continuous sense of bright light) is depressing.
- Solar panels will impact upon our business of training racehorses because of the sensitive nature of thoroughbreds. They have an instant fight or flight response in reaction to anything e.g. glint that catches their eye. This would seriously jeopardise the health and safety of both the horses and their handlers. [similar comment made by two separate nearby businesses].
- Noise will be generated through the hum of the fans that operate the cooling systems.
- When it rains heavily or indeed during hailstorms the noise of the panels being hit is tremendous.
- The site lies near a busy international airline flightpath. There is no reference to Civil Aviation Authority interim guidelines on siting of solar panels (2010) having been considered. Have the applicants considered the glint and glare issue and the potential effect on aircraft safety from this exposed site?
- I disagree with the 'Glint and glare' study's findings that there will be no significant impact upon horses or riders based on the location of the proposed solar farm relative to the horse facility nearby.
- I would like to request a noise evaluation report.
- The sub-station at Tolland Solar Farm produces an annoying hum which is very difficult to switch off from. It's not the panels that produce the noise but the sub-stations and invertors.
- The A.A. have reported that there were 2905 accidents in which sun dazzle was reported as being a contributory factor in 2012. Of these 36 involved fatalities and 423 resulted in serious injury.
- Having worked with horses professionally, it is clear that that the author of the Glint and Glare Study clearly lacks any knowledge in equestrianism whatsoever.

### Cumulative Impact

- There are a number of other solar farms within the area [representations suggest between 9 and 15 within a 5 mile radius and two within Ash Priors].
- If allowed, this would be a third solar farm within a mile of Ash Priors' historic centre.
- I am not advocating a 'not in my back yard' attitude but must make a stand as we already have too many in our back yard.

### Archaeological and historic impact

- An industrial site in the historic landscape of the Sandhill Park adjacent to a footpath is unthinkable.
- The proposed development would affect the setting of Sandhill Park, an

important, historic Listed Building, surrounded by trees and parkland.

- It would be detrimental to the historic village of Ash Priors.
- The applicants' Geophysical Survey Report states that there is potential for archaeological features to survive within the limits of the proposed development site and further archaeological investigation is required to establish a suitable mitigation strategy. There is no documentary evidence of this having been done.
- The site is of significant historical and archaeological importance with a number of listed buildings nearby, historic parkland and the historic Ash Priors Conservation Area. The proposal will affect all of these heritage assets.

### Flood risk

- Flooding is an issue in the lane near the field entrance. This water drains across the fields to the south of the solar site and has caused two very tall trees to at Sandhill Park to fall due to waterlogging of the roots.
- There is already a flood issue in the lane on the Ash Priors road which will be exacerbated by the direction of the rain on the panels.

### Other issues

- The proposal does not identify any increase in employment. Given the loss of agriculturally productive land, the proposal would result in a net increase in unemployment.
- There is insufficient time for local residents to comment from an informed position.
- The site being, in their [*applicant's*] opinion, the 'only option' is not a valid reason for having it.
- Please urge farmers and companies building new houses to place solar panels on buildings instead.
- Landowners just want to make money at the expense of local people irrespective of the noise and ugliness.
- Just once I would like to see Taunton Deane support the ordinary rate payer instead of the rich ones.
- Although the project is said to be in place for 25 years, once the infrastructure is up it would be easy to allow them to carry on.
- What happens after 25 years - more landfill?
- 25 years cannot be classified as temporary.
- PV ground systems are inherently exposed to both direct and indirect lightning events. We should question the safety of this.
- Disruption to local businesses during the construction period.
- The construction phase of 12 to 16 weeks would impact upon nearby equine businesses and should be taken as a planning issue.
- The value and quality of any properties in the vicinity will be seriously affected.
- If this was a sewage treatment plant, power generating station, atomic reactor, windmill or supermarket, it is unlikely that the application would be granted based on the proximity and quantity already in place.
- Consideration must be given to the right for green space and the freedom to use the public footpaths.
- There are two regularly used public footpaths next to the field in question which will be detrimentally affected by high fences, the solar panels installation, the power inverter stations, CCTV, transformer stations, sub station and communications building.

- The planning committee needs to have the foresight to see the option of putting solar panels on the roofs of buildings such as the Morrisons distribution centre, when they are being constructed.
- How will we dispose of the technology and the foundations when the land is reverted to agricultural use?
- We hope that the motivation of those who are making this application is to reduce carbon emissions, but it seems more likely that it is to make a profit.
- This application should be refused on the grounds that the land should be for the benefit of us all and future generations, rather than passed for the benefit of a few individuals.
- The inclusion of CCTV is an exclusion of privacy.
- The developers should find somewhere less damaging for their investment.
- To allow this would fly in the face of common sense judgement.
- Stringent conditions have been placed on nearby businesses and properties to ensure that the local environment was protected. Equally stringent conditions should be imposed on the solar farm application.
- If planning permission is given, can the national grid accommodate the energy created?
- Solar farm is merely a euphemism for rural industrialisation.
- Members should visit the proposed site, neighbouring properties and an example of a nearby solar farm in order to make a more informed decision.
- The level of security required for this proposed development will make the site and its surrounding area look like Fort Knox.
- The photos relating to Sandhill Park House are inaccurate and misleading.
- The footpath, which was originally the ancient old road from Ash Priors to Combe Florey, would become even more of a drainage ditch due to run-off from the panels.
- The application should be deferred until full and specific information rather than generic, has been provided.
- I requested a Police Security Report on this proposal and the Crime Prevention Design Advisor replied copper is needed to generate electricity and is an obvious target for thieves, as are other metals which may be present on site e.g. aluminium and the PV panels themselves. Appropriate security measures should be taken which could include appropriate fencing/gate, perimeter intruder detection system and CCTV (which will need to be monitored).
- Western Power Bristol have informed that there is more than enough power to serve the grid from Taunton to Minehead and this farm is not needed. It is purely a money making scheme that will benefit the applicant but will be a distressing intrusion to many others.
- The photographs taken are submitted from deliberately misleading angles.

Councillor Jane Warmington (Ward Member) also wrote in against the proposal and supported the views of Ash Priors Parish Council.

Some of the letters summarised above were forwarded by Rebecca Pow M.P. who has met with residents to discuss their concerns. She has seen the proposed site and spoken to a wide group of people to hear their views. She then wrote to residents in and around Ash Priors to gauge their sense of feeling and passed copies of the responses to the LPA. She has not expressed any opinions of her own on the application to the LPA.

## Comments in support

Strongvox Homes who are currently building out the 28 dwellings approved as part of planning permission (ref: 06/08/0010) at Sandhill Park, which lies in very close proximity to the proposed solar farm have written in support of the proposal, making the following comments -

- The proposal is for a temporary development ,which can be completely removed after 25 years;
- The site is to be located on low-grade agricultural land;
- Landscape impact will be negligible and will be barely visible from outside the site;
- Impact on nearest residential properties will be negligible;
- It is proposed to provide significant enhancements to ecology;
- There will be no detrimental impact on the users of the adjoining PROW;
- Access to the site is achievable without detriment to existing road users;
- There will be no impact on the setting of heritage assets;
- The proposals will not give rise to any flooding.
- The proposals are in accordance with national and local planning policy which should be supported by Taunton Deane BC.

Other comments in support include -

- There is no legitimate objection to the planning application as the site is NOT easily viewed from the village [*Halse*] that is in any event some distance away.
- Noise is minimal.
- The loss of one field is not going to cause starvation to animal stock.
- I fully support this proposal as it can only help reduce the need for further nuclear power and the danger that presents us all in the future.
- I see no reason why this application should receive such a negative response locally. The whole community will benefit from this and I would recommended your committee to support it.
- I fully support renewable energy and have no objections to this proposal. [*Made in response to the M.P.'s letter*]
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## **PLANNING POLICIES**

EN12 - TDBCLP - Landscape Character Areas,  
ROW - Rights of Way,

## **LOCAL FINANCE CONSIDERATIONS**

The proposal has no financial implications for the Council that need to be taken into account as the proposal will not attract any New Homes Bonus and will not be liable for a payment under the CIL Regulations.

## **DETERMINING ISSUES AND CONSIDERATIONS**

The main issues in the consideration of this application are the principle of the development, landscape and visual impact, flood risk, ecology and highways.

### Principle

The National Planning Policy Framework (NPPF) states that the purpose of planning is to contribute to the achievement of sustainable development. This should be with a social, economic and environmental role. In terms of its environmental role, planning should contribute “to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”. As part of the 12 principles of planning, the NPPF states that in moving to a low carbon economy, Local Planning Authorities should encourage the use of renewable resources (for example, by the development of renewable energy).

Paragraph 97 specifically states: “To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources”, going on to add that local policies “should maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts”.

At paragraph 93, the NPPF states that “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”. It then states that “this is central to the economic, social and environmental dimensions of sustainable development”. The subsequent paragraphs refer to the need for a positive approach to renewables and the need to approve applications if its impacts are or can be made acceptable.

Paragraph 98 of the NPPF states 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."

Paragraph 112 of the NPPF indicates that the economic and other benefits of the best and most versatile agricultural land should be taken into account and that LPAs should “seek to use areas of poorer quality land in preference to that of a higher quality”. A discussion on this issue is made below.

Planning Practice Guidance (PPG) contains some specific guidance on renewable energy. The guidance confirms that the responsibility placed on all communities to increase the use and supply of green energy does not automatically override environmental protections and the planning concerns of local communities. It also sets out particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms. The PPG favours the use of brownfield land, discouraging the use of greenfield land but also sets out that it is important to consider 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 that the land is restored to its previous use. In this context, it is considered that the sole issue that a proposal is using farmland is not considered to warrant refusal of an application.

The PPG goes on to confirm that the proposal's visual impact, effect on landscape of glint and glare, on neighbouring uses and aircraft safety should be taken into account, and that there may be a need for and impact arising from security measures. That said, planning authorities should also take account of the potential to mitigate landscape and visual impacts through (for example) screening with native hedges.

In terms of the principle of the development, Government advice is clear that low carbon energy generation schemes are to be supported if the impacts of the proposal are or can be made acceptable and that in principle solar farms cannot be resisted. However, the importance of landscape designation and the protection afforded to such areas is significant in assessing the impacts of a development proposal.

In July 2013 the Government published Planning Practice guidance for renewable and low carbon energy. This provides advice on the planning issues associated with the development of renewable energy, on how to assess applications for, amongst other things, large-scale ground-mounted solar PV installations. Paragraphs 26 and 27 of this guidance provide advice on the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms.

26. The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

27. Particular factors a local planning authority will need to consider include:

- 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 (see guidance on landscape assessment at paragraphs 39-40) 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

The criteria above within the guidance are assessed are set out below within relevant sections of the report.

The Government's has also published a more recent strategy on solar PV in the document entitled "UK Solar PV Strategy Part 2: Delivering a brighter future" published by the Department for Energy and Climate Change in April 2014. The Minister forwards this document by stating that 'we need to deploy solar technology sensitively but also wherever it makes sense to do so. That requires us to be imaginative, but also to remove the red tape and the barriers which prevent perfectly sensible solar installations from taking place'.

This document identifies that while large-scale solar farms provide opportunities for greater generation, they can have a negative impact on the rural environment if not well-planned and well-screened. There can also be problems where local communities see no benefit but consider that they bear amenity issues. The Solar Trade Association has developed a statement of "10 Commitments" for solar farm developers which seeks to ensure that the impact of large-scale solar farms on communities, visual impact and long-term land use are minimised.

It is fair to state that much of the aforementioned national policy and government guidelines relates to the need for LPAs to plan positively and put strategies for renewable energy delivery in place, but the principles are still relevant to decision making. The Core Strategy does not include or propose such land allocations, rather it details a criteria based policy within which to assess such applications (Policy CP1). Therefore, each application must be considered on its own merits, largely with regard to its impacts and in accordance with Policy CP1.

In terms of local policy, the proposal is located on land designated as open countryside. In general terms, development in these areas is restricted, unless they are for agricultural purposes. Policy DM2 (Development in the Countryside) of the Taunton Deane Core Strategy does not specifically permit renewable energy installations, although it does permit development for essential utilities infrastructure. This could be taken to include power generating infrastructure, especially in the context of the NPPF which, as in previous planning policy, indicates that the 'need' for the development should not be considered by the Local Planning Authority.

Strategic Objective 1 (Climate Change) of the Core Strategy states that "Taunton Deane will be a leader in addressing the causes and impacts of climate change and adapting to its effects". Policy CP1 (Climate Change), referred to above, states that 'proposals for the development of renewable and low carbon sources of energy, including large-scale freestanding installations will be favourably considered provided that...[they] can be satisfactorily assimilated into the landscape ... and would not harm the appearance of these areas; [and that their] impact on the local community, economy, nature conservation or historical interests does not outweigh the economic and wider environmental benefits of the proposal".

The most important factor in relation to the principle of the development in this case, based on national guidance and local policy, is undoubtedly the effect on the character of the local and designated landscape and the environmental quality of the

area. The visual impact of the proposal is an intrinsic part of whether or not the landscape and environmental quality of the area will be affected. Overall, should the visual impact of the proposal be acceptable, then the proposal would be acceptable in principle in accordance with national and locally relevant policies. The impact on the character of the area, the landscape and the visual impact of the development are assessed in detail below.

With regard to the overall principle of the proposal, it is considered that it is acceptable, provided that it has an acceptable impact on the landscape, ecology, highway network and other surrounding land uses. These issues will now be considered.

#### Costs versus benefits.

I have considered the benefits and the disadvantages of this proposal, and these can be summarised as follows -

##### (a) Site benefits -

- The site benefits from good average sun hours for solar generation.
- It is economically viable and possible to connect to the local electricity grid - grid capacity has been confirmed through a grid connection offer from the local DNO.
- It is in close proximity to an existing electricity line, so the solar park can be connected to the local network without the need for significant new infrastructure.
- It is not within an area designated for ecological sensitivity.
- It is easily accessible for construction and maintenance.
- Its containment within a single field
- The surrounding hedgerows and trees will be retained. Where there is a deficiency in the boundaries, hedgerows will be enhanced and new planting added for ecological enhancement.
- Wide avenues of grassland will be left between the rows, managed to attract wildlife and be available to be grazed by sheep;
- Once development work is completed, site visits for maintenance and cleaning will be undertaken quarterly.
- There is no noise generated by the equipment. The solar panels are fixed (no motors) and other electrical equipment will be contained within a small plant room that can be adequately soundproofed.

##### (b) Site disadvantages.

- The site is in open countryside within a visible location.
- A couple of businesses are within proximity of the site and maintain they will be affected by the proposal.
- There are some residential properties in proximity of the site that would see the proposed development.
- The need for additional screening that would take some years to reach maturity.
- Disruption during the construction phase.
- Visibility to users of the local footpath network.
- Potential for glint and glare to impact upon neighbouring businesses, residential properties and users of the countryside in general

#### Landscape and Visual impact.

The landscape around the proposed development consists of undulating agricultural

farmland of medium to large regular fields surrounded by well-maintained thick hedges, linear tree belts, mature trees and small copses and woodlands. The site is on relatively high and undulating ground, meaning that the development has potential to cause harm to the landscape and visual amenity of the area. However, within the undulating landscape there are numerous mature trees and thick hedgerows which provide enclosure and restrict views from nearby visual amenity receptors. Visual amenity receptors consist of scattered residential properties and farms and towns and villages connected by a network of transport corridors including major and minor roads, railway lines and public rights of way. Views are possible from nearby receptors generally only where gaps in vegetation cover or when elevated open land allows occasional expansive views.

The proposed development site is not recognised for its value through any landscape relevant designations, although there are scattered landscape relevant designations further afield. The National Park is approximately 7.2km to the north-west of the proposed development, at its closest point. The Quantock Hills Area of Outstanding Natural Beauty (AONB) occurs approximately 2.2km to the north-east of the proposed development at its closest point, rising up from the flat to undulating and well-vegetated farmland, to a distinctive scarp. The steeply rising slopes that are characteristic of the AONB are often well-vegetated and enclosed, but the upper slopes are more open with associated expansive views over the adjacent lower lying farmland. In addition, there are scattered Registered Parks and Gardens present, including National Trust owned land. Some of the centres of the scattered settlements are recognised as Conservation Areas. Ancient Woodlands are also present, generally occurring across the wider area with the larger ones found within the AONB, adding to the well-vegetated character.

Mitigation measures have been proposed during the design stage to try and ensure that the proposed development will have limited effects on landscape elements. This includes keeping all of the existing hedgerows and trees on the site itself. The proposed development's location, set in a sloping and well-vegetated landscape also minimises the wider impacts on landscape character, landscape relevant designations and nearby visual amenity receptors. In addition, all existing field boundary vegetation will be retained and enhanced, where appropriate to retain and improve the landscape pattern and increase screening for nearby visual amenity receptors.

The proposed development has the potential to be perceived from elevated and open locations within the surrounding countryside. However, the significant viewing points are largely at distance and it is considered that they would only be selectively perceived. At distance, such as from the Quantocks AONB, it is considered that the proposed development will be viewed as a minor built element within an expansive and well-vegetated landscape and it is considered that it would not stand out as a large or incongruous feature within the wider landscape.

It will be overlooked in close proximity from gaps in enclosure surrounding nearby properties, public rights of way and roads. However, this is not considered to justify refusing the application, because it is a well-established principle in Planning Law that there is no right to a view. The crucial consideration is whether or not the proposal will adversely affect the character of the landscape. Overall, it is considered that the proposal will have very limited impacts on landscape relevant designations, landscape character and visual amenity receptors and their views. On

balance, the majority of effects on landscape character, landscape relevant designations and visual amenity receptors and their views, are not considered to be 'significant' because of the enclosure provided by the surrounding hedgerows, trees and woodland, the gently sloping landform and the screening vegetation focussed around settlements and transport corridors in the immediate and wider landscape. With regard to the landscape character areas, the proposed development will not dramatically change the characteristics of the wider landscape or affect the integrity of landscape relevant designations. The proposed development will be visible but will largely be perceived as a contained built element, within a well vegetated landscape. The proposed development will fit within the existing field pattern and is not therefore considered to be out of scale with the surrounding landscape.

### Cumulative Impact

With regard to potential cumulative effects, the scattered operational and consented solar schemes present are set within the gently undulating and well-vegetated farmland that is characteristic of the area. A combination of distance, the scale of the operational and consented solar schemes, as well as the enclosure by mature vegetation, will ensure that the proposed development will be difficult to perceive in combination with other solar schemes. It is not considered that the addition of the proposed development will create a landscape or views dominated by solar schemes. The proposed development will inevitably add a built element to the landscape, but it will not have a direct impact on any designated landscapes. It is set within the regular landscape pattern within mature and well-hedged field boundaries and will not involve the removal of existing key landscape features such as trees or hedgerows.

### Agricultural land classification

It will be noted that there is clearly some debate between the applicants and those objecting to the proposal on this issue. This is important because paragraph 112 of the NPPF indicates that the economic and other benefits of the best and most versatile agricultural land should be taken into account and that LPAs should “seek to use areas of poorer quality land in preference to that of a higher quality”. Much of Taunton Deane is higher grade (1-3) agricultural land and in this context, if TDBC is to accept renewable energy in principle, it is likely to require the use of higher grade agricultural land. It should be noted that TDBC does not have a policy specifically preventing development on high grade agricultural land, although the LPA must have due regard to the guidance within the NPPF which seeks the use of poorer quality land.

As a result of the confusion between parties on the exact classification of this agricultural land, the applicant was asked to prepare a report, which was done by an independent rural chartered surveyor who is a member of the Royal Institution of Chartered Surveyors (RICS) and a Fellow of the Central Association of Agricultural Institute Valuers. The report was compiled in accordance with the 1988 Agricultural Land Classification (England) criteria as provided by the Ministry of Agriculture, Fisheries and Food. This was used in conjunction with a detailed survey of the site to determine and accurately assess the grade of land present. This was done by the usual convention of assessing the site against a number of factors, namely the

range of crops which can be grown, the likely yields, the consistency of yields and the costs associated in obtaining yields, together with the climate, site and soil type.

The report identified that the basis of National and local policy is to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from development that is not associated with agriculture or forestry. Therefore, the report makes clear that it is required to ensure that the proposed development will not jeopardise the use of prime agricultural land.

The report notes that the installation of solar panels would not be permanent with only the supports of the panels being driven into the ground, meaning that the land could be easily converted back to pure agricultural use if required. Also, it was noted that it would be possible for the land beneath the panels to be used as low input grazing land (by for example sheep or free range poultry), or alternatively it could be managed for environmental purposes, thereby continuing agricultural use once the panels had been erected.

The report considered a greater area of land than currently comprises the application site, but the application site was considered independently of the other areas. The application site is described by the report as productive grassland but is not considered suitable for growing a wide range of arable crops largely due to its exposed position on the brow of a hill and the shallow soil which would influence the range of cultivations that could take place as well as impeding nutrient uptake. The report states that the land maybe able to produce moderate yields of a moderate range of crops, but root crops such as potatoes could not be grown due to the shallow areas of soil. It is concluded that the application site is only 'moderate quality agricultural land' which is reflected by its limitations and likely low levels of productivity. These limitations lead the author of the report to conclude that the land was grade 3b. However, the report makes clear that the land will not actually lose its agricultural use if low key grazing takes place beneath the panels, and in any event it could quite easily be converted back to agricultural use following the removal of the panels in the future.

It is clear that many of the objectors take a contrary view to that of the report. However, no other professional study has been submitted refuting the information, so the report's findings are considered to carry weight in the decision making process . Whilst the removal of any agricultural land from production is regrettable, this permission does allow for continued grazing and would in any event be returned to agriculture use after the 25 year period of the proposed use as a solar farm. For all of these reasons, it is considered that the proposal is not in breach of the policy which seeks to use areas of poorer quality land in preference to that of a higher quality. There is not a reason for refusal on these grounds.

### Flood risk

The Environment Agency (EA) indicative flood map shows that the development site is located within Flood Zone 1 (low risk). However, as the development site is over 1 hectare in area (8 hectares in total), the application for planning permission is accompanied by a Flood Risk Assessment (FRA). The primary aim in this situation is to assess the surface water runoff produced by the development and where

necessary outline measures to ensure flood risk is not increased downstream of the site.

The proposed infrastructure for a solar PV site only introduces a small area of impermeable surfaces through the steel pile system used for the tables/racking system and the inverter stations concrete bases. The access and maintenance roads are proposed to be constructed from permeable materials and therefore will not contribute to increasing runoff rates from the site. The total impermeable area has been calculated in the FRA as being approximately 132m<sup>2</sup>, which is only around 0.2% of the total site area. The drainage system proposed needs only to contend with the volume of runoff from new impermeable areas to ensure flood risk is not increased, however, the FRA proposes additional storage to allow for inconsistencies and provide betterment. As such, the FRA suggests the installation of swale features running parallel to the site contours within downslope areas of the site. These features will intercept and distribute flows, create storage, attenuate runoff and promote infiltration across the site. Since the modules are located on a sloped frame between approximately 0.8m and 2.4m above ground level, rain falling on each solar panel table will run off the panels and flow/infiltrate in the sheltered rain shadow area underneath the down-slope modules. Runoff from the access and maintenance roads will be constructed of grass tracks/unbound crushed stones/gravel or similar permeable materials, which will allow infiltration of water on these areas. The access roads will therefore not increase surface water runoff rates from the site.

The absence of typical farming activity will in itself provide benefits which will serve to reduce runoff rates from the site, such as the fields will no longer be ploughed or furrowed, the fields will no longer be intensively trodden by heavy animals, and the fields will no longer be regularly traversed by heavy machinery. These factors are recognised by the Environment Agency's Land Quality Officer to considerably increase the rate of runoff from a site, thereby increasing downstream flood risk in terms of water flow rates and silt pollution. The absence of such farming activity will therefore reduce soil compaction on the site, allowing the soils to become naturally aerated over time. This would improve the soils water acceptance potential and reduce runoff rates from the site.

The FRA demonstrates that the surface water runoff from the development can be managed entirely on site. Furthermore the proposed system serves to reduce runoff rates to less than the undeveloped rate. As such, there will be no impact on the nearby watercourses and neighbouring sites as a result of the proposed development. In addition, the swales will provide an improved storage and interception capacity. This capacity will reduce flood risk to adjacent sites from surface water runoff, when compared to the pre-development situation. The FRA demonstrates that the swales have ample capacity to contend with runoff from the impermeable areas of the site under rainfall events in excess of the 1 in 100 year storm. The FRA makes recommendations which if followed, will result in a reduction in the surface water discharge rate from the site and therefore flood risk will be minimised. Consequently, with regard to flood risk, the proposed development is entirely appropriate in this area, and there are no reasons for refusal that could reasonably be cited against this development on the grounds of flood risk.

#### Archaeological and heritage resources

The application is accompanied by an archaeological assessment. It identifies the following all of which has been verified by the Council's own Conservation Officer. There are no statutory designated heritage features within the bounds of the proposed development site. There are a total of 16 designated heritage features and 3 Grade II\* Listed heritage features located within the 1km area of the site. These include Northern Lodge located approximately 360m to the north-east of the proposed development site. This is associated with Sandhill Park House located approximately 380m to the south-east of the proposed development site. In addition, the parish Church of the Holy Trinity at Ash Priors is located approximately 560m to the south of the proposed development site. The remainder of the designated heritage features are all Grade II Listed and consist mostly of houses, cottages and farmhouses located in the village of Ash Priors located approximately 400m to the south of the proposed development site or within the southern tip of the village of Combe Florey, located approximately 560m to the north of the proposed development site.

Sandhill Park House, or Sandhill Mansion (grade II\*) as it is sometimes known, is not within a Zone of Theoretical Visibility from the development site. In other words it cannot be seen. This is due to it being at a much lower level, in a dip, and surrounded by strong tree and hedge screening. It is not therefore considered that the development proposal would impact upon the setting of this building. This has been confirmed in the archaeological assessment. The surrounding trees and topography also result in limited intervisibility with the roofline of Northern Lodge at Sandhill Park (also grade II\*). The Lodge is visible but only from the highest point of the proposed development site in the north-west corner of the field. Therefore, the setting and character of the Lodge is not considered to be significantly altered by the proposed development. There is no intervisibility between the Combe Florey Conservation Area and the proposed development site and so there is considered to be no significant impact upon this Conservation Area arising from the proposed development. The historic core of the village of Ash Priors is located within a shallow valley, with a hill rising moderately steeply to the north of the village. There are also a number of mature trees that screen the village from the proposed development site and a new modern development currently under construction in the intervening area between the Conservation Area and the proposed development site. As a result, there is only very limited intervisibility with the northern tip of the Conservation Area and the setting and character of it is not considered to be significantly altered by the proposed development.

The above is now verified by Heritage England, who in their letter dated 15th October 2015, state that the impact upon the setting of the listed assets likely to be affected by the proposal will be minimal. They now recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. That recommendation is that there are no reasons for refusal on the basis of adverse impact on heritage assets.

There are no heritage features of Prehistoric, Roman, Medieval, post Medieval or modern date located within the bounds of the proposed development site. The archaeological assessment concludes that the overall impact upon archaeology is considered to be low with the overall significance of impacts thought to be minor. However, a geophysical survey is scheduled to take place as part of an ongoing scheme of archaeological works. This will inform on the archaeological potential of

the site and be used to understand the need for and location of any future investigation/mitigation works, that might be needed. This can be covered by condition.

### Ecological issues

The site is dominated by a single field of improved grassland, of low ecological value. The solar farm will be contained within the field boundaries, which will involve a combination of mature hedgerows, and fence lines. The existing hedges will be retained and suitably managed as will the mature trees and a field pond. New species-rich hedgerows will be planted across the currently open boundaries to the northwest and east. Belts of rough grassland will be encouraged to develop between the perimeter fence and field boundaries, particularly to the south and north in order to increase habitat diversity. The site does not form part of any designated nature conservation site. There is one statutory designated nature conservation site within 2km – Ash Priors Common Local Nature Reserve. A total of 17 non-statutory designated nature conservation sites (Local Wildlife Sites) occur within 2km.

The proposal is accompanied by an ecological assessment which has been informed by a desk study and an extended Phase I survey. The survey was carried out during January 2015. The survey makes clear that there are no predicted impacts on any designated sites or habitats of nature conservation interest in the area. The proposed rough grassland and additional hedgerows are likely to benefit farmland and hedgerow birds and wildlife in general by improving the availability of foraging habitat resources, shelter and potential breeding sites. The ecological assessment states that the proposed solar farm presents a very low risk of impacting on other protected or notable species. The project has potential, albeit low risk, of impacting on ground nesting birds. This impact will be avoided through either suitable timing of works or the risk of occurrence minimised by carrying an appropriate nesting bird survey prior to works commencing. Habitat creation and enhancement will provide new opportunities (foraging / nesting) for breeding farmland/hedgerow birds

The report has identified opportunities for the project to deliver ecological enhancement in line with published guidelines, including those produced by Natural England (Natural England [2011] TIN101 Solar Parks: Maximising Environmental Benefits) and the Building Research Establishment (2013) Planning Guidance for the development of large scale ground mounted solar PV systems. It has also allowed for impacts on such features/resources from the project to be considered in accordance with IEEM guidelines for Ecological Impact Assessment. The project also introduces the opportunity for ecological and biodiversity improvement by reducing the intensity of land management. Whilst of general wildlife value, habitat creation and sympathetic management represents a positive impact with potential to be of value at a site and immediate area level. These measures amount to ecological enhancement.

The assessment identifies that through incorporation of the proposed mitigation and enhancement measures into the design, the proposed development will be unlikely to result in adverse impact on ecosystem function, nature conservation interests, designated sites or protected/notable species. The proposal is likely to improve the

biodiversity potential of an area of land which is dominated by species-poor grassland of predominantly low ecological value or nature conservation importance. It is considered unlikely that there would be cumulative impacts associated with the proposed solar development which would adversely affect designated sites, habitats and protected/notable species.

The report identifies that no specific mitigation measures are required in relation to other protected or locally notable species, although it does suggest that, as a precaution, the site should be resurveyed for badger setts prior to the construction phase commencing. Any necessary avoidance measures will be taken.

In conclusion, it is considered unlikely that the proposed development would adversely affect any sites designated for nature conservation, habitats of conservation interest/importance or protected/notable species. Furthermore, there are unlikely to be any cumulative impacts associated with the project which would adversely affect such features. Habitat creation and enhancement associated with the development presents the opportunity for introducing local biodiversity benefits. Importantly, the proposed solar PV farm is also likely to contribute towards local landscape scale nature conservation, ecosystem function, and reduction of the District's CO<sub>2</sub> emissions and related ecological 'footprint'.

Wildlife should be protected by the usual range of conditions which are included as part of the recommendations.

### Highways issues

Access to the site is proposed to be via the existing field entrance at the south-west corner of the application site boundary, onto Combe Florey Road close to its junction with an unnamed public highway leading west. The Transport Statement explains that minor improvements to this access are proposed to accommodate the largest delivery vehicles which will serve the site. The County Council's preference for construction accesses is always for construction vehicles to make use of roads of the highest possible classification for the greatest part of their journey. In this case the nearby B3324 is designated as a County Freight Route generally suitable for freight traffic to use for deliveries. However, the final section of route to the site, along Combe Florey Road, is very narrow, with varying horizontal and vertical alignment along its route and for the most part tightly bounded by hedges. The Highway Authority has therefore made the point that this road does not lend itself to being a construction delivery route used by heavy, wide or long vehicles. If Combe Florey Road is to be used then the Highway Authority suggests that it would be preferable for construction vehicles to use the shortest possible length to reach a site entrance, which would mean forming a new entrance at the north-west corner of the site. However, this is a more prominent position, and would involve the removal of a significant length of mature hedgerow. The difference amounts to approximately 250 metres of the Combe Florey Road. During the construction phase it is anticipated that deliveries will take place over a period of around 10 weeks. The maximum number of movements per week will be approximately ten, with the average number of weekly trips generated being approximately six. On the basis of all this, it is considered that it would be appropriate to use the existing access into the site. A construction traffic management plan has been

recommended by the Highway Authority, but such are almost impossible to effectively enforce, so no such condition is recommended.

The Highway Authority has also asked for further technical information including a revised swept path analysis, the location of unloading and parking areas, and the number of staff who will be working on-site at any one time. However it is made clear that this information can be provided in the Construction Traffic Management Plan, and so should not delay the application at this stage. A condition will suffice.

As the roads leading to the site are, however, narrow in the immediate vicinity, so it seems reasonable to include a condition to survey and rectify any damage caused in carrying out the development.

Once operational, the site should not have a significant traffic generation. The Highway Authority state that the traffic impact associated with the development once completed is considered to be negligible.

A public right of way currently runs adjacent to the east of the site. It is proposed to set the fence line approximately 6m from the footpath and include additional hedgerow planting along this boundary so as not to impact on the amenity of the users of the footpath. There will be no disturbance to this PROW during or after construction of the solar farm. No PROW will require to be either rerouted or closed as part of the proposal.

In conclusion, the local Highway Authority recommends that they have no objection to the proposal subject to usual conditions and informative notes relating to highways, access and parking being attached to any permission.

### Issues of 'glint and glare'

It will be noted that there is clearly some debate between the applicants and those objecting to the proposal on this issue. As a result of this issue, the applicant was asked to commission a 'glint and glare' report, which considered the two main issues:

1. The possible impact upon residential amenity of nearby residents caused by possible solar reflections (glint and glare) from solar panels within the proposed solar farm.
2. Concerns regarding the possible impact on horses and riders at a nearby horse facility, which is used to train racehorses.

The glint and glare assessment considered the location and heights of the panels, the receptors and the sun as it passes across the sky through the year. However, it made clear that there is no specific methodology for the determining the impact upon residential amenity. The report's approach is to identify receptors, undertake geometric reflection calculations, whilst comparing the results against the available solar panel reflection studies. The British Horse Society (BHS) has produced guidance with respect to solar farms and this has been reviewed for the horses and riders assessment.

The report helpfully starts by defining 'glint and glare'. When sunlight illuminates an

object, an amount of the incident light is reflected. This reflected light, when directed towards an observer, can become noticeable. The unwanted reflection of sunlight is referred to as 'glint' (a momentary flash of bright light) or 'glare' (a continuous source of bright light). Where reflected sunlight may be visible to a receptor, it can be concluded that glint and glare effects are possible. In context and with respect to a solar farm, glint will be witnessed by moderate to fast moving receptors whilst glare would be encountered by static or slow moving receptors. The term 'solar reflection' is used in the report to refer to both reflection types i.e. glint and glare.

The geometric analysis undertaken has shown that solar panels orientated southward at an angle of 25 degrees will not produce solar reflections toward any of the assessed dwellings to the south and north east at any time of the year. In general, the geometry of the relationship between the solar panels and the movement of the sun means that dwellings due east and west of the panels are most likely to view a solar reflection. Dwellings that are north or south of the panels are very unlikely to experience a solar reflection. Overall, no impact upon the assessed dwelling locations is expected because no solar reflection is geometrically possible from the proposed solar farm. The report concludes clearly that no impact upon the dwellings is possible.

In respect of horses, the report draws heavily upon the document entitled "Advice on solar Farms" produced by the British Horse Society produced in July 2014. The report notes that the British Horse Society does not see glint and glare from solar panels to be a significant issue for horses or their riders alike. It also adds that in the unlikely event that solar reflection is visible to a horse or rider, the Sun would be incident to the reflection which is a significantly greater source of light compared to a solar reflection from solar panel. Overall, the report concludes that no significant impact upon horses or riders is expected based on the location of the proposed solar farm relative to the horse facility.

Members of the public have expressed clear and reasonable fears of adverse impact from issues of glint and glare. However, on the basis of the evidence submitted and that which I have been able to ascertain, it is considered that the proposal would be likely to give rise to adverse conditions of either glint or glare that could be used as a reason for refusal. Unless or until any evidence is found that gives conclusive proof to the contrary, it is the case officer's recommendation that the potential threat to residential amenity and horses from glint and glare should be given only limited weight in Members' decision making process.

#### Impact upon nearby businesses

There are two businesses in the surrounding area from whose land the solar farm would be visible. Trebles Holford farm thoroughbreds lies off the Coombe Florey Road and is a business that breeds horses for racing and show jumping. It has been in existence for about 8 years at this site. Firstly, the owner is concerned about the noise of piling during the construction period. Secondly, the owner is concerned about the potential for glare from the solar panels to adversely affect his horses, causing them to panic and run with possible adverse consequences of injury to both the horses and any rider or trainer.

The second business is at Three Oaks, adjacent to the business referred to above

and involves the training of racehorses. The owner of this business refers to the unpredictable and highly strung nature of the horses and his belief that the glint, glare and noise of the installation will be a serious health and safety issue for his horses, his family and his staff.

It is known that horses can be easily 'startled' and this can lead to adverse situations. However, there appears to be little verifiable evidence in the public domain that either owner or the case officer can find to verify that this is a likely problem in relation to horses and glare from solar panels. The only evidence I can find to assist in this regard comes from the document entitled "Advice on solar Farms" produced by the British Horse Society produced in July 2014. It states that "The potential effect of solar farms on horses should be considered on any route used by them – including byways, bridleways, roads and permissive routes – and on equestrian businesses where horses are kept or trained. Standard photovoltaic panels are designed to absorb rather than reflect light for efficiency – reflected light is wasted energy – and although the amount of reflection varies with the component materials and the angle, the incidence of glare or dazzle is usually significantly less than from glass and will not be uniform throughout a period of sunlight, assuming that the panel is static [*the proposed panels are*]. Any reflection is unlikely to be a direct problem to horses, riders or carriage-drivers because of the angles and distances involved".

Since these concerns were raised, the applicant has produced a 'Glint and glare' report. This has been discussed above. Its findings conclude that in the unlikely event that solar reflection is visible to a horse or rider, the Sun would be incident to the reflection which is a significantly greater source of light compared to a solar reflection from solar panel. Overall, the report concludes that no significant impact upon horses or riders is expected based on the location of the proposed solar farm relative to the horse facility.

With regard to these matters, it is considered that the potential threat to horses from glint and glare should be given only limited weight in Members' decision making process.

### Residential amenity

There are a couple of individual properties which have private views towards the site, namely Sandhill Park House and Three Oaks. Sandhill Park House is a private residential property in Ash Priors. Three Oaks is part of an equine business and the residential dwelling for the manager of the business is currently under construction having been given planning permission on 24th May 2012 (LPA ref: 02/12/0011). This property is situated to the north of Ash Priors.

The case officer has visited both properties and made an assessment of the impact. It is accepted that the field that would contain the solar farm is visible from both properties, at ground level where there are gaps in the existing hedgerows, tree and vegetation cover and also from the upstairs of both properties.

The front of Sandhill Park House faces the field where the solar farm is proposed, with the front elevation of the property being approximately 425 metres away from the nearest part of the boundary containing the proposed solar farm and 0.7 km

away from the nearest part of the northern boundary.

Three Oaks is sideways on to the proposed site and will (when completed) have a garage next to the facing side elevation (according to the approved drawings). The approved plans for this property were accompanied by a landscaping scheme as detailed on drawing no. 1349-101A and within the Design and Access Statement (part 6) which approved hedgerow and tree planting on the boundary of the dwelling facing the current proposals site. The tree mix will incorporate ash, common oak and field maple using 1 to 2 year old specimens (40 – 100 cm. high). This will in due course provide appropriate screening. The approved plans show one secondary window at ground floor level that will be lighting a living room although this would look partly at the garage. At first floor only one window is proposed on the facing elevation and this will be a secondary window to the second bedroom. This would look over the garage towards the approved boundary planting and the application site beyond. This property is approximately 375 metres away from the nearest part of the boundary containing the proposed solar farm and 0.6 km away from the nearest part of the northern boundary.

Both of these properties are therefore at a mid-distance from the proposals site and on this basis, it is not considered that the development would be overbearing upon them. It is considered that there is no significant adverse effect on residential amenity in terms of overlooking, overbearing impact or loss of light to habitable rooms due to the distance from the site to the dwellings and the difference in height of the site to the location of the dwellings. Whilst the proposal would be visible from a couple of residential properties, there are no direct adverse impacts on these dwellings from a residential amenity perspective. It is accepted that the solar panels would be in view to them, although the required tree screen to Three Oaks will provide screening in due course. In any event, account must also be taken of the fact that it is a well established principle in Planning Law that there is no right to a view. Given all of these factors, it is not considered that the proposal could be refused on the grounds of impact upon residential amenity.

### Environmental Impact Assessment

The proposed development falls within Schedule 2, 3(a) of the Town & Country Planning (Environmental Impact Assessment) Regulations, because it is an installation for the production of electricity. The applicable threshold would be met because the area of the development would exceed 0.5 hectare. However, Pursuant to Regulation 5, Taunton Deane Borough Council as Local Planning Authority for the proposed development has adopted a screening opinion that the development is not EIA development, and therefore an Environmental Impact Assessment was not necessary.

Following receipt of the application, a third party (objector) wrote to the Secretary of State and asked him to give a screening direction. That screening direction was made on 10th November 2015. In the opinion of the Secretary of State and having taken into account the selection criteria in Schedule 3 to the Regulations, the proposal is not likely to have significant effects on the environment. Accordingly, in exercise of the powers conferred on him, the Secretary of State directed that the proposed development is not 'EIA development' within the meaning of the Regulations, agreeing with the Local Planning Authority's previous position on this matter.

## Conclusions

The solar farm will contribute to national targets for reducing emissions of carbon dioxide and in creating a distributed energy supply that is not reliant upon finite resources of fossil fuels. In addition the proposal will make a valuable contribution to the local target for renewable energy generation of 15% by 2020.

The proposed development is considered to be acceptable in principle. It will cause some harm to the visual amenities of the two nearby residential properties, but in time the proposed mitigation together with required planting at the nearest property will reduce this to an acceptable level. In any event it has long been established in planning law that there is no right to a view.

The site is classified as grade 3b quality agricultural land and thus considered suitable for a proposal of this kind.

The land will continue in agricultural use, grazed by sheep. The site will be maintained such that once electricity generation ceases it can be returned to full agricultural use on decommissioning. The site will also be managed thereby improving the biodiversity of the site, alongside the additional planting that is proposed.

By generating a reliable source of renewable energy and ensuring any potential impacts are mitigated, the solar farm proposed is considered to have demonstrated its ability to deliver sustainable economic, social and environmental benefits as required by the National Planning Policy Framework. The proposal is also considered to be in compliance with the adopted Core Strategy, meeting objectives in respect of renewable energy, landscape quality, agricultural land, biodiversity and ecology, residential amenity, access and flood risk.

In light of this, it is considered that the general policy support for renewable energy clearly outweighs the limited harm that might be caused and it is recommended that planning permission is granted.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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