

LIGHTSOURCE RENEWABLE ENERGY LTD

**DEVELOPMENT OF SOLAR PHOTOVOLTAIC FARM COMPRISING APPROXIMATELY 5,304 NO. PANELS, RATED AT UP TO 1.5MW, AND COVERING AN AREA OF 3.9 HECTARES, COMPLETE WITH INSTALLATION OF ASSOCIATED INFRASTRUCTURE INCLUDING MOUNTING FRAMES, INVERTER, TRANSFORMER, SUBSTATION, POLE MOUNTED CCTV CAMERAS AND FENCE AT HIGHER KNAPP FARM, KNAPP (AMENDED SCHEME).**

Grid Reference: 330246.124952

Full Planning Permission

---

**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

The proposed development will generate electricity from renewable sources contributing to tackling climate change and meeting renewable energy targets. There will be some short term harm to the visual amenities of the area, but the long term harm is considered to be limited to users of the public footpaths at or near the site. The benefits are, therefore, considered to outweigh the limited harm and the proposal is acceptable in accordance with Policies CP1 (Climate Change) and CP8 (Environment) of Taunton Deane Core Strategy. The development will not cause harm to wildlife interests, residential amenities or highway safety, nor will it lead to an increase in off-site flooding. It is, therefore, considered to be acceptable and in accordance with Taunton Deane Core Strategy Policy DM1 (General Requirements) and CP8 (Environment) and guidance contained in the National Planning Policy Framework.

**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:

(A3) DrNo PD184 Rev C PV Layout (amended plan)

(A3) DrNo PD184 Rev C CCTV Layout (amended plan)

(A1) DrNo E739-25-01-O WDP Substation Elevations, Sections & 3D Views

(A0) DrNo (66)602 E-House Arrangement

(A3) DrNo PE10041/Figure 1 Zone of Theoretical Visibility  
(A3) Deer Fencing Details- No Small Mammal Gate  
(A0) DrNo (66)603 Rev C3 Typical Inverter House Arrangement  
(A0) DrNo (66)603 Rev C3 Typical Inverter House Arrangement  
(A1) DrNo PE11041-001 Topographical Survey 15 Aug 2012  
(A3) DrNo PE10041-001 Figure 14 Planting Plan  
(A3) DrNo PE10041-002 Habitat Plan  
(A3) DrNo SKD184 Rev B Landscape Plan  
(A1) DrNo PE10041-002 Indicative Swale Location Plan  
(A3) Site and Location Plan

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, in accordance with Policy DM1 of Taunton Deane Core Strategy.

4. The site operator shall inform the Local Planning Authority within 5 days of being brought into use that the site 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 wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Wardell-Armstrong LLP submitted report, dated September 2012. and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- 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 resting places and agreed accesses for breeding birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and

provision of the new bird boxes and related accesses have been fully implemented.

Reason: To protect wildlife and their habitats from damage in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy and guidance contained in the National Planning Policy Statement.

6. No development approved by this permission shall be commenced until a detailed surface water run-off limitation scheme, together with supporting calculations, has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance for all drainage works serving the site.

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 prevent any increased risk of surface water flooding associated with installation of the solar farm development in accordance with Taunton Deane Core Strategy Policy CP8.

7. No development 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 in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority.

Reason: To ensure the preservation of archaeological remains in accordance with Policy CP8 of the Taunton Deane Core Strategy, retained Policy EN23 of the Taunton Deane Local Plan and the relevant guidance in Section 12 of the National Planning Policy Framework.

8. 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 6 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 in accordance with Policy DM1 of the Taunton Deane Core Strategy.

9. (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. This scheme shall include hazels, which

can be coppiced on rotation, on the eastern section of the field.

- (ii) The 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 and in order to provide reasonable mitigation in relation to visual impact in accordance with Taunton Deane Core Strategy Policy CP8.

10. 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. 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, in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

11. The perimeter fencing hereby permitted shall be erected prior to the commencement of any other works on site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect boundary trees, hedges and wildlife interests during the construction phase, in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

12. The development hereby permitted by this planning application shall only be undertaken in accordance with the submitted Flood Risk Assessment specifically including the following measures:

- All access routes shall be permeable surfaces constructed of either mown grass or unbound stones; and
- The drainage strategy is implemented in full prior to any new buildings or

arrays being installed at the site.

Reason: To ensure that flood risk is not increased, and where possible reduced, in accordance with NPPF paragraph 102.

13. 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 phase.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

14. 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, 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 in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

15. All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Core Strategy Policy DM1.

16. No external artificial lighting shall be installed on the site.

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.

17. No service trenches shall be dug within the canopy of any existing tree within the application site without the prior written approval of the Local Planning Authority.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Core Strategy Policy CP 8.

18. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the location of the protective fencing, and shall specify the type of protective fencing, all in

accordance with BS5837:2005. Such fencing shall be erected prior to any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 and 3 of BS5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Core Strategy Policy CP8.

#### Notes for compliance

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 has negotiated amendments to the application to enable the grant of planning permission.
2. 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. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

3. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

4. It is recommended that the developer investigates and specifies appropriate Sustainable Drainage Systems (SuDs) for surface water management on the site, in order to prevent the possibility of the rate of run-off exceeding the existing green field rate, and to reduce any pollution risks associated with potential soil erosion during/immediately after construction. These techniques involve controlling any sources of increased surface water, and include: a) Interception and reuse b) Porous paving/surfaces c) In filtration techniques d) Detention/attenuation e) Wetlands.
5. There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.
6. You are advised to check for the position of a gas pipeline which apparently crosses the north western corner of the site PRIOR to commencing any works on the site.
7. Somerset County Council Rights of Way section advises:-

Any proposed works must not encroach on to the width of the footpath. The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the cyclepath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the cyclepath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public cyclepath unless the driver has lawful authority (private rights) to do so.

In addition, if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from SCC Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)
- create a hazard to users of a PROW

then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483086.

## **PROPOSAL**

The application is for the installation and operation of a solar farm and associated infrastructure, including PV panels, mounting frames, inverter, transformer, pole mounted CCTV cameras and fence at a site of 4.70ha in a field at Higher Knapp Farm, Knapp. The original application stated the panels will have a generation capacity of approx. 1.8 megawatts, which is enough to power 531 typical homes, (based on Ofgem stated figure of 3300kW hours of electricity for the average

residential household in the UK). The panels will be approx 1.9m by 0.99m, be mounted on frames at an angle of 25 degrees to optimise daylight capture, and will be 2.3m above ground level. A centralised Inverter or cabinet mounted String Inverter will be required, this will be 3m high, by 6m long and 2.5m wide and be on the eastern boundary of the site. A transformer, same dimensions as the Inverter, will also be provided. A 2m deer fence is shown to surround the solar farm, and an unspecified number and location of CCTV cameras on 3m poles around the site perimeter. Site lighting is said to be required. A landscaping plan has been submitted, which shows a new hedgerow approx. 30m to have a double row of plants. The existing oak in the field and the existing hedges will be retained.

The Design and Access statement states that the site selection began with a desk top assessment which excludes Areas of Outstanding Natural Beauty, SSSI, National Parks, Green Belt and high flood risk areas. Visits are then made to assess planning and grid connections. Issues which are taken into account include, site size, irradiation levels, potential energy yield, site orientation, topography, shading, access, proximity of nearest overhead line, ease of accessing electricity connection point and available capacity of grid connection point. Planning issues include visibility of site, neighbouring properties, flood risk, agricultural land grading, sensitive areas, cultural heritage, flora and fauna.

The Design and Access Statement states the energy generation and demand in the UK, solar panels only produce electricity during the daylight hours and this coincides with the periods of greatest demand. Comparisons are given as to the benefit of solar farms over wind farms, eg less visual impact, no moving parts, no threat to birds, do produce electricity throughout the daylight hours; comparisons are also given over hydro power, biomass, nuclear power and fossil fuels. Disadvantages are given as relatively expensive to develop, a large area of land as compared to the small base of a wind turbine. Policy background is given as positive, the NPPF's central theme is the presumption in favour of sustainable development, para 97 stating that Local Planning Authorities should "recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources". Local Planning Authorities should have a positive strategy to maximise renewable and low energy development while ensuring that adverse impacts are addressed satisfactorily. Other areas of support within the NPPF are given by the agents as providing additional income to support agricultural production on the rest of the farm unit, and that areas of poorer agricultural land should be used, this being Grade three does not constitute the best and most versatile agricultural land.

The Design and Access Statement examines the relevant policies in the Taunton Deane Local Plan and the Taunton Deane Core Strategy (at the time of drafting of the Design and Access Statement, this plan had been submitted to the SoS). The agent considers the proposal is be in line with the relevant policies. The application is also accompanied by a Ecological Appraisal, this identified the closest point of the Somerset Levels and Moors Ramsar site being 0.95km to the north of the site, the nearest Local Wildlife site being the River Tone and Tributaries LWS being 0.95km north of the site, no ancient woodland with 2km of the site, the survey considers that there is scope for several species to use the trees, hedges and ditches as habitat, for roosting or feeding.

The flood risk assessment shows the site within Flood Zone 1, that the site is above the floodplain of the River Tone, that there is no history of flooding in this area, that run off from the inverter stations, substation building and solar panels will be directed



to the surrounding ground, i.e. onto the ground and run off or soak away towards the south of the site. "Following intense rainfall, runoff from panels may cause minor erosion at the base of the panel leading to small hollows which act as conduits for surface water runoff. However it is anticipated that the impact on surrounding ditch courses would be minimal."

An archaeological and cultural heritage assessment indicates no known assets in the site or in close proximity. The assessment concludes that the installation of the solar farm will have no impact on the various Grade I, Grade II\* listed buildings and churches which are sites within 5km of the site. There is however the potential to physically impact on yet unknown buried archaeological remains, but there is a low potential for remains, and the conclusion is that no fieldwork will be required.

The Landscape and Visual Impact Assessment states that the main visual impacts are within 2km of the site, that observers beyond this distance are generally unable to perceive detail particularly in a wide panorama, that the site appearing in any views available outside that distance would form a very small percentage of the overall panorama any potential changes to any available views would be imperceptible. In the assessment of the landscape value, the report states, "the site has no landscape or preservation development plan designation and as a consequence has neither importance nor rarity; the site has relatively uniform natural topography and lacks landscape features of any note, it has been assumed that the local community as a whole has no particular regard for the site other than the fact it is undeveloped 'open countryside'." The assessment considers the visual impact of the scheme on users of the area, such as walkers. There will be substantial adverse impacts during construction from viewpoint 1, which is close to the site and looking directly at it, this will change to moderate substantial reducing to moderate as boundary hedge mitigation becomes effective. Different assessments are given for different viewpoints around the site, generally the visual impacts are given as slight adverse or moderate adverse, and that these will be moderated when the hedges are allowed to grow to 3m.

Since the original submission, several aspects have been clarified by the agent:- there will be no on site lighting; solar module glass is designed specifically to aid the absorption of daylight, "they have remarkably low reflection compared to conventional domestic and toughened glass"; specially designed glass is used to increase the transmission such that less than 9% of the total incident visible light is reflected while normal glass reflects about 17%; the site is Grade three agricultural land which is not considered to be high grade agricultural land, it will revert to agricultural use after 25 years; the construction and operation of the solar farm will have no detrimental impact in continued agricultural use of the rest of the farm; the CCTV cameras will work on motion sensors, so are not consistently recording, the cameras are focused on the fence line and solar farm and will not have a range long enough to extend to neighbouring properties; in respect to drainage, the proposal will result in an additional 320sqm of impermeable area due to the inverters and legs to support the panels, this equates to 0.42% increase; there will be no additional plant/infrastructure that is not currently shown on the submitted plans.

An amended scheme has been sought which lessens the potential visual impact and addressed some of the issues raised by local residents. The amended scheme results in the proposal now being for a 1.5MW generating capacity; the application site area has reduced to 3.9ha from 4.7ha; the benefits would be to provide enough to power 442 homes and save approx 755,337kg carbon dioxide emissions pa.

There will be approx. 5,304 PV panels for the site. The amended application has removed the area of panels at the eastern side of the site which form the upper most slope of the field. The panel coverage is now less than originally submitted. The lengths of the rows range from 17.3m (1 only), 48.8m (2 only), through various lengths to 14 at 121.1m.

The revised plans also have full details of the WPD substation, which will be a structure 4.2m by 3.1m by 2.7m high, it will be GRP panels. The inverter and transformer cabinets will be relocated away from the highest point of the site and are repositioned on the most level part of the site. The switch room remains to the north of the site for maintenance purposes. Plans now show a revised swale arrangement on the site, and positions of the CCTV cameras, of which there are 16 arranged around the site. The agent has also confirmed that the hedgerows will be maintained to a height of 3m.

The agent was asked to provide an area of Hazel coppice in the higher area which previously 'contained' panels. None of the amended plans show this planting.

## **SITE DESCRIPTION AND HISTORY**

The site is to the south of Higher Knapp Farm, which is roughly in the middle of Knapp. The access to the site will be to the east of the farm buildings, using an existing track. The land slopes, with the higher land being along the eastern boundary of the site, and the western boundary being at the lower side of the field. The boundaries are marked by hedges, and there is a large oak tree within the field. A public footpath runs through the field, along the western part of the site, T 17/39, the panels would stop to the east of that path. The site is within open countryside as defined in the Taunton Deane Core Strategy and the Taunton Deane Local Plan, and is within the North Curry Ridge landscape character area. The site is clearly seen from the public footpaths which cross the site or are in the area, but is less visible from the roads which are some distance from the site. There are likely to be very few dwellings in Knapp from which you could clearly see the site; Wakely Cottage, the nearest is approx. 300m from the northern boundary. The nearest property in Ham is approx. 1.3km from the site, Fair View near Ham, is approx. 950m from the western part of the site and New Barn Cottage is approx. 580m from the site.

There is no relevant planning history.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*NORTH CURRY PARISH COUNCIL* - While fully supporting farm diversification and renewable energy initiatives, North Curry Parish Council consider the proposed solar farm to be in an entirely inappropriate location and objects to the granting of permission for the following reasons:

The proposed solar farm is on a scale of industrial development and is totally out of keeping in an area of unspoilt countryside. The fencing would be a major intrusion in open countryside and there is concern that a sub-station may be necessitated following granting of permission, this substation would not be subject to planning approval.

The development would be visually intrusive, particularly in view of the open landscape of the area. Being located high up on a ridge, the site would be visible from a long distance. It is also next to a public footpath and would visually detract from this amenity.

The development would remove good quality agricultural land from production. The application makes no reference to the risk of increased surface water run off. A map is enclosed highlighting the susceptible areas lying beneath the proposed site which could be impacted by any increase in run off.

The report from the applicant's ecologist has been questioned, with considerable badger and bat activity plus a badger sett being reported on the site. The lack of trees in the area mean the trees associated with the site would be likely to be particularly attractive to the local bat population. In addition, Great Cranes have been reported on the site and in adjoining fields.

The Parish Council note the concerns of the Senior Historic Environment Officer regarding the need to safeguard the potential archaeological importance of the site. The Parish Council strongly repeats their request that the application goes before the full Planning Committee for a decision.

*SCC - TRANSPORT DEVELOPMENT GROUP* - Neither the Construction Method Statement or Design and Access Statement provide any indication of the proposed route(s) for vehicles during the construction phase, to which I have concern for. From observations whilst carrying out a site visit, I have apprehension over the use of Knapp Road in both easterly and westerly directions due to the width of the carriageway and the surrounding highway network. Additionally, the Highway Authority are not aware of any vehicle tracking diagrams submitted as part of the scheme neither has a detailed description of the vehicles to be used during the construction phase been submitted. I would expect to see the following issues addressed: Suitable route(s) for construction traffic, detail on construction vehicles and inclusion of vehicle tracking diagrams and further information relating to a Conditioned Survey. Therefore, I request that a suitable Traffic Management Plan is submitted to clarify the above issues. Once additional information has been submitted, the Highway Authority will comment further on the scheme.

*SCC - RIGHTS OF WAY* - Any proposed works must not encroach on to the width of the footpath.

*LANDSCAPE* - I am objecting to the proposed PV farm on landscape grounds.

The landscape character of the North Curry Sandstone Ridge on the field site would be directly changed from agricultural to energy production and the impact changes would be visually significant up to 2km distance and contrary to policy CP8. The general landscape of the area good quality and is unspoilt with few intrusive elements.

Generally the submitted landscape assessment is accurate but given the sensitivity and number of public rights of way more weight should have been placed on the adverse impact on walkers especially photo viewpoints 1 and 4 and to a lesser extent 5 and 6. There are however five PROW T17/35, 37, 38, 39 and 64 not all of

which have been assessed for visual impact. T13/37 and 39 are of particular concern. Given their high sensitivity and high magnitude of impact I score them as being of substantial adverse significance of which the proposed mitigation would have limited impact given that the panels stretch up onto the higher parts of the field.

It may be possible to reduce the impact of the proposals by leaving the top third of the field clear of any PV panels and planting the area with an extended/thickened hedge line.

*BIODIVERSITY* - A mature oak tree, which is to remain, is located within the field. A mud track is located along the eastern boundary and a ditch follows the western boundary. The River Tone, a Local Wildlife site lies within 1 km of the site, as does the Somerset Levels and Moors RAMSAR and SPA. This site attracts internationally important numbers of wildfowl in winter and is one of the most important sites in southern Britain for breeding waders.

The site offers limited suitable terrestrial habitat for amphibians; the majority of the site offers limited habitat for reptiles, although there is potential for reptiles to be present along hedge lines; habitat on site such as trees and scrub provide nesting and foraging habitat for a number of birds. No signs of badger were found within the survey area although it is likely that badgers use the field for foraging; several mature trees on site provide potential roosting habitat for bats; it is likely that bats use the hedge lines for foraging and commuting. As no trees are to be removed, I agree that the impact of the development on bats is negligible. To conclude I agree that the field is generally of low ecological value. I support the recommendations but would like to see an element of biodiversity gain.

*ENVIRONMENT AGENCY* - No objection subject to condition.

*NATURAL ENGLAND* - The National Planning Policy Framework (NPPF) expects local authorities to prevent harm to biodiversity and geological interests. Paragraph 118 makes it clear how the government expects the council to consider planning decisions that could lead to harm to biodiversity and geological interests. Paragraph 109 identifies the importance of establishing coherent ecological networks that are more resilient to current and future pressures.

The ecological survey submitted with this application has not identified that there will be any significant impacts on statutorily protected sites, species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal. However Natural England supports the recommendations detailed in the ecology report. When considering this application the council should encourage opportunities to incorporate biodiversity in and around the development (Paragraph 118 of the NPPF).

*THE RAMBLERS ASSOCIATION* - no response.

*SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST* - In this case I disagree with

the conclusions within the Cultural Heritage Assessment. Knapp Farm is on what would have been an island throughout the prehistoric period (and pos. Roman) before the Curry Moor was the medieval period. Therefore, the site offered an exceptional area for settlement and/or other activity. In the Iron Age particularly settlements cluster on south (but also on other aspects) facing slopes that have water at the bottom. Recent work by the “Lost Islands of Somerset Project” has shown that these islands have very high potential for significant remains (both prehistoric and potentially early medieval).

Therefore, this proposal does have the potential to impact on significant archaeological remains I can only advise that geophysical survey (most likely followed by trial trenching, dependant on results) will be required.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a desk-based assessment and a field evaluation as indicated in the National Planning Policy Framework (Paragraph 128). I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it.

### **Additional Comments on the revised plans will be on the update sheet**

#### **Representations**

28 letter of OBJECTION received which raise the following issues:

##### Visual impact

- Visual impact on countryside;
- A blight on rural areas;
- The area is too large and should be reduced in size;
- Will be an eyesore from both Blackdown Hills and Quantocks AONBs;
- Visual impact from public footpaths;
- An eyesore to cyclists and ramblers;
- The agent has claimed the land “is of low value” – this is not the case, those who live in Knapp consider it to be a very attractive area;
- This area should be protected from semi-industrial developments;
- This could be the start of covering the whole hillside in solar panels;
- Full details of security including cameras, and fencing should be submitted at this stage;
- Permanent lighting not necessary at the solar farm at Halse;
- There is no external lighting in this area at all, with no street lighting along local roads;
- The consultant’s report is biased, of course it will not say it will be an eyesore;
- The applicant’s website states that redundant ground is used – this is not the case here;
- The CPRE state that the best places are on flat terrain, this is on a hillside;
- A detrimental impact on the statutorily designated conservation sites such as the Areas of Outstanding Natural Beauty and Thorn Hill;
- The application describes Higher Knapp Farm as having “industrial type buildings”, but these are agricultural buildings;
- This rural vale is rare and special, with no roads or lighting, and is a home to wildlife free to roam;

### Other areas more suitable

- The best place for 12 acres of glass is Steart, next to Hinckley Point;
- The panels alongside the M5 show that the flat areas are best for such panels;
- Should be on more appropriate sites;
- These panels should be sited on the roofs at Firepool;

### Agricultural Land

- Should not be sited on agricultural land;
- As no grazing is suggested, the land will be reclassified as industrial;
- This land is prime agricultural land, not poor quality;
- If land is used for solar panels, it cannot be used to grow food, there is now a shortage of land for growing food crops;
- Due to the flooding of the levels, as recently, the farmers lost substantial amounts of crops for livestock, this further intensifies this situation;
- The carbon footprint should be kept low by producing crops locally for local consumption;
- This is productive not marginal agricultural land;

### Run-off/flooding

- Increase in surface water run-off;
- People in Knapp already experiencing floods several times a year;
- Potential increase in flooding in Ham;
- Increase the speed that surface water will enter into the water channels;
- The impact of surface water run off does not seem to have been fully investigated;
- The footpath is soggy at most times; the soil is very clay like and will not soak away;
- The ground is already saturated, and not capable of taking more water;
- Glare from the panels;

### Traffic

- Construction traffic should be limited to the roads to the east of the farm as the roads in the area are very narrow;
- The roads form part of a cycle route and are very busy with cycle traffic in the week;
- The construction traffic will be noisy and be a nuisance on the narrow roads;

### Consultation

- Why haven't the residents of North Curry been informed;
- There has been no community consultation and a disregard for local knowledge, needs and concerns;
- There should have been pre-application discussions with the Parish Council and Local Planning Authority;
- The consultation period is too short for such a large scheme;
- The planning committee should decide, rather than this be a delegated decision;

### Insufficient information

- There appears to be little information supplied;
- How is the power to be transmitted to the grid? Will there be a substation?
- Various aspects of the submission are inaccurate or uncertain;
- What does "associated infrastructure" entail?

- Will there be an audible alarm system?

### Wildlife

- Potential impact on wildlife;
- Deer and badgers use this field; their habitat will be destroyed;
- Wildlife corridors will be detrimentally affected;
- There are bats and owls in the area; these have not been taken into account;

### Policy

- There are several thousand new homes being built without solar panels; which appears to indicate a lack of sustainability thinking;
- The NPPF states that the planning system should contribute to and enhance the natural and local environment, by protecting and enhancing valued landscapes .....
- The NPPF also states that it must be demonstrated that a development provides wider sustainability benefits to the community that outweigh flood risk....
- The NPPF introduction is to allow people and communities back into planning;
- Need to consider the application in relation to Policy DM1 of Taunton Deane Core Strategy, especially to make the most effective and efficient use of land, giving preference to the recycling of previously developed land....
- Policy DM2 that new development in the open countryside should be strictly controlled to protect the intrinsic character;
- Core Strategy CP8, - unallocated Greenfield land outside settlement boundaries will be protected and where possible enhanced to protect and enhance landscape character...
- Not aware of a Taunton Deane policy to encourage such Solar Farms, it would result in potential de-ruralisation of the area with serious employment and economic implications;

### Other

- If permission granted the Council should ensure impacts are minimised;
- If permission is granted, how will the reinstatement be properly controlled?
- This will be a high degree of visual impact for little production of electricity and little financial return;
- The application seems to be motivated by profit which would not be recycled into the local economy more than the wider issue of local sustainability or any local impact;
- This application is made by a London based investment company guaranteeing returns to UK investors' funds – there is no benefit to the local community or Taunton Deane;
- This is description of a 'solar voltaic farm' is not a 'farm' but an industrial unit covering over 8 acres;
- This will put off tourists visiting the area, with a loss of income.

### 1 letter of SUPPORT

- Exciting and bold application;
- Limited visual intrusion locally;
- Diversification of low grade agricultural land;
- Sustainable electricity;
- Many of the objectors may live within 200m of the site, but will not be able to

see it from their homes;

Campaign to Protect Rural England – OBJECT for the following reasons:

- Loss of Best and Most Versatile agricultural land;
- A detailed appraisal of the agricultural land would be desirable;
- The arrays are too low to allow for grazing;
- Thus this high quality agricultural land will be completely out of production for at least 25 years;
- The area at Ham has serious issues with flooding, the panels will increase run of at times of heavy rain;
- No attempts to screen the site from public footpaths;
- The CPRE is not opposed to PV farms in the countryside in principle, but they should be carefully sited to that they are not taking up the best agricultural land, do not increase flood risk and well screened from view, this application fails on all these criteria.
- If permission approved, conditions suggested.

## **PLANNING POLICIES**

STR1 - Sustainable Development,  
STR6 - Development Outside Towns, Rural Centres and Villages,  
S&ENPP1 - S&ENP - Nature Conservation,  
S&ENPP49 - S&ENP - Transport Requirements of New Development,  
S&ENPP64 - S&ENP - Renewable Energy,  
CP1 - TD CORE STRAT. CLIMATE CHANGE,  
CP8 - TD CORE STRATEGY- ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
DM2 - TD CORE STRATEGY - DEV,  
ROW - Rights of Way,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The main issues in the consideration of this application are the principle of the development, the visual/landscape impact, the impact on/capacity of the highway network, wildlife, potential for archaeology and run-off/flood risk.

### Policy/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”. As in previous planning policy, the NPPF indicates that the ‘need’ for the development should not be considered by the Local Planning Authority.

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.

Taunton Deane Core Strategy states at Strategic Objective 1 (Climate Change) 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) 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...their scale, form, design, materials and cumulative impacts 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”.

Some concern has been raised about the loss of high quality agricultural land and that the reduction in carbon emissions would be off-set by an increase from food importation. Neither local nor national planning policy makes any meaningful reference to the quality of agricultural land and whilst its loss is regrettable, the permission is sought for a 25 year period after which the land could be returned to agriculture. As such, it is not considered that this matter carries sufficient weight to warrant refusal of the application.

#### Visual impact

The site is clearly seen from the public footpath which crosses the site, and less so from the other public footpaths in the area. This visual impact is important to users of that footpath, and will impact on the enjoyment of the area for the length of time walking through the field itself and up to the edge of the field, but will lessen as you walk away. It is however not considered to be essential to protect all views from all footpaths. Walking along/through a field growing miscanthus will have visual impact for a length of time, as will walking past agricultural buildings, dwellings and outhouses. It is considered acceptable to have a public footpath alongside solar panels.

A landscape and visual impact assessment was submitted with the application and has been considered by the Council's the Landscape Lead Officer, who has objected and considers that the installation could be visible for up to 2km. It is considered that the development would have an impact on the landscape. However since the original submission the plans have been amended and the originally proposed

panels at the highest area of the slope have been removed, additional planting has been sought and verbally agreed in this area, the structures have been moved away from the higher area to two locations, one location being along the northern hedged boundary, the other being within the panel area towards but not near the retained oak.

The Landscape Officer has asked for an area of hazel coppice in the eastern section, which was previously shown containing panels. This has not been shown on the amended plans and is considered essential to help in the mitigation. The originally proposed mitigation would involve tree and hedge planting towards the boundaries of the site and this can be suitably covered by condition. The hedgerow mitigation proposed is considered sufficient to help reduce impacts from some viewpoints. Thus the visual impact has been reduced and subject to the inclusion of a hazel coppice as previously described, now it is not considered to significantly harm the landscape character of the area.

Residents' comments are summarised above; in respect to the 'designation' of the land, the agent's assessment is based on the avoidance of 'protected' landscapes such as Areas of Outstanding Natural Beauty, SSSIs, Ramsar sites etc. and considering the areas left as being 'low value', this 'designation' is not one the Local Planning Authority recognises, and all development proposals in open countryside is regarded as worthy of careful consideration. The land is not redundant ground and it would be unlikely that all the company's sites would be on such land. Most recent proposals include fencing, this is considered acceptable, and this will generally be screened by existing or proposed hedges, other than from the public footpath which crosses the site.

#### Other sites

Whilst there may be other sites which appear more suitable to local residents, the Local Planning Authority has to deal with the applications made. In any event, each application has to be determined on its merits. This type of application is becoming more frequent, and it is likely that there will be significant areas of rural Taunton Deane with such PV panels. In relation to sites at Firepool or areas within towns, energy consumption and generation will be addressed at application stage. Applications such as these are often subject to local opposition, but a balance has to be made between some local impact and the Central Government overall policy on renewable energy.

#### Run-off/Flooding

The Environment Agency has no objections to the scheme, subject to a condition, of which the agent is aware. This condition relates to a detailed surface water run-off limitation scheme and future management of the scheme. As the Environment Agency has no objection to the scheme, it is not considered that the Local Planning Authority can have an issue in respect to flooding.

#### Traffic

The County Highway Authority has raised issues which require further details and information. The highways in the area are narrow in parts with high hedges. The road from Ham is known as 13 bends, which is an indication of its unsuitability for some types of vehicles. Discussions have been ongoing between the Highway Officers and the agent, but to date this issue has not been resolved. It is expected to be resolved on the basis that the panels and all the associated equipment will have to access the site on smaller rather than larger lorries. This will result in more traffic

movements, but there should be less possible congestion given the narrow nature of the access roads. A suitably worded condition will mean that the developer will have to put right any damage caused to the local highways used.

### Wildlife

The applicant has submitted a wildlife survey with the application. The Council's Biodiversity Officer considers the development would not harm wildlife and there are appropriate mitigation measures that can be conditioned to ensure maintenance and protection of species. The NPPF in paragraph 118 advises when determining applications the local planning authorities should aim to conserve and enhance biodiversity. There are not considered to be any adverse impact on designated sites and the proposal and mitigation to be provided would comply with the relevant policy guidance in the NPPF.

Natural England has not raised objection and has guidance for such developments and these will be added as notes.

### Consultation/Information/other issues

Developers are encouraged to undertake community consultation prior to submission of applications, this applicant held a meeting after submission, and was able to clarify some issues and provide additional information. Most applications are identified as delegated at the validation stage. All comments received up to the decision being made will be taken into account, this includes late representations. Conditions will be imposed in respect to reinstatement; profit, origins/location of agent/applicant are not issues considered by Planning; description as a farm is common although no livestock are involved.

### Other

In respect of the concern expressed by the Senior Historic Environment Officer, further information has been supplied by the agent. With the removal of the panels from the upper slopes, this may help safeguard the situation of any undiscovered archaeology. A condition will be imposed to safeguard the situation.

### Conclusion

Central Government's policy is to encourage the use and supply of renewable and low carbon development; Taunton Deane Core Strategy CP1 accepts large free standing installations subject to certain criteria, including potential impact on the landscape. A balance has to be struck between the overall benefit of renewable power installations to society as a whole and the visual impact to walkers using this area. It is considered that there will be little visual impact on the residential properties in Knapp, Ham or other areas surrounding the site, as the distances are such that the visual impact is significantly less than for walkers using the public footpath network. The visual impact of the installation will be significant given the existing situation, but the revised scheme results in less impact from the higher ground as this is the area most seen at distance.

It has been shown above that, with the exception of landscape impact the other impacts detailed above can be adequately mitigated and controlled by condition. It is accepted that there will be some permanent (for the life of the permission at least) harm to views from the public footpath which crosses the site, and the other footpaths in the area. However, this must be balanced against the wider carbon reduction that would occur nationally from the increased uptake of renewable

energy. A development of this scale would produce an amount of electricity and, as such, it is considered that the benefits are significant and, in this case, outweigh the identified, limited, harm. With regard to these matters, 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.**

**CONTACT OFFICER: Ms K Marlow Tel: 01823 356460**