

10/12/0024

BLACKDOWN SOLAR POWER LTD

DEVELOPMENT OF SOLAR PHOTOVOLTAIC FARM COMPRISING APPROXIMATELY 23,000 NO. PANELS, RATED AT UP TO 5MW, AND COVERING AN AREA OF 21.4 HECTARES, COMPLETE WITH INSTALLATION OF ASSOCIATED INFRASTRUCTURE AT FORMER CULMHEAD AIRFIELD, CULMHEAD, CHURCHSTANTON (RESUBMISSION OF 10/12/0009)

Grid Reference: 320865.114662

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposed development will generate electricity from renewable resources contributing to tackling climate change and meeting renewable energy targets. The short term harm of views of the site from public vantage points will be mitigated and the long term impact on the visual amenities of the area is considered limited. The benefits are considered to outweigh the limited visual harm and the proposal is not considered to harm wildlife interests, highway safety, flood risk or the landscape character of the Blackdown Hills AONB. It is therefore considered to be acceptable and in accordance with guidance in the NPPF and policies CP1 (Climate Change), CP8 (Environment), DM2 (Development in the Countryside) and DM1 (General Requirements).

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:

(A1) DrNo PE10015 Existing and Proposed Elevations
(A1) DrNo PE10015 Existing and Proposed Floor Plans
(A1) DrNo PE10015 Block Plan
Figure 3.4 Fence detail
Figure 3.5 Substation building

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 6 months of the cessation of electricity generation, 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 have been submitted to and approved in writing by the Local Planning Authority no later than 3 months following cessation of power production.

Reason: To ensure the site is adequately restored following decommissioning in the interests of the visual amenity of the area in accordance with policy DM1 of the 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 record of date of operation to allow effective future monitoring of the development.

5.
 - (i) Before any part of the permitted development 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.
 - (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 in accordance with Taunton Deane Local Plan Policy S2.

6. The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of EnvironGauge's Environmental Report and EnvironGauge's Badger Assessment; dated March 2012 and include:

1. Details of protective measures to include method statements to avoid

- impacts on wildlife during all stages of development;
2. Details of the timing of works to avoid periods of work when nesting/wintering birds could be harmed by disturbance.
 3. Measures for habitat enhancement of the site for wildlife.

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.

Reason: To protect and enhance the site for wildlife.

7. Details of a hedgerow management plan for the site shall be submitted to and approved in writing by the Local Planning Authority prior to electricity generation commencing and shall thereafter be carried out as agreed for the lifetime of the solar array.

Reason: In the interests of reducing the visual impact of the panels and protecting the character of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. Details of the proposed infra-red lighting columns shall be submitted to and approved in writing by the Local Planning Authority prior to installation and there shall be no external artificial lighting installed on the site other than that agreed.

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

9. Details of historical interpretation boards shall be submitted to and agreed in writing by the Local Planning Authority and shall be provided adjacent to the rights of way prior to the development generating electricity.

Reason: To aid interpretation of the landscape of the former airfield and associated monuments in accordance with Policy CP8 of the Taunton Deane Core Strategy.

10. Prior to work commencing on site details of a survey of the scheduled monument to assess its condition shall be submitted to and agreed in writing by the Local Planning Authority. The survey and production of a conservation management plan shall be agreed with English Heritage and carried out prior to electricity production commencing unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable a prioritised management plan for the monuments to be produced to help safeguard their future.

11. No development shall commence (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) until the following components of a scheme to deal with the risks associated with

contamination of the site have been submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented in accordance with the details approved under this condition.

Reason: To protect the water environment and ensure the appropriate remediation of the site in accordance with NPPF paragraph 109.

12. If, during any development phase (including de-commissioning), contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall subsequently be implemented in accordance with the approved strategy.

Reason: To protect the water environment and ensure the appropriate remediation of the site in accordance with NPPF paragraph 109.

13. No development shall commence until a Construction Environmental Management Plan has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved plan.

Reason: To prevent pollution of the water environment in accordance with NPPF paragraph 109.

14. No development shall take place until a surface water drainage scheme for the

site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding in accordance with NPPF paragraph 102. This is a unique Reason

15. No sub-station construction shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been 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 protect the character and appearance of the existing building in accordance with Policy DM1 of the Taunton Deane Core Strategy.

16. 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.

Notes for compliance

1. The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

Badgers are protected under the Protection of Badgers Act 1992. Planning and licensing applications are separate legal functions.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

2. Underground fuel storage should be undertaken in accordance with the Association for Petroleum and Explosives Administration document: Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011). Any above ground fuel must be stored in

accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001.

Any waste used on site or taken off site will be subject to the necessary waste exemptions and / or Environmental Permits required to be granted by the Environment Agency. More information can be found at the following link: <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

We are not aware of any watercourses on site. If any works are required in or adjacent to any watercourse, then the written consent of Somerset County Council, as the Lead Local Flood Authority (LLFA), will be required. The LLFA took on consenting powers originally held by the Environment Agency on 06 April 2012.

3. You should contact the Taunton Deane Area Highways Office on 08453 459155 to seek clarification on an alternative route for the construction phase, to minimise disruption to the highway network due to a Traffic Regulation Order along the B3170 (Corfe) enforcing a 7.5T weight restriction. In addition correct and appropriate signage should be used during the construction phase to notify all highway users of the potential hazard that will be associated with the development.

PROPOSAL

The proposal is to erect approximately 22,538 photo voltaic panels on framework projecting 2.3m high. The maximum installed capacity would not exceed 5MW and the installation is based on a temporary 25 year lifespan. The associated infrastructure includes inverters attached to the panel mountings which will be linked with underground cables to a main Sub-station. This transformer will be sited approximately 90m from the main road in a building 11m x 5m and 4.8m high. The security fencing around the site will be 2.03m high and there will be up to 10 infra red imaging security cameras on 4m poles to prevent light pollution. The site is approximately 21ha, however panels will be spread across an area of approximately 13ha with gaps between to allow for the former taxiways and runways not to have panels installed on them. The resubmission also leaves a greater area free from panels away from the scheduled monument to the west.

The panels, which each measure 1.6m x 1m would be mounted two deep such that they had a combined height of 2.3m, at a 25 degree angle, such that they would cover 3.3sqm of ground. There would then be 0.2m between groups of panels mounted together. The front of each row of panels would be approximately 0.8m from the ground and the back would be around 2.3m high. The rows of panels would be mounted on a metal frame and fixed to the ground with metal piles. Thus, in general no concrete foundations are required and the supports can be easily removed at the end of the installation's life.

The on site construction period would be over 3-4 months and once operational the intended installed capacity of 4.845MW(p) would be expected to produce power which is equivalent to an average of 1215 homes in the district.

SITE DESCRIPTION AND HISTORY

The site forms 21.4ha of the southern part of the former Culmhead Airfield. The site is in the majority agricultural land, part arable and part grassland, subdivided by areas of tarmac and concrete former taxiways/runways. The roadside boundaries of the site are hedgerows, there is planting to the south of Trickey warren Lane, while the land is open to the west and south. The site was used as an MoD listening post after the war for a number of years and had a number of masts erected across the site until the use ceased and site closed in 1999.

Planning permission for Installation of photovoltaic solar panels to generate up to 100 kilowatts of energy at Culmhead Business Park, reference 10/11/0007 was granted in May 2011 for works within the fenced off Business Park. An application for Erection of two 18kw wind turbines on 18.3m high masts, reference 10/11/0047, for the Business Park was also granted in January 2012.

An application for the development of Solar Photovoltaic Farm rated up to 5MW and installation of associated infrastructure at former Culmhead Airfield, Culmhead, reference 10/12/0009, was withdrawn on 19th June 2012.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

CHURCHSTANTON PARISH COUNCIL - Comment awaited.

SCC - TRANSPORT DEVELOPMENT GROUP - Somerset County Council is generally supportive of alternative energy development and as such there is no objection in principle to the proposal.

The proposed development is situated on land within the Culmhead Business Park for the development of an approx 23,000 solar photovoltaic panel park. Having made a site visit and studied the documentation supporting the application is clear that the proposal is in an adequate location for this type of development. The site will be accessed from the existing Business Park entrance onto Churchinford Road a designated classified unnumbered highway and provides vehicles with adequate visibility in either directions, it is also of sufficient geometry to cope with any HGV vehicle uses. The temporary increase in traffic will be at its maximum during the delivery/construction phase, the current access is capable of dealing with this these movements.

The proposed photovoltaic park is set back well away from the highway and is accessed by internal airfield tacks. In terms of maintenance the photovoltaic park requires minimal attention, therefore traffic associated with the development once completed will be minimal.

With regards to the construction phase of the development the Design and Access Statement, details that:

“Around 70 delivery vehicles (standard articulated lorries) will be needed to transport the panels to the site, with up to a further 70 vehicles to transport the metal frames, fencing and cabling, depending on whether the frames are preassembled or require

onsite assembly.” “Approximately 10 deliveries are expected to be required to transport the transformers, inverters, substation components, giving a total of approximately 150 vehicle deliveries during the construction phase of the development.”

Therefore in this instance it is estimated that 150 deliveries would equate to approximately 300 vehicle movements. The Highway Authority considers a site of this size should be providing a traffic management plan to establish suitable access routes to and from the site to minimise potential disruption to the wider highway network.

The Design and Access statement also includes a proposed route plan, however, it is recommended for the applicant to contact the Taunton Deane Area Highways Office on 08453 459155 to seek clarification on an alternative route for the construction phase, to minimise disruption to the highway network due to a Traffic Regulation Order along the B3170 (Corfe) enforcing a 7.5T weight restriction.

In addition correct and appropriate signage should be used during the construction phase to notify all highway users of the potential hazard that will be associated with the development.

As a result, the Highway Authority has no objection to this proposal subject to the following condition:-

Prior to the commencement of development a traffic management programme providing details on the delivery of the storage containers to the site shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise disruption to the adopted highway network.

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST - With regard to the Culmhead Airfield development for a solar photovoltaic farm, we would expect the revised layout to respect the setting and historic character of the airfield, in accordance with comments from English Heritage.

BLACKDOWN HILLS AONB SERVICE - The statutory purpose of Areas of Outstanding Natural Beauty (AONBs) is to conserve and enhance their natural beauty. The Countryside and Rights of Way Act 2000 places a duty on local authorities and other public bodies to have regard to this purpose in exercising their functions and duties. As such we are concerned with any development that may be contrary to this purpose and **the AONB Partnership wishes to object** to the above planning application.

The AONB Partnership seeks to act in an advisory capacity and it is not in our interest to object to planning applications where we do not consider there to be a threat to the beauty of the landscape. The Blackdown Hills is a living and working landscape and we do not expect it to remain unchanged, but we have a key consultative role to try to help ensure that change does not threaten the special character and qualities for which this landscape is recognised and nationally

designated. We believe a development of PV arrays of the scale proposed will be detrimental to the Blackdown Hills Area of Outstanding Natural Beauty - both in terms of landscape character and visual amenity - and is contrary to national planning policy. We believe that there is a fundamental consideration that has not been addressed of whether it is appropriate to have this scale of energy generation development within a nationally protected landscape. We consider that this scale and type of development is more appropriate in less sensitive landscapes (i.e. not sites within a nationally protected AONB and of heritage significance.)

The reasons for our objection in more detail are set out below:

Major development in an AONB

At such a large scale the proposal constitutes a major development in an AONB and is therefore contrary to national planning policy. The National Policy Planning Framework (NPPF) Para 116 carries forward well established protection for AONBs, stating: 'Planning permission should be refused for major developments in these designated areas [national parks, AONB, etc] except in exceptional circumstances and where it can be demonstrated they are in the public interest'. Consideration of such applications should include an assessment of the need for development, the scope for developing it elsewhere or meeting the need in some other way, and any detrimental effect on environment, landscape and recreational opportunities, including the extent to which that effect could be moderated. We consider that the application has failed to demonstrate that there is a need for this development in this location, and that there will not be detrimental effects.

Landscape character

The very large scale of the proposed development is incompatible with the landscape character of the Blackdown Hills AONB which is a small scale, unspoilt, mosaic of different habitats and landscape features. Contrary to the application documentation, the site is not uncharacteristic of the AONB. The application fails to recognise the intrinsic value of the airfield as an inherent element of the open, exposed plateau landscape, and also fails to recognise the role of the airfield in the cultural heritage of the AONB – not just Culmhead, but as one of three Second World War airfields and their connection with geology and topography, historical significance and relevance. The open, 'bleak' character of the plateau landscape is one of the AONBs defining features.

We are aware of Taunton Deane's landscape character assessment, which has not been referred to in the application but we understand was produced to form part of the council's core strategy/local plan evidence base. It identified this area as lying within Churchinford Clay-with-Chert Plateau landscape area. The associated landscape strategy states that 'the overall landscape strategy for this area should be to enhance the quality of the landscape' and that 'the overriding sense of openness and simplicity of the landscape pattern should be conserved.' Fundamentally, we are of the view that the introduction of a commercial solar PV development of this scale in this location runs counter to that commendable aim.

We remain unconvinced that the proposed hedge 'screening' is an appropriate mitigation measure, and would in itself affect landscape character. References to this are not clear within the application documentation, referring variously to 'boundaries of the site' 'perimeter of site' and planting hedges 'close to roadsides'.

The application supporting information also notes that there are 'little or no boundary hedges' and that fields are bounded by 'low hedgerows', and this is typical of the plateau landscape. New planting immediately around the perimeter fence or at other arbitrary locations would have no context, be at odds with existing and historic field pattern and would serve to exacerbate the perceived mass of the development. Any reliance on hedgerow screening to mitigate visual impact should be restricted to the appropriate management of existing roadside hedges.

Visual impact

The proposed site is in agricultural use, and quite distinct from the business park at Culmhead. We accept that the site is part of a former airfield and that the visual impact will be relatively localised. Nevertheless, the proposed development of an estimated 23,000 panels, plus security fence, gates and 4 metre high pole mounted cameras will have a substantial impact in a protected landscape appearing as a major industrial use on agricultural land, highly visible from the adjacent roads and public rights of way. The adjacent roads are relatively well used routes across the AONB and we are concerned that the cumulative effect of this development and the existing wind turbines at the Business Park and Yeo Hill Farm will result in energy installations being perceived as the dominant landscape feature in this part of the AONB by residents, visitors and tourists. In an AONB the aim should be to conserve and enhance natural beauty, not accept further degradation or decline in character from inappropriate development. We believe there is cause to be worried about this potential adverse cumulative impact, particularly in terms of changing perceptions of landscape character and landscape quality.

Heritage impact

We recognise that this application has sought to address the concerns of English Heritage regarding impact on the setting of the Scheduled Monument; however we remain concerned that the application fails to give enough value to the broader airfield site as a heritage asset, which is an important element of the cultural heritage of the AONB - we believe that this is contrary to the NPPF.

Ecological interests

We consider that the impact on wintering birds requires further consideration. Golden plover are noted in the ecological assessment, and are known to use large open areas of farmland for wintering and traditionally return to the same site. Development of the site with PV panels and fencing would reduce the viability of this site for this species, and potentially other wintering waders. We believe that those involved in the management of the AONB should be doing all they can to conserve and enhance these traditional wintering sites. We recommend that further survey work prior to development is undertaken in relation to wintering and nesting birds on site to avoid long term detrimental impacts.

Although reference is made to maintaining grass land between the panels by grazing or hay cropping, the information provided raises concerns about the visual appearance and biodiversity value of the land on which the panels would be sited. Once the site has been 'prepared' and 'cleaned' and the arrays constructed, it is stated that the site will be landscaped and 'reinstated to its original condition with grass seeded between the panel arrays'. This suggests that the site will undergo significant works that will affect the fundamental agricultural nature of the site. There is no reference to the area under the panels, nor to the type of 'grass' that will be planted, nor to the management regime until ground cover is established. Without proper consideration, there is potential for harm to the site from water

run-off, erosion or water-logging.

AONB renewable energy guidance -

The AONB's Renewable Energy report published in September 2010 highlights the key considerations in judging the impact of solar PV farms developments on the AONB landscape and features. Of particular relevance here are the following points:

- The overall scale, with smaller developments of less than two hectares more likely to be in keeping with the small-scale landscape of the Blackdown Hills
- The nature and visibility of ancillary developments including security fencing
- Not sited within the setting of historical features and archaeological sites
- Not viewed from public vantage points, including public rights of way and other paths

The purpose of this report is to help steer decisions about renewable energy in the Blackdown Hills to those which support the special qualities of the AONB, and we consider that this application goes against that guidance.

Traffic

The application states that approximately 300 lorry movements will be generated during the construction phase. We are concerned about the lack of detail accompanying this; especially given that Corfe (B3170) is suggested as a route when in reality the weight limit on this road would preclude this option. HGV traffic, coupled with the nature of the AONB road network – narrow roads, single carriageway pinch points, steep hills, - is already identified as a problem in both the AONB management plan and the Blackdown Hills community plan in respect of causing noise, danger to other road users, and damage to banks and verges, and as such affecting the quiet enjoyment of the AONB and causing environmental damage. The additional traffic that this development would generate, even for a temporary period, would cause an additional unnecessary burden on the local road network.

Conclusion

If, despite the numerous concerns outlined in respect of impact on the Blackdown Hills AONB, the local planning authority are minded to approve this application then the AONB Partnership would want to be assured that they will secure all necessary and appropriate controls through condition or obligation to mitigate the negative impacts and concerns, to seek biodiversity and heritage gains and environmental improvements – whilst noting our strong reservations about proposed hedge planting. Any community benefits should be designed to benefit a broad representation of the AONB communities.

If the local planning authority is minded to approve, the AONB would request that they are entirely convinced that there will be no harm to the AONB from the development or mitigation measures, since 23,000 PV panels and associated infrastructure in the middle of an AONB is quite an unprecedented legacy.

ENVIRONMENT AGENCY - We have **no objection** to the application as submitted subject to the following **CONDITIONS** being imposed upon any permission granted:
CONDITION: No development shall commence (or such other date or stage in

development as may be agreed in writing with the Local Planning Authority) until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented in accordance with the details approved under this condition.

REASON: To protect the water environment and ensure the appropriate remediation of the site in accordance with NPPF paragraphs 109 and 121.

CONDITION: If, during any development phase (including de-commissioning), contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall subsequently be implemented in accordance with the approved strategy.

REASON: To protect the water environment and ensure the appropriate remediation of the site in accordance with NPPF paragraphs 109 and 121.

CONDITION: No development shall commence until a Construction Environmental Management Plan has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved plan.

REASON: To prevent pollution of the water environment in accordance with NPPF paragraph 109.

CONDITION: No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site

following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding in accordance with NPPF paragraph 102.

Informative / advice to LPA: Paragraph 5.37 of the Environmental Statement (prepared by Wardell Armstrong and dated March 2012) states that there is a minimal risk of historic contamination associated with the site. Given the site's previous use as an airfield, we would have to disagree with this statement in the absence of any evidence to prove otherwise. Section 5 of the ES also refers to a baseline study, yet this does not appear to have been submitted with the planning application.

A desk based assessment of potential, existing sources of contamination on site should be undertaken (or the baseline study submitted if this contains such an assessment). The study should be based on the source-pathway-receptor model
End 3

advocated by EA Guidance CLR11, focusing on risks to the principle aquifer beneath the site. This should be undertaken and agreed prior to any works commencing to ensure that the development does not introduce new pollutant pathways and to meet the requirement of the NPPF to remediate contaminated land.

Please could the following advice be placed as Notes on the Decision Notice for the applicant's information:

Underground fuel storage should be undertaken in accordance with the Association for Petroleum and Explosives Administration document: Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011). Any above ground fuel must be stored in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001.

Any waste used on site or taken off site will be subject to the necessary waste exemptions and / or Environmental Permits required to be granted by the Environment Agency. More information can be found at the following link:

<http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

We are not aware of any watercourses on site. If any works are required in or adjacent to any watercourse, then the written consent of Somerset County Council, as the Lead Local Flood Authority (LLFA), will be required. The LLFA took on consenting powers originally held by the Environment Agency on 06 April 2012.

PLANNING POLICY LEAD - There are national commitments the Government has made to reducing carbon levels and the Council has a positive approach to reducing carbon, both through our Carbon Management plan and with the community through the emerging Climate Change and Resilience strategy. The Core Strategy also recognises the problems of not addressing the consequences of climate change and seeking measures to mitigate the impact. Renewable energy proposals can greatly assist in this area.

However, there does need to be a balance struck with environmental impact (by both not acting and also through allowing inappropriate proposals) - see Core Strategy policy CP1. In this instance, although an AONB, this should not rule out renewable energy proposals in principle. The key is one of assimilation and degree of impact. The AONB's own 'Wind Turbine Study' (which I think we also financially contributed) did not rule out the possibility of turbines in this location on the flat

plateau, thus I think structures of 2 metres could be assimilated a lot easier, especially with appropriate screening. Thus provided the Councils landscape section are happy with the visual impact and mitigation I would say the proposal is consistent with policy CP1 and is therefore supported by the Policy Team.

LANDSCAPE LEAD - My comments are similar to the previous application which in summary are that subject to proposed landscape mitigation measures it should be possible to overcome any landscape impacts in the short term from the roadsides and middle term from public footpaths. My concern is that the red line or blue line do not cover the roadside boundary hedgerows which are vital if the landscape mitigation is to be successful.

HERITAGE - This application does not appear to affect the setting of any listed buildings. It does however, appear to potentially impact parts of the former airfield which are Scheduled Monuments. I will therefore defer to the County Archaeological Service and English Heritage's views as to the heritage impact of this proposal.

NATURAL ENGLAND - The advice in our previous response applies equally to this amendment.

No objection. Our statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Landscape

This application falls within the setting of the Blackdown Hills Area of Outstanding Natural Beauty (AONB). Natural England has no objection to this proposal as with native hedgerow screening of the Solar PV Farm we do not believe that this development is likely to impact on the reasons for which the site is designated as an AONB. However, given the location of the development, Taunton Deane Borough Council should seek the views of the Blackdown Hills AONB Partnership before determining this planning application, as they may have more detailed comments to make on the location, nature and design of this development.

It has been noted that a separate planning application from Western Power Distribution will be submitted for the connection to the existing grid network, and Natural England has received reassurance from the applicants that this will be via an underground transmission cable to the north of the site and not via an overhead connection.

Local wildlife sites - If the proposal site is on or adjacent to a local wildlife site, e.g. Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application.

Biodiversity enhancements - This application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is

in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

BIODIVERSITY - The proposal is the development of a solar photo voltaic farm with associated infrastructure at the former Culmhead airfield, Churchstanton. The site encompasses an area dominated by a combination of arable acreage, temporary improved grassland, and former airfield tracks/airstrips. Apart from a belt of mature trees, which are to be retained, there is limited structural habitat on site.

Former ecological surveys were carried out on the site in 2008/9 in relation to a wind energy project that was not progressed. An extended phase I survey and badger surveys were then carried out in 2012.

The Environmental Report carried out by EnvironGauge dated March 2012 contains a section on ecology. Findings were as follows

Birds - The site has potential to support breeding birds in the hedgerows, scrub and, bramble, as well as ground nesting birds (eg skylark) in the arable/intensively managed grassland.

A small flock of golden plover (wintering birds) was observed by the surveyor on site. I agree that disturbance impact on wintering birds is possible if the construction phase takes place in the winter months. Timing is important to avoid impacts on wintering birds and nesting birds.

I agree that any new cabling should be located at least 70 m from hedgerows and trees.

The project will offer new potential bird nesting opportunities through the establishment of additional grassland and hedgerow.

Bats - At least five species of bats are known to occur in the area.

A single mature beech tree on site has bat roost potential. Apart from the belt of trees the site offers limited foraging bat habitat.

Thermal imaging surveillance cameras will be used for site security purposes so there will be no security lighting on site.

Badgers - A badger assessment of the site was carried out by EnvironGauge in March 2012 based on a site visit in January 2012 and a visit in March 2012. Evidence gathered in 2009 relating to the wind energy project was also considered. There are several setts, some disused, in a stretch of hedgebank.

This hedgebank is to be retained, although a section will be disturbed in order to install a perimeter fence. If necessary (to be determined before work commences) the applicant may need to apply to Natural England for a licence to temporarily

exclude badgers from the sett. Works will then be confined from July to November. I support the mitigation and monitoring proposed in the report.

I agree that the project is unlikely to result in a significant reduction in foraging habitat for badgers especially as new habitats, which badgers will be able to access, will be created.

I agree that the project presents an opportunity to create new habitat on site and I look forward to seeing full details.

I suggest a condition requiring a wildlife protection strategy to be submitted

OTTERFORD PARISH COUNCIL - Comment awaited.

ENGLISH HERITAGE (HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND) -

Having read through the latest plans I am pleased to see that the applicant has responded to EH's concerns in respect of the impact of the scheme upon the setting of the Scheduled Monument (the former Fighter Pens and associated remains). The drawing back of the solar array beyond the runway nearest to the monument will preserve the legibility of the former WWII airfield & fighter pens and allow a continued understanding of them in context with the runway upon which the fighters would have proceeded to & from their pens.

We acknowledge that there will be a remaining visual impact upon the monument caused by the large solar array sited just beyond the nearest runway, however the applicant has put forward proposals to undertake a condition survey and conservation management plan upon the Scheduled Monument. This could in effect offset that remaining visual impact to a substantial degree by providing the basis for the conservation of the monument.

The scheduled fighter pens are included on EH's Heritage at Risk register as being at High Risk of deterioration or loss. Sites listed at High Risk are those where there is a serious risk of loss of significance within the foreseeable future if no action is taken. The applicant has proposed to commission a condition survey of the structures within the monument, which can be used to identify the most urgent conservation needs. This data will in turn inform a conservation management plan, also to be commissioned by the applicant, that will assess the overall needs of the monument and set out a strategy for its conservation.

It is important that if this work proceeds, it is undertaken to a standard commensurate with the national significance of the heritage asset, in line with current best practice. The applicant has submitted draft proposals which suggest that this will be the case. It is proposed that the condition survey and conservation management plan would be secured by a condition of planning permission, if granted. If this were the case, such a planning condition should stipulate that the details of the proposed mitigation work must be approved by English Heritage prior to their commissioning.

Provided that it is possible to secure the condition survey and conservation management plan in this way, and taking into consideration the applicant's efforts to

revise the proposed layout so that it maintains the setting & legibility of the Scheduled Monument, I consider that it would not be reasonable for English Heritage to object to this planning application.

SOMERSET FIRE & RESCUE SERVICE - Means of access in case of fire should comply with the Building Regulations and should satisfy the provisions contained in either Approved Document B (ADB) or some other suitable and accepted standard. Detailed recommendations pertaining to these matters will be made later at Building Regulations consultation stage.

Access and facilities, which should include where necessary the provision of private fire hydrants for Fire & Rescue Services appliances, should comply with provisions contained within ADB, part 5 of the Building Regulations.

PITMINSTER PARISH COUNCIL - comment awaited

Representations

5 letters of SUPPORT on grounds that

- The proposal accords with the NPPF and local planning policies
- Policies support renewable solar energy projects providing the location does not impact unfavourably on the environment in general and the local neighbourhood in particular.
- Although in the AONB the site is not of great natural beauty
- The site is a disused that minimises loss of agricultural green fields
- There is minimal visual impact on neighboring communities or surrounding areas.
- There are few immediate properties
- This is the right project in the right place
- Mitigation measures will minimise visual impact
- There will be community benefit from the proposal
- Solar is a very energy efficient means of feeding into the local network
- It will reduce the need for fossil fuel or nuclear power stations

6 letters of OBJECTION on grounds of

- The location is unsuitable and inappropriate for industrial project of this scale
- Impact of 23,000 panels on AONB
- It will ruin this cherished landscape
- National policy in NPPF gives the highest level of protection to the AONB
- The proposal is contrary to objectives LH3 and PD3 set out in the Blackdown Hills AONB Management Plan for freedom from man made intrusion
- More arable land, 52.9 acres would be covered, larger than before and the panels would be closer to the road making them more visible.
- The fence and security cameras would be a further made visual intrusion
- Hedges will take 10 years to establish and so visual intrusion from the road will be at least for 40% of the life time of the array.

- The site in the centre of the AONB is in conflict with objectives for maintenance of the AONB as an area free from man made intrusion and where the conservation of tranquility is stated in the objectives as 'taking precedence over all other planning considerations'.
- The site should continue as farmland
- The PV panels are made from toxic substances
- The site is subsidised and with an 11% return on investment the application would not be made if not.
- The community fund is a fraction of the profit that would be made.
- Serious issues have not been addressed
- The environmental impact on wildlife should rule the project out
- The visual impact is disproportionate especially to the community and is inappropriate
- Impact of sunlight reflected at an angle on amenity of residential property
- Fire risk
- The material considerations should not outweigh the impact on the AONB
- The location in the Blackdown Hills AONB is an over-riding reason to reject the application.
- The business case is flawed
- The joint venture company is unsuited to the development without provision of guarantees

PLANNING POLICIES

NPPF - National Planning Policy Framework,
 RPG10 - Regional Planning Guidance for the South West,
 RSSDR - Regional Spatial Strategy for the SW, Draft July 2006,
 STR1 - Sustainable Development,
 STR6 - Development Outside Towns, Rural Centres and Villages,
 S&ENPP1 - S&ENP - Nature Conservation,
 S&ENPP3 - S&ENP - Areas of Outstanding Natural Beauty,
 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,

Blackdown Hills AONB Management Plan 2009-2014

Policy LH1/A - Support the development and delivery of environmental schemes and projects that maintain and enhance the landscape character, historic environment and local distinctiveness of the AONB.

Policy EQC2/A - Support and encourage appropriate, small scale renewable energy schemes to minimise net emissions of carbon dioxide and other greenhouse gases to help achieve carbon reduction without conflicting with the special qualities of the AONB or the conservation of the natural beauty.

Policy PD1/B - Seek to ensure that new developments or conversions conserve and enhance natural beauty, particularly by respecting the area's landscape character and the local character of the built environment, and reinforce local distinctiveness.

DETERMINING ISSUES AND CONSIDERATIONS

The main issue with this proposal is whether the government guidance in support of renewable energy, as set out in the National Policy Statements for Energy and the more recent National Planning Policy Framework (NPPF), outweighs any adverse landscape and visual impact of the proposal, given that the site is within the Blackdown Hills Area of Outstanding Natural Beauty, a highly protected landscape. Also other material considerations have to be considered such as impacts on ecology, heritage and residential amenity.

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 79 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 plan 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 purpose or accord with other specific development plan policies. Policy DM2 of the Core Strategy allows for essential utilities infrastructure subject to other criteria being met. In this context, those criteria are considered to be the ones relating to the other considerations detailed in the remainder of the report.

The emerging 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...[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”.

Some concern has been raised about the loss of agricultural land. 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.

With regard to the foregoing, it is considered that the proposal is acceptable in principle, provided that it has an acceptable impact on the landscape, ecology, highway access, heritage assets and other surrounding land uses.

LANDSCAPE IMPACT

The proposal is sited in the Blackdown Hills AONB which was designated an AONB due to a combination of four characteristics as set out in the Management Plan. These characteristics are its isolated, unspoilt rural area, the diversity of landscape patterns, its unique geology and it being a landscape with architectural appeal. Under the Countryside and Rights of Way Act 2000 Authorities have to 'have regard' to the purposes of conserving or enhancing the natural beauty of the AONB. The NPPF also identifies that (para 115)

"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."

The next paragraph of the NPPF advises that "planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest." It goes on to advise that considerations of such applications should include an assessment of:

- the need for the development, including in terms of national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside of the designated area, or meeting the need for it in some other way; and
- any detrimental affect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

A landscape character assessment of the area has also been carried out. The siting of the solar array on a former airfield which has already affected the landscape surrounding the site is not considered to adversely affect these specified characteristics set out in the designation. The solar array will not affect the landscape pattern of the area or its geology, it will have no significant adverse impact on the architecture of the area and while the development is a modern feature in the landscape, it is sited on a former airfield which has already affected the rural character of the area. There have been other non-renewable technologies allowed in the area, including two wind turbine and a small solar array within the fenced compound of the business park. The AONB Partnership raise concern over the cumulative impact of these developments on the AONB, however the provision of solar panels on this site are not considered by the Landscape Officer to significantly harm the character of the area.

The AONB Partnership commissioned consultants to provide an initial assessment of the constraints and opportunities for renewable energy in the Blackdown Hills AONB. This document is not policy but gives guidance in assessing any renewable energy

provision. The document recognises that the landscape effects of the technologies listed are site specific and that any effects will need to be judged on their merits based on the specific site selected for development. The generic advice in terms of solar pv farms is that the scope is very limited and that if they are to be accommodated then they need to be carefully sited taking into account factors listed in paragraph 6.18 to avoid adverse landscape impacts that could significantly alter the character of the landscape.

The considerations identified by the consultants in paragraph 6.18 are as follows:

- the overall scale of the development, with smaller developments of less than 2 hectares more likely to be in keeping with the small scale landscape of the Blackdown Hills;
- both the nature and visibility of ancillary developments including security fencing;
- not disturbing underground archaeology or semi-natural habitats, and not sited within the setting of important historic features and archaeological sites;
- their location relative to topography with plateau top locations (away from the plateau edge) not overlooked by higher ground likely to be better locations, avoiding sloping ground, where these developments may be seen over a considerable distance.
- not visible in long views, including those from outside the AONB;
- not viewed from public vantage points, including public rights of way and other paths;
- well screened by a combination of local topography and vegetation, including the hedgerow network and woodland.

While the above are identified factors, they are not policy criteria whereby if a factor is not met the proposal automatically should be refused. The proposed scheme is clearly bigger than 2 hectares, however the assessment to be made here is whether the scale of the development and ancillary structures harms the landscape character of the AONB. The proposal is located on the plateau where it is not overlooked by higher ground and cannot be seen in long views. It is considered to be well screened by local topography and vegetation from local roads, although it would be visible from public vantage points. However it is not considered that purely because the site is visible from a public right of way it should be refused. The visual impact on the immediate area has to be considered and whether this impacts on the overall character of the AONB. Renewable energy provision is considered a national need and the applicant's claim that scale and solar insolation are why it has to be sited here. It is accepted that there is a need for solar energy schemes as an element of the future energy needs of the country. The applicant claims there are no other suitable sites in the area outside of the AONB. The impact of the scheme will benefit to some degree the local community and therefore the local economy.

A landscape and visual impact assessment was submitted with the application and has been considered by the Council's Landscape Officer. While it is considered that the development would have an impact on the landscape, it is not considered to harm the landscape character of the area and the mitigation proposed is considered sufficient to reduce those impacts to an acceptable level. This mitigation would involve tree and hedge planting towards the boundaries of the site and this can be suitably covered by conditioning a hedgerow management plan for the site. While the AONB Partnership object on the basis of the visual impact and character of the area and raise issue with the planting mitigation, it is noted that Natural England do not object on landscape grounds considering the development not to impact on the reasons for which the site is designated as an AONB.

ECOLOGY

The applicant has submitted wildlife surveys with the proposal and both Natural England and the Council's own Biodiversity Officer consider 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.

ACCESS

The proposed access for the site is intended to be the access into the business park and then use of an existing trackway to the site across the former airfield. There would be no need for additional tracks to be laid on site. The County Highway Authority consider the access suitable from a safety point of view and for construction traffic and raise no objection. They also identify that the level of traffic associated with the development once completed will be minimal. While the access will cross Trickey Warren Lane it would be for the developer to ensure the safety of users of this lane, particularly during construction. The Highway Authority also consider that appropriate access routes to the site should be designated by the developer and have suggested a condition of a traffic management programme to address this. However there is no way to satisfactorily enforce this condition (other than requiring physical works such as signposting) and there are weight limits on certain roads to the site which would potentially preclude their use. Consequently the condition would not meet the necessary tests and would not be included if all other matters are acceptable.

HERITAGE ASSETS

The proposed site does not affect any listed buildings but does lay close to County Archaeological sites and Scheduled Monuments. The County Archaeologist has raised no objection to the proposed development on archaeology grounds given the location of the site and the setting out of the areas of panels and the fact that no breaking of ground would occur on runways where archaeological remains have been detected. To the western side of the site lie the Scheduled Monuments that are the World War II Fighter Pens and associated structures. In addition the former airfield itself can be considered a non-designated heritage asset. One of the factors identified by the Consultants in their report in paragraph 6.18 quoted above is the impact on archaeology and the setting of important historic features and archaeological sites. The development has been designed to avoid impact on underground archaeology and this reflected in the County Archaeologist response. So the issue here is one of the setting of the Scheduled Monuments.

The revised layout of the site from the previous scheme that was withdrawn sets the panels some 200m away rather than 40m from the boundary of the monument to the west of the site so there would be no impact or construction on the Scheduled Monuments. English Heritage has also raised the issue of the need for a condition

survey of the Scheduled Monuments of the World War II Fighter Pens and other remains and defences. English Heritage consider that this would need to feed into the production of a conservation management plan for the site. The revised layout will not disrupt the legibility of the former RAF base and reduce the ability to appreciate the relationship between the monuments and the airfield they were built to serve. At present there are no means of interpreting the existing airfield or monuments on site and the applicant has offered to display information boards to interpret the current monuments and airfield. I consider this would be a necessary requirement for any approval on the site to ensure that the area can be properly interpreted from public vantage points. The requirements of English Heritage are also considered appropriate to help safeguard the future of the nearby monuments and would be a condition of any approval.

DRAINAGE

The site drainage has been professionally assessed in the submitted report and the Environment Agency has further assessed the submission and no objection is raised to the current scheme. The amount of water falling on the site will not differ with the provision of solar panels on the site and if anything the provision of grass beneath the panels will reduce the level of surface water flow in comparison with the bare earth of cultivated land. Conditions to address surface water run-off and potential contamination are recommended by the Environment Agency and are considered necessary and appropriate.

AMENITY

The edge of the solar array area is approximately 100m away from the nearest residential properties to the east. The nearest objectors property is well screened by boundary trees and while parts of the panels in the array may be visible in the early stages of the site operation, growth of boundary hedging would help screen the site in the longer term. There is not therefore considered to be any significant adverse impact on residential amenity from the scheme. In addition the solar panels would face south and there are no immediate residential properties to the south and there is not considered to be an issue with glare from the panels given the orientation and setting of the site.

OTHER ISSUES

The developer is offering to establish a community fund to the value of £1,000 per MegaWatt of installed capacity per year, either as annual payments or a single equivalent up-front payment and will be established primarily for the benefit of people living within a 2.5km radius of the solar farm. The fund will be managed and administered by representatives of the local community. This offer is not considered to meet the tests in terms of Section 106 provision and is not therefore a material consideration in terms of determining the application.

The status of the applicant and the availability of tariffs to fund the site is not relevant in terms of the planning consideration of the site. The NPPF states authorities when determining applications for energy development should not require applicants to demonstrate need.

SUMMARY

There is a clear identified need at a national level for renewable energy and paragraph 93 of the NPPF states *“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. This is central to the economic, social and environmental dimensions of sustainable development.”* This is reflected in the sustainable policies of the Local Planning Authority and addressing climate change as a corporate priority. Paragraph 98 goes on to state when determining applications local planning authorities should *“approve the application [unless material considerations indicate otherwise] if its impacts are (or can be made) acceptable.”*

The main material consideration against in this case is the landscape impact. The landscape impact is limited to the immediate surroundings of the site and the mitigation in terms of boundary tree and hedge planting are considered adequate mitigation by the Landscape Officer to limit immediate impact of the development and not harm the character of the area. The applicant has attempted to lessen the impact on the heritage assets in terms of the revised layout of panels in terms of distance to the scheduled monuments and respecting the runways/taxiways of the former airfield and the proposed provision of information boards to explain the site history and importance of the monuments. The overall setting of the monuments is now considered to have been adequately addressed by the scheme and other issues such as ecological, highway, drainage and amenity impacts are considered acceptable. In light of the above it is not considered that the landscape impact is such to warrant refusal of the scheme and the recommendation is therefore one of approval in this instance.

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

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