

# REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>20.06.2012</b>		
<b>Application Number</b>	<b>W/12/00467/FUL</b>		
<b>Site Address</b>	<b>Land North Of Craysmarsh Farm Bowerhill Lane Bowerhill Wiltshire</b>		
<b>Proposal</b>	<b>Formation of 1.5 MW solar photovoltaic farm including inverter/transformer cabin, switch room and associated works</b>		
<b>Applicant</b>	<b>Lightsource Renewable Energy Ltd</b>		
<b>Town/Parish Council</b>	<b>Melksham Without</b>		
<b>Electoral Division</b>	<b>Melksham Without South</b>	<b>Unitary Member:</b>	<b>Roy While</b>
<b>Grid Ref</b>	<b>393638 162814</b>		
<b>Type of application</b>	<b>Full Plan</b>		
<b>Case Officer</b>	<b>Mr Kenny Green</b>	01225 770344 Ext 01225 770251 kenny.green@wiltshire.gov.uk	

## Reason for the application being considered by Committee

Councillor While has requested that this item be determined by Committee due to:

- \* Concerns raised about the visual impact on the countryside.
- \* This being the first such application considered by this committee and to give members the opportunity to hear the views of the applicant, those supporting, any objectors and the planning officer before debating the issues.

### 1. Purpose of Report

To consider the above application and to recommend that planning permission be granted, subject to conditions.

### Neighbourhood Response

14 letters of representation (13 objecting / 1 neutral) have been received (of the 14 representations received, 4 have been submitted by one objector resident in Somerset).

### Melksham Without Parish Council Response

No objections raised (as detailed within section 7 below).

### Adjacent/Adjoining Seend Parish Council Response

Concerns/objections raised (as detailed within section 7 below).

### 2. Report Summary

The main issues to consider are:

Principle of Development / Sustainable Development Objectives  
 Impact on the Rural Landscape and Surrounding Countryside  
 Impact on Neighbours / Third Parties  
 Impact on Listed Building / Heritage Asset

### **3. Site Description**

The application site is located within the open countryside in the Melksham Without civil parish and amounts to about 4.14 hectares. The site / agricultural field forms part of an agricultural holding centred at Craysmarsh Farm, which abuts the civil parish of Seend. For completeness sake and in the interests of being inclusive, both parish councils were closely consulted throughout the planning process.

The site / field is relatively flat and is located to the north and rear of the extensive range of buildings at Craysmarsh Farm. The site is bordered to the north and south by hedgerows ranging in heights of 1.5 - 2 metres (managed hedgerow) and 3-4 metres (unmanaged hedgerow). The eastern field boundary has hedgerow and well established trees. The western field boundary is more open with sporadic trees. Agricultural land surrounds the application site in all directions, although the farm holding does have an airstrip, located further to the east of the application which is used for recreational purposes.

A confirmed bridleway (ref MELK25) runs through the application site (in a south-western to northern direction) and a footpath (ref MELK29) runs parallel with the northern field boundary. The footpath falls outside of defined and revised application site boundary.

Apart from Craysmarsh Farmhouse, the closest neighbouring residential property is some 230 metres away in a northern direction at Tanhouse Farm. This property is understood to be owned/occupied by relations of the Craysmarsh Farm site. In a western direction, the properties at Redstocks are located about 260-300 + metres away from the application site boundary, separated by agricultural fields, hedgerows and sporadic trees. Even further afield are the villages of Seend and Seend Cleeve, which are located about 1.6 kilometres away from the site.

The site has no known archaeological or ecological significance and is not designated as being an environmentally sensitive area and for the avoidance of any doubt, the site is not designated Green Belt land.

### **4. Relevant Planning History**

None relevant to the application site.

### **5. Proposal**

Detailed planning permission is sought for a renewable energy development comprising the erection and installation of an array of photovoltaic (PV) solar panels to convert daylight into electricity. The proposed PV panels would potentially generate 1.82 MW of electricity, which is the equivalent of satisfying the electric requirements of 524 households per year. The energy generated from this development will be fed directly into the local power grid.

The array (or solar farm) would consist of 6384 PV panels which individually measure 1.65 metres high and shall be attached to mounting frames at an angle of 25 degrees, to optimise daylight capture. The panels would not move (i.e. they would not track the sun's path), and would be fixed in place, and so are considered passive in terms of their operation. The mounted PVs would be 2.3 metres above ground level (which represents 0.7 metre reduction from what was originally proposed); and there would be a 0.6 metre clearance underneath.

The mounting frames would be pile driven to a depth of 1.5 metre. At the end of their operational life and when the site is decommissioned, the piles can be mechanically pulled from the ground with limited backfilling required to restore the site.

To convert the direct current (DC) the panels generate, string inverters are required to turn the DC into Alternating Current (AC) which can be fed into the national grid. The string inverters are modest in

size (measuring 1m x 0.2m x 0.75m) and these would be housed in cabinets measuring 6 m x 2.4 m. In addition to inverters, a transformer is required to transfer electrical energy from one circuit to another. The proposed transformer would be housed in a cabinet sited close to the inverters and relatively close to the preferred point of connection to the national grid. A 1.8 metre high deer fence would enclose the solar arrays.

Access to footpath (ref MELK29) would be unaffected by the development and Bridleway (ref MELK25) would be diverted and defined by a minimum 4 metre wide track bordered by native hedge planting.

Accompanying this application, the applicants have submitted the following supporting statements:

A Planning Design and Access Statement, a Landscape and Visual Impact Assessment, an Ecological Appraisal, a Flood Risk Assessment, an Archaeological Assessment, a Construction Method Statement and Construction Traffic Management Plan.

## **6. Planning Policy**

### Wiltshire Structure Plan

DP1 - Priorities for Sustainable Development; DP9 - Reuse of Land and Buildings; C1 - Nature Conservation

C12 - Agriculture; C13 - Land Restoration; RE1- Renewable Energy

### West Wiltshire District Plan - 1st Alteration

C1 - Countryside Protection; C15 - Archaeological Assessment; C31a - Design; C32 - Landscape C34 - Renewable Energy; C35 - Light Pollution; C38 - Nuisance; T12 - Footpaths and Bridleways

### The Emerging Wiltshire Core Strategy

Strategic Objective 2: Addressing Climate Change

Strategic Objective 5: Protecting and Enhancing the Natural, Historic and Built Environment

Core Policy 42 - Standalone Renewable Energy Installations

Core Policy 50 - Biodiversity and Geodiversity

Core Policy 51 - Landscape

### Government Guidance

The National Planning Policy Framework (NPPF - published on 27 March 2012)

The Noise Policy Statement for England (NPSE - published 15 March 2010)

## **7. Consultations**

Melksham Without Parish Council - No objection to the revisions made during the planning process. The Parish Council requests that the 1.8 metre high deer fence is finished in a green colour (controlled by condition). The Parish also noted that the application has been called-in partly to discuss the principles and for the future siting of solar farms in Wiltshire. As there is already a solar farm near Bradford on Avon, a visit to that site may be beneficial.

Seend Parish Council - It is regretted that a full and proper consultation with Wiltshire Council, the Parish Councils and other interested bodies was not undertaken, prior to the submission of the application. This application has been rushed through to meet a PV tariff deadline and consequently an economic imperative by the applicant is driving this process rather than any consideration whether the site is appropriate.

A lot of the work in preparation for this application was conducted through desktop studies. This is not an acceptable way of proceeding with an application in such a rural and sensitive area.

Queries are raised about the size of the site. Is it 4.14 hectares (as indicated on the location plan) or 4.45 hectares (as indicated on the application form). Does the proposal not require a change of use application\_ No justification is given for the agricultural land being lost. What is happening with the airfield?

The PV panels will be clearly visible from Seend including the whole length of the northern ridge and the surrounding Public Rights of Way. The photographs that form part of the application have been taken at locations that are unrepresentative of the views that most residents and members of the public have. There will be significant impact on the views from Sandy Lane and from some residents in Bromham (and it is noted that Bromham Parish Council have not been consulted).

We deplore the value judgements made regarding the visual impact assessments of the installation. It is claimed that from Seend there will be a moderate/slight impact. The applicant has understated the impact that the installation will have in order to secure a favourable consideration of the application. The impact will be high/severe. The applicants assert that the installation 'will not be expected to be a prominent feature when viewed from most locations'. It does not quantify or specify from which locations the installation will be a prominent feature.

No evidence of how the hedgerows and the equipment will be managed and maintained after completion and for the 25 years of on the on-site operation. If the proposed planting and or existing hedgerows die there is no guarantee that the applicant will replant these and maintain the screening.

The Design and Access Statement does not provide anything that indicates any local benefit that will accrue to the local community. It does appear that the driver for this development is income for the applicant.

The bridleway that crosses the land must be maintained with a minimum of 4 metres, or diverted with a guarantee of a suitable alternative. It is not clear if the latter is possible given that the site borders a neighbour's farm.

Council's Climate Change Team - The Climate Change Act 2008 has set an ambitious target of a 34% cut in greenhouse gas (GHG) emissions against a 1990 baseline by 2020, rising to an 80% reduction by 2050. These targets are the UK's contribution to a global GHG reduction necessary to limit climate change to 2°C. Reductions can be achieved in all sectors of the economy and society by applying three broad principles.

- Behaviour Change
- Energy Efficiency
- Renewable / low carbon energy generation

The Government's 2010 Household Energy Management Strategy sets out a plan for meeting the target of a reduction of 29% in emissions from the household sector by 2020. The interim target is to install loft and cavity wall insulation in all households, where it is practical, by 2015. This will not only result in GHG (carbon) savings but will also assist in combating fuel poverty. The 2009 UK Renewable Energy Strategy sets out a scenario as to how the UK can meet a legally binding target to ensure that 15% of our energy comes from renewable sources by 2020 and suggests that 30% of our electricity should be renewably generated.

There are other strategic issues that relate to this application. Since 2004, UK domestic energy production has been outstripped by consumption making the UK a net energy importer. This raises concerns over energy security and the vulnerability of the energy supply to geopolitical issues. These have a direct affect on local pricing and fuel poverty. The above legislation provides a strong strategic policy framework which supports renewable and low carbon development. As such, there is a strong presumption in favour of the type of proposed development. To stimulate the uptake of micro generation renewable energy the government has introduced a scheme of Feed in Tariffs (FITs).

These give the producer of energy a regular payment for each unit of electricity that is produced. By also using the energy, the generator also benefits from lower bills as energy is no longer purchased from a supply company. Surplus units of energy can be exported back to the national grid and the generator receives a payment for these based on the power rating of energy source. Locally, Wiltshire Council's adopted ECO strategy sets out a clear commitment to increase the uptake of renewable energy. Action to tackle climate change through energy efficiency and renewable energy are strong themes in Wiltshire's Community Plan.

Wiltshire County (even including Swindon) has one of the lowest levels of installed renewable energy capacity in the South West (fifth out of the six regional authorities). According to the 2011 ReGen South West survey, Wiltshire has an installed renewable electricity generating capacity of 18.223 MW. This increased by 3.6% over 2010-11, most of which was in Swindon. Renewable electricity generating capacity (REGC) in the Wiltshire Council administrative area currently stands at 11.1MW. Early projections indicate that in order to meet the 29% 2020 electricity target, some 366MW would have to be installed from a variety of sources.

This Proposal seeks to install a 1.82MW ground mounted solar photovoltaic system in an isolated rural field adjacent to Craysmarsh Farm near Melksham. This would represent over 10% of the 2011 REGC and would be a step toward the 29% target for 2020. It should be noted however that a number of significant solar farm applications have been made and commissioned in 2011-12 in Wiltshire and that this application in comparison, is relatively small in scale. Examples include W/11/01064 a 5MW installation at Bradford on Avon located within the Green Belt.

Although the scheme can be recommended as a renewable energy installation, the application does not establish the precise community benefit. The generated electricity is to be used directly as a National Grid top up. Other large scale solar applications in Wiltshire, perhaps because of a longer planning window, have explored local benefits such as supplying power directly to employment hubs. Where viable, Wiltshire Council particularly encourages locally used and generated energy; it is more efficient to use energy where it is generated due to transmission losses (of between 2 and 12% depending on voltage connection) at National Grid level.

#### Recommendation

The proposal should be permitted as it will assist in increasing the amount of renewable energy generating capacity in the county. This would be consistent with local and national policy drivers. A condition requiring the decommissioning of the site and the removal of panels and plant should be included as part of any permission. However, given that the panels may have a life expectancy longer than the 25 years of the FIT, this should not be time restrictive or include a specific date. Instead, the condition should be based on the economic viability of the scheme.

Council's Tree and Landscape Officer - This site is located on level farm land between two ridge lines: one to the south the other to the north. The farm land surrounding the site, for as far as the eye can see, is made up from a network of fields, bounded by hedgerows which vary in height between 2 metres (managed) the 3-4 metres (unmanaged). There are also many semi mature and mature trees located within these hedgerows.

Other farms within the area, Totterdown Farm, Tanhouse Farm New House Farm, Mitchells Farm, Rusty Farm and Vernon Farm and the small settlement of Redstocks are all on the same level with the same network of fields surrounding them. The proposed site cannot be directly seen from any of these locations. There is however two Public Rights of Way that criss-cross the site and will pass through the proposed solar array site.

There are limited other views of the site from public areas and rights of way on the north side of the Seend ridge (which is located over 1.5 kilometres away from the proposed array). The masking factor is the hedgerows and trees between the higher ground and the application site would make it very difficult to view the solar array panels from the higher ground to the south in addition the height of the panels when in situ, will be lower than the existing hedgerows.

In summary, the proposed solar array will have a limited impact within this agricultural landscape. Any glimpse of the array will blend into the mass of existing farm buildings, however in the most part; will be screened by existing trees, hedgerows and other vegetation from most vantage points overlooking the site. The proposals also provide significant landscape mitigation with the addition and enhancement of hedgerows and trees within the application site.

There is no objection to this application in arboricultural or landscape terms. If permission is to be granted, conditions must be applied.

Council's Ecologist - The application site is a large field of improved grassland bordered by hedgerows with Clackers Brook adjacent to the northern boundary. The solar PV panels will not

impact upon any protected habitats and will be set back from the existing hedgerows. The proposed new planting is welcomed and will enhance the hedgerow network and habitat connectivity.

Published research has identified that detrimental effects can occur from the polarised light of solar PV panels on the breeding behaviour of aquatic invertebrates. However, there are no significantly sized water bodies close to the site (within 500m) and the ecological interest of Clackers Brook is unlikely to be significantly affected by the panels. The Ecological Appraisal (Avian Ecology, February 2012) has assessed the potential impacts to protected species: there is a low risk of impacts to ground-nesting birds, reptiles (likely to be present along the field margins) and badgers (foraging individuals) during the construction phase. The report (Table 5.11) provides adequate precautionary working measures to avoid any impacts.

Council's Archaeologist - Having additionally checked the Wiltshire Historic Environment Record (HER), there are no known archaeological sites in the area likely to be directly affected by the above proposal and as such, the development would not affect archaeological interests.

Environment Agency - Following revisions to the proposed development, no objections are raised subject to conditions.

Environmental Health - No objections.

Highways Authority - No objections raised. The Construction Traffic Management Plan is acceptable and the proposed development and its associated construction traffic would not cause any highway problems. Therefore, no highway objection is raised.

Rights of Way Definitive Map & Highway Records Team Leader - Whilst the Rights of Way Review Committee Practice Guidance states a desired 6 metre width for an enclosed bridleway, a 4 metre width is acceptable to this Council. The Council's guidance to the applicants seeking to divert a bridleway in the Council's 'Rights of Way Improvement Plan' states the Council's minimum standard width of a diverted bridleway is 4 metres. This application satisfies the criteria.

The proposed metal security fencing is acceptable and after discussions with colleagues (and taking on board public representations) there is no reason to deviate from such advice.

## **8. Publicity**

Wiltshire Bridleways Association - We would expect a bridleway route to be retained at a minimum of 12 feet (3.6 metres) and access made to the bridge at Clackers Brook to connect with the other bridleways in the area.

British Horse Society - The BHS do not have a policy regarding solar farms. To date we have not received any adverse reports to them having any detrimental effect on ridden horses. Obviously we would not want any equestrian public right of way to be interrupted during construction or for it to be hindered once built. Reference should be made to technical guidance relating to Solar Glare or Dazzle - Building Research Establishment (BRE) report BR209 Site Layout Planning for Daylight & Sunlight - A Guide to Good Practice.

The most common application of this publication is relating to buildings however the technical logic in terms of glare or dazzle can be used on an equal basis in the Solar Farm context. BRE BR209 (at section 5.8 Page 22) deals specifically with Solar Dazzle and provides recommendations for Pedestrian and Highway situations. The BRE is silent on the effect on horses. The effect on the rider should nevertheless be considered in the context of the highway user.

The above must be read in conjunction with BRE IP3/87 Solar Dazzle Reflected from Sloping Glazed Facades. It is arguable that a rider on a public right of way should be granted the same safety protection as a user of a highway in the planning system if at risk from glare or dazzle has merit. If the panels do produce glare (it may be the case that they absorb rather than reflect the sun's rays) the Developer should be asked to produce BRE Solar Dazzle Diagrams showing the effect of the proposed wind farm on the route of any affected public right of way.

Third Parties 14 letters of representations (13 objections and 1 neutral) have been received (N.B. 4 of the 13 objection letters received was from 1 resident of Somerset). The 14 representations raise the following:-

Both the bridleway and footpath are well used, particularly during summer months. If the application is approved as planned, then the lawful route of the bridleway must be re-established and the hedgerows and fencing in the fields to the north of the site opened and a bridge built to cross the watercourse of Clackers Brook.

The proposal indicates that the route of the bridleway and footpath is to be fence and or hedge lined, if this is the case then the Rights of Way Review Committee Practice Guidance Note 6 should be followed in terms of minimum widths (i.e. 6 metre wide bridleways and 4 metre wide footpaths). A planning condition should require the routes of both the bridleway and footpath remain open and unhindered, in their entirety, prior to and during construction of the Solar Farm.

There have been many disputes and difficulties with this bridleway, which is a useful part of a long link across the vale. The definitive map has the route passing through a garden at the point to the south of the planning application, and through the hedge and ditch to the north which have never been passable. Even if access was made through this onto the next property, no other bridge over Clackers Brook exists so the route would still be impassable.

The proposed narrow hedged track through the middle of the installation would be unsuitable for horse riding purposes. Horses would be scared and the bridleway leads to an impassable hedge into a field with no exit. Any track (if hedged) needs to be wide enough for horses to pass each other and for mechanised hedge trimming. To divert the bridleway round the solar installation would have difficulties to the West as it is beyond the boundary on the neighbouring property and requires the new bridge on that property. To the East is a private airfield which is not advisable for riding horses and could be very dangerous.

Objections raised against the industrialisation of the countryside. The solar farm proposal should use previously developed brown field land and not farmland. The Council should oppose further industrial development in the rural countryside. This isolated and unspoilt agricultural vale site, overlooked by hills on three sides, is hardly the place to further the commitment of the green lobby of Wiltshire Council with an industrial scale development.

The scheme offers little local benefit. This is another example of the conflict between economic return (in this case on an individual basis) on the one hand and conservation of our countryside and traditional farming on the other.

Adverse visual impact

Concerns raised about the accuracy of the Council's Tree and Landscape officer's consultation response.

How long will it take for hedgerow and tree planting to obliterate the visual intrusion this development will have on this rural scene? The northern boundary of the site will have little screening, the low broken hedge and post and rail fence will be afforded no further consideration.

If developments of this nature are to be installed in the countryside then they should be well away from any public view, so far away that the implementation of supplementary screening is not required. The solar farm adjacent to the cemetery on Holt Road, in Bradford on Avon is a good example. There is, however, no doubt that they would be better suited to an industrial environment. A solar farm in this area is just wrong, it will have a massive visual impact on the agricultural landscape for many years and will be hugely damaging to the amenity that this area offers.

The PV panels and the large inverter/transformer cabins will clearly be seen from properties at Redstocks, from the public footpath and bridleway which cross the site and from the surrounding fields.

The Environment Agency requires the Photovoltaic modules to be set no lower than 46AOD. This will in some cases raise the PV panels above the quoted maximum height of 2.3 metres.

Uncertainty over the angle of the PV panels.

Contrary to District Plan Policies C1 and E7

PPS 22 offers guidance in that developers of renewable energy projects should engage in active consultation and discussion with local communities at an early stage in the planning process, and before any planning application is formally submitted. Given the lack of pre application consultation it is encouraging to see that Councillor While has called-in the application to a planning committee. A proposal of this nature requires careful consideration and wider debate by the committee.

The revisions have not addressed previously raised objections and concerns.

If approved, the PV modules should be restricted to be no higher than 2 metres – there should be compromise reached between visual impacts and producing green power. The approved solar farm and PV modules at Bradford on Avon do not exceed 2 metres.

The Council should draw up standard parameters on the future solar farms.

Loss of good agricultural land/ inappropriate loss of green belt land.

The solar panels would be exceptionally high and the Anti Social Behaviour Act is of relevance for any hedge more than 2 metres used to screen the facility

The development would take up to 2 months to construct and will generate extra traffic which, if allowed to use Redstocks Lane, would cause highway conflicts and inconvenience. The access track to the site is not suitable to accommodate construction traffic.

The development proposal will devalue property prices.

Objections raised about the constant noise level from this solar farm. Trees and hedges will not dull the noise. It is alleged that the proposed inverter and transformer housing would prevent the escape of the "majority" of the noise generated. This assessment is vague and tentative. What level of discomfort might actually be experienced?

Concerns raised about the lack of information and consultation over this proposal, and that it was not communicated to adjacent Parish Councils. The site notice was displayed in the wrong parish and in any event, a site notice, local press adverts and using the website are unreliable means to notify local people.

This is the first solar farm to be contemplated in this area of Wiltshire and it was important that the application was given the widest publicity to allow maximum consultation.

Renewable energy is important to us and we must endeavour to reduce our CO2 emissions, however, it is imperative that we don't rush into accepting the easy win options and must give due regard to all of the consequences.

The CPRE objects to this "incongruous" and "alien" form of development in the rural countryside which would be visible from distant locations and would be of an inappropriate colour. If approved, it would adversely affect the tranquillity and the rural character of the area. The quality of using public footpaths would be diminished.

The development would be contrary to the NPPF (paragraph 123 bullet point 4) which states that "planning policies and decisions shall aim to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and they are prized for their recreation and amenity value".

The submitted landscape assessment acknowledges that the proposed development would result in moderate/slight effects on the landscape character.

The CPRE query whether a full and valid EIA Screening Opinion has been undertaken. Queries whether the Council has considered the size of the site, the existing land use, the potential historic, cultural and archaeological interests, the significant effects and impacts as required by the provisions of The Town and Country Planning (Environmental Impact Assessment) Regulations 2012.

One letter writer who neither objects nor supports the proposal, raises a concern about construction traffic and the impact this may have upon local residents.

### The Applicant's Response to Objections received

Lightsource Renewable Energy Ltd (the applicants) have taken care with the selection of sites and has selected sites that are of lower agricultural value. The proposed site falls under Grade 3 and 4 agricultural land classifications which are not considered to be high grade agricultural land. It is categorised as either moderate quality or poor quality land that has limitations that significantly restrict the range of crops and level of yield which can be produced on site. It is also worth noting that the solar farm would have an operational lifespan of 25 years, at the end of which it will be dismantled and the site restored to agricultural use. Agricultural land is proposed in most cases for solar farms as it is difficult to find appropriately sized and available urban sites.

The submitted Landscape and Visual Impact Assessment which has been produced by professional independent consultants who are chartered Members of the Landscape Institute, concludes that the proposed development could be successfully integrated into the surrounding landscape without causing harm to the landscape character, visual amenity or landscape setting of the area. To maintain



the character of the site, it is proposed that the existing hedgerows and trees along the eastern and southern boundaries of the site will be retained. As well as this, the hedgerows that line the northern and western boundaries will be enhanced to soften the appearance of the security fence; this is outlined in the planting plan submitted.

The proposed development is temporary and is fully reversible and no change of use of land is sought. The panels shall be cleaned, hedges shall be maintained and the grass shall be mown under the panels about 2-4 times a year depending upon local conditions. Visits will also be made quarterly by contractors to take meter readings along with any necessary on-site maintenance work.

The solar farm has no moving parts and the only components that emit noise are the inverters, the transformer and the switchgear - which would be housed within cabinets and have a low electrical hum. There would be no perceivable noise beyond the site boundary.

**Initial Expiry of Site Notice and Press Advertisement** - 20 April 2012. Extension granted to Seend Parish Council and local residents to submit comments - 18 May 2012.

## 9. Planning Considerations

### Principle of Development / Sustainable Development Objectives

The fundamental principle of the planning system is to help achieve sustainable development. Part of this is to ensure that new development proposals are likely to contribute to this core objective. The production of renewable sources of energy, on any scale, will inevitably contribute to this objective. The proposed development at Craysmarsh Farm is in principle, supported by Structure and District Plan Policies and adheres with the Emerging Wiltshire Core Strategies and Policies. In addition to the above, material weight must be afforded to the Government's National Planning Policy Framework which was published and came into immediate effect on 27 March. This publication outlines the fundamental and over-arching planning objectives, and it is very clear that the NPPF places significant emphasis upon delivering sustainable development and promoting, supporting and securing appropriate renewable energy proposals.

Energy usage in the UK (like most developed countries) is at its highest during the day time and early evening. Whilst residential usage is highest in the evening when people are home, commercial and industrial energy usage is much higher and the energy demand during the day exceeds that at night. There is typically a peak in demand during the late afternoon/early evening when businesses/factories are still operating, but some people are starting to arrive home and begin cook dinner and turn on the heating. Solar farms naturally only generate electricity during daylight hours, and this coincides with the periods of highest demand for energy in the UK. The UK currently has the 10th highest emissions of carbon dioxide in the world, but only the 22nd highest population. The largest contributor to carbon emissions in the UK is the energy generation sector, through burning of fossil fuels, and this makes up 40% of the UKs carbon dioxide emissions. The next largest sector is transport, which accounts for 26%.

Whilst each planning application must be considered on its own merits, it cannot be ignored that Wiltshire Council is dedicated to addressing the causes of climate change and should promote, encourage and support (where appropriate) renewable energy proposals; and in so doing, help contribute to renewable energy and climate change targets, improving air quality (by not relying on fossil fuels), stimulate the UK renewable industry and employment and improve fuel security and prices.

It is fully acknowledged that these justifications are proportionately linked to the scale of development. Government Policy makes it very clear that renewable applications no matter how small should not be prejudiced because of their relatively small contributions; every contribution helps. The NPPF stresses that sustainable development should go ahead without delay. The NPPF also stresses that applicants do not have to demonstrate the **need** for proposing renewable energy developments of any size. Paragraph 98 of the NPPF further asserts that such applications should be approved if the impacts are (or can be made through planning conditions and mitigation) acceptable.

Whether a renewable proposal requires or would benefit from a subsidy from the Government is not a material planning consideration and it cannot influence the determination of this application.

It is equally necessary to note that this type of development is, in theory, not permanent; and when the development comes to an end it would be reasonable to insist on the restoration of the land, which is recommended by way of a planning condition in this case.

### Impact on the Rural Landscape and Surrounding Countryside

The Council's tree and landscape officer raises no objection to the development and officers agree with the conclusions reached within the submitted Landscape and Visual Impact Assessment in terms of the development successfully integrating into the rural landscape through recognising the landform, having an appropriate layout and array orientation. In addition, through negotiation and revisions, reducing the extent of the solar farm, the heights of the modules/arrays and security fencing; as well as retaining and enhancing existing hedgerow boundaries and the right of way through the site, the development proposal is supported. Not only would the bridleway be retained, the applicant's propose to make provision for a clearly defined bridleway route through the application site with a minimum 4 metre width (which fully satisfies the Council's PROW Team Leader **and** exceeds the minimum requirements identified by the Wiltshire Bridleways Association). Since the development site does not extend to Clackers Brook, it would be completely unreasonable to require the applicant/developer to improve and enhance part of the bridleway (as requested by locals and users of the bridleway) beyond the site environs.

There are often some misconceptions that solar panels result in significant glint and glare. In fact solar panels have a very low reflectivity level when compared with other surfaces such as glass or water, as they are designed to capture as much sunlight as possible to convert it to electricity, and not lose it through reflection. By way of an example, in the USA and Germany, countries which have more established solar industries than the UK, often use solar panel installations on roofs of airport terminals, as well as on land adjacent to runways, and studies have shown that they pose no risk to aeroplanes (i.e. they do not cause reflectivity nuisance).

The type of surface of the solar panels and the angle in relation to the ground are such that there would be no identified risk of solar dazzle or glare from reflected sunlight or skylight. Furthermore, the application proposes panels which are designed to be highly absorbent and have an exceptionally low reflection compared to conventional domestic or toughened glass. This would ensure that the panels are no brighter than surrounding materials found in the natural environment. It is therefore considered that the proposed should not result in a loss of amenity by way of glare or dazzle to riders on the public right of way.

Existing overhead power lines and a potential point of connection to the national grid exists very close to the proposed development (some 40 metres or so to the north). The applicant proposes to trench cable runs underground at a depth of 1 metre, and consequently the cabling connections would have no lasting visual impact.

The proposed PV system requires very little post construction maintenance, with on-site activity limited to cleaning and repairing apparatus on an occasional basis accessed by small vehicles.

### Impact on neighbours / third parties

Whilst all the local concerns and objections are duly noted, officers submit that the proposed development would not have a detrimental impact upon third party amenities.

The development would not be a significant noise generator. The required inverters and transformers and switchgear would be enclosed within modestly scaled cabinets and the applicants point out that no noise would be audible beyond the boundary of the site. It is further submitted by the applicant that their construction contracts require that no noise is generated by the site exceeding 35dBA. The solar farm has no moving components and therefore there would be no vibration impact. The development would have no emissions or waste and it has been re-affirmed that the proposed PV panels are designed to absorb light for conversion to electricity. Having highly reflective panels would defeat the whole purpose of a solar farm.

A construction traffic management plan has been submitted as part of the supporting statements which confirms that the access off the A365 would be used during the construction stage, with about 15 HGV truckloads anticipated, or 2-3 vehicles per day. To allay any local concerns, no access to the site is proposed through Redstocks. If permission is granted, it is considered necessary to condition the implementation of the construction traffic management plan.

Whilst loss of views and perceived / potential devaluation of private property are not recognised valid or material planning considerations, the sentiments expressed by individuals are fully noted. Following a thorough assessment of the application, the development would have a low visual impact upon the rural surroundings; and through the use of planning conditions, hedgerows around the site boundaries would be retained and enhanced, a clearly defined bridleway will be provided to a width that satisfies both the PROW Team Leader and Wiltshire Bridleways Association and a requirement to ensure that the proposed security fencing is coloured in an appropriate recessive colour. All of which would ensure that the development causes no demonstrable harm.

Since the matter has been given great weight by local residents and Seend Parish Council, it is important to note that the Council had no control over the level of pre-application community engagement (by the applicant), and whilst community engagement is something to be encouraged, the NPPF makes it explicitly clear in paragraph 66, it is not compulsory.

In response to the comments raised about a perceived lack of public consultation, for completeness sake the following is a list of the means by which this application has been brought to the public's attention:

A site notice was displayed at the access entrance off the A365 within the civil parish of Melksham Without (and not within Seend as has been alleged by third parties). The notice has been displayed for over 2 months and it is worth noting that this entry point not only acts as an entrance for the farm and the application site, but it is also part of the defined bridleway that runs through the farm holding and is located close to the junction serving all the properties at Redstocks. In addition, the entrance is also used most Sundays as the sole means of accessing regular car boot sales at Craysmarsh Farm.

A local press advertisement was published in the Wiltshire Times on 30 March.

Both Melksham Without Parish Council and the adjoining Seend civil parish were consulted on this application; and in both cases, re-consulted on revisions made during the application process.

In addition to the above, the application details was published in the Melksham Independent News of 12 April

The local ward member, Cllr Roy While wrote directly to local residents during the planning process seeking local comments and asking that these be submitted directly to the case officer.

The case officer had 14 telephone conversations with local residents living in Redstocks, Seend Cleave and Seend clarifying aspects of the development.

It is also submitted that even before the application was submitted, the applicant contacted by letter, Cllr While (Unitary Member), Cllr Mills (Melksham Without Parish Councillor), and the owner/occupiers of two properties.

#### Impact on listed building / heritage asset

The proposed development would not demonstrably or detrimentally affect Tanhouse Farm, which is a Grade II Listed Building. The separation between the protected property and the site in distance terms and the boundary vegetation is such that the character appearance and setting of the heritage asset would not be prejudiced by this development proposal.

#### Impact on Ecological and Archaeological Interests

The Council's Ecologist and Archaeologist both report having no objections.

#### EIA Screening Opinion

An adopted EIA Screening Opinion for a solar PV farm on the Craysmarsh Farm site was issued in 2011 and is held on the public register. The Screening Opinion considered the size of the site; the existing land use and historic, cultural and archaeological interests; and the environmental issues. The

Council concluded that this type of development did not require an Environmental Impact Assessment. It is also worth noting that since the 5 MW solar farm at Kingston Farm outside Bradford on Avon has been referenced by third parties - a solar farm more than 3 times the size of the Craysmarsh Farm site - was approved under application reference w/11/01064/FUL also did not require an EIA.

During the course of the planning process, a revised EIA Screening Opinion was undertaken to consider the 2012 Regulations, but the same conclusion was reached in terms of the development not requiring an Environmental Impact Assessment.

### Conclusion

The proposed development would not have a detrimental impact on or to the immediate wider rural landscape and it is therefore acceptable. It is understood that under the Feed in Tariff scheme this type of proposal is initially proposed for a 25 year period. However, as reported above, there are no planning objections and therefore, there can be no objection to a continuation beyond this time should it remain economically viable. However, a condition is considered necessary requiring the removal of the plant and panels and making good the land if/when the scheme falls out of use.

This type of proposal clearly accords with the guidance contained within established local planning policy which encourages opportunities for the greater use of renewable energy, especially in cases such as this where there are no discernible objections or conflicts. The recently published NPPF also reinforces the need for delivering sustainable development and that sustainability is the primary planning objective.

**Recommendation:        Permission**

**For the following reason(s):**

**This proposals would make a significant and highly valued contribution towards Wiltshire's renewable energy targets, and whilst local concerns exist over the industrialisation of the countryside, it has to be acknowledged that to provide the scale of renewable energy necessary to meet climate change targets, this type of development needs to be located in rural and semi-rural areas. The application has been subject to a rigorous assessment and it is concluded by officers that this is a well chosen site and through negotiations and revisions made to the scheme, the visual and landscape impacts would be low.**

**Subject to the following condition(s):**

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2     In the event of the PV modules hereby permitted ceasing to be used for the generation of renewable energy, they shall be removed from the site, together with any supporting infrastructure, including the inverter/transformer cabin and switch room, and the land restored to agricultural use, within six months of their cessation of use.

REASON: In the interests of amenity and the circumstances of the use.

POLICY: Wiltshire Structure Plan 2016 Policies C12 and RE1 and West Wiltshire District Plan 1st Alteration (2004) Policies C1 and C34; and the National Planning Policy Framework (NPPF).

- 3     The development shall be carried out and managed throughout the operational life of the development strictly in accordance with the hereby approved ecology priority matrix as detailed within table 5.11 of the Ecological Appraisal (published by Avian Ecology) dated 29 February 2012.

REASON: In the interests of safeguarding ecological and biodiversity interests.

POLICY: Wiltshire \_ Swindon Structure Plan (2016) Policy C1 and The National Planning Policy Framework (NPPF).

- 4 No development shall commence 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

- 5 No development shall commence on site until the applicant/developer has submitted details of the exact colour of the deer fence for the written approval of the Council and following its construction, it shall be retained and maintained for the lifetime of the development.

REASON: In the interests of visual amenity and to protect the character and appearance of the area.

POLICY: Wiltshire Structure Plan 2016 Policies C12 and RE1 and West Wiltshire District Plan 1st Alteration (2004) Policies C1, C31a and C34; and the National Planning Policy Framework (NPPF).

Note: The Council would expect a recessive green colour to be submitted for formal approval.

- 6 No development shall commence on site until the applicant/developer has submitted details of the exact colour of the sub-station and inverter buildings for the written approval of the Council and following its construction, it shall be retained and maintained for the lifetime of the development.

REASON: In the interests of visual amenity and the character and appearance in the open countryside.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C1, C31a and the National Planning Policy Framework (NPPF).

Note: The Council would expect a recessive green colour to be submitted for formal approval.

- 7 The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) published by PFA Consulting dated March 2012 and approved plan drawing no. SKD19 Rev G and the following mitigation measures detailed within the FRA:

Photovoltaic modules will be set no lower than 46m AOD  
There will be no ground raising in the floodplain.  
There will be no compounds or access roads in the floodplain.

REASON: To reduce the risk and impact of flooding to the proposed development and future occupants.

- 8 The development hereby approved shall fully accord with the details contained within the Construction Traffic Management (CTM) Plan.

REASON: In the interests of road safety and preventing nuisance to local amenities.

POLICY: West Wiltshire District Plan - 1st Alteration Policy C38.

- 9 The defined bridleway (PROW ref MELK25) and footpath (PROW ref MELK29) shall both be kept free from obstruction during and after the construction period.

REASON: In order to protect and safeguard the public's right to use the public right of ways (PROW ref(s) MELK 25 and MELK29)

POLICY: West Wiltshire District Plan - 1st Alteration Policy T12.

- 10 The development hereby approved shall fully accord with the details contained within the Construction Method Statement dated 9 March 2012, including the restriction that the development hereby approved shall be constructed between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays only.

REASON: In order to safeguard the amenity of the area and prevent nuisance to local amenities.

POLICY: West Wiltshire District Plan - 1st Alteration Policy C38.

- 11 No permission is hereby given for any external lighting/illumination at or on the site.

REASON: To ensure the creation/retention of an environment free from intrusive levels of lighting and to protect the open countryside.

POLICY: West Wiltshire District Plan 1st Alteration 2004 Policies C1 and C38 and the National Planning Policy Framework (NPPF).

- 12 The landscaping proposals hereby approved and as indicated on plan drawing no. L.0196\_01-B shall be carried out in the first planting and seeding season following the completion of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees, hedgerow or plants which, within the period of twenty five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan – 1st Alteration Policy C32.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN received on 02.05.2012

TOPOGRAPHICAL SURVEY – plan drawing no. 11349-500-001 received 20.03.2012

SITE LAYOUT PLAN – plan drawing SKD19 Rev G received on 08.05.2012

PROPOSED PLANTING PLAN – plan drawing no. L.0196\_01-B received on 03.05.2012

FRAME SYSTEM DETAILS – plan drawing no. DET19 received on 02.05.2012

HV TRANSFORMER ELEVATION – plan drawing no. 202 Issue 6 received on 20.03.2012

DEER FENCE DETAILS – plan drawing no. DEF received on 10.05.2012

FENCE SPECIFICATION DETAILS – plan drawing no. FLEX 13/190/15 received on 10.05.2012

INVERTER HOUSING DETAILS- plan drawing (66) 603 Rev C3 received on 25.04.2012

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	