

Date of Meeting	07 August 2014
Application Number	14/02273/FUL
Site Address	Lower End Farm, Long Street, Marston, Devizes, SN10 5SL
Proposal	Proposed temporary (30 years) change of use from agriculture to agriculture and solar photovoltaic farm with associated static arrays of photovoltaic panels together with cabins to contain inverter cabinets and transformers and cabins to house a substation, gravel trackways, perimeter fencing and ecological enhancements.
Applicant	Good Energy Lower End Farm Solar Park (026) Ltd
Town/Parish Council	MARSTON
Ward	THE LAVINGTONS AND ERLESTOKE
Grid Ref	397301 156519
Type of application	Full Planning
Case Officer	Eileen Medlin

Reason for the application being considered by Committee

The application has been called in to committee by Councillor Richard Gamble to consider the cumulative impact of solar farm developments on the Wiltshire countryside.

1. Purpose of Report

To consider the above application and to recommend that planning permission is approved subject to conditions.

2. Report Summary

The main issues to consider are:

- Principle of the development
- Whether the proposal would result in the loss of the best and most versatile agricultural land
- The landscape
- The cumulative impact of solar farm development in the locality
- The historic environment
- Use of local transport network
- Biodiversity
- Residential amenity
- Other Matters

3. Site Description

The application site is located at Lower End Farm which is accessed via Long Street (track). The site occupies 14.4 hectares of the farm and is primarily located to the north of the farm house and farm track and bounded to the north by the public right of way which runs through the farm from Worton to Cheverill Green Road. At its eastern end the site extends southwards to Long Street. The site also includes the track from Long Street to the farm and a section of Long Street which are required for access purposes.

The site is currently in agricultural use and run as a free range chicken farm. It contains a residential dwelling as well as a number of agricultural buildings.

The nearest settlements to the site are Marston and Worton located to the west and north of the site respectively.

Notable landscape features in the vicinity of the site include Semington Brook which is located to the north of the site and Cheverell Wood located to the south of the site.



Photograph taken from centre of northern boundary line (indicated by yellow flags) with Lower End Farm, Farm House in the background to the left of the photograph.

4. Relevant Planning History

The applicant submitted a request for a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2011 on 4th March 2013 (Council's ref: ENQ/2013/00103). A screening opinion was subsequently adopted which stated that an EIA was not required.

5. The Proposal

The application proposes a 30 year temporary permission to install a solar photovoltaic farm whilst keeping the land in agricultural use for the keeping of chickens (as existing) and grazing of sheep. The proposed development includes ploughing and levelling of the site, the removal of hedging, infilling of a ditch, the laying of a temporary track around the perimeter of the site, reseeding the site, planting a new hedge along the northern boundary, planting of infill hedging, the installation of approximately 19,600 solar panels with a height of

2.65m located in south facing rows, the erection of 3 x inverter housing cabins, the erection of 2 x substations and the enclosure of the site with a 2.4m high deer fence.

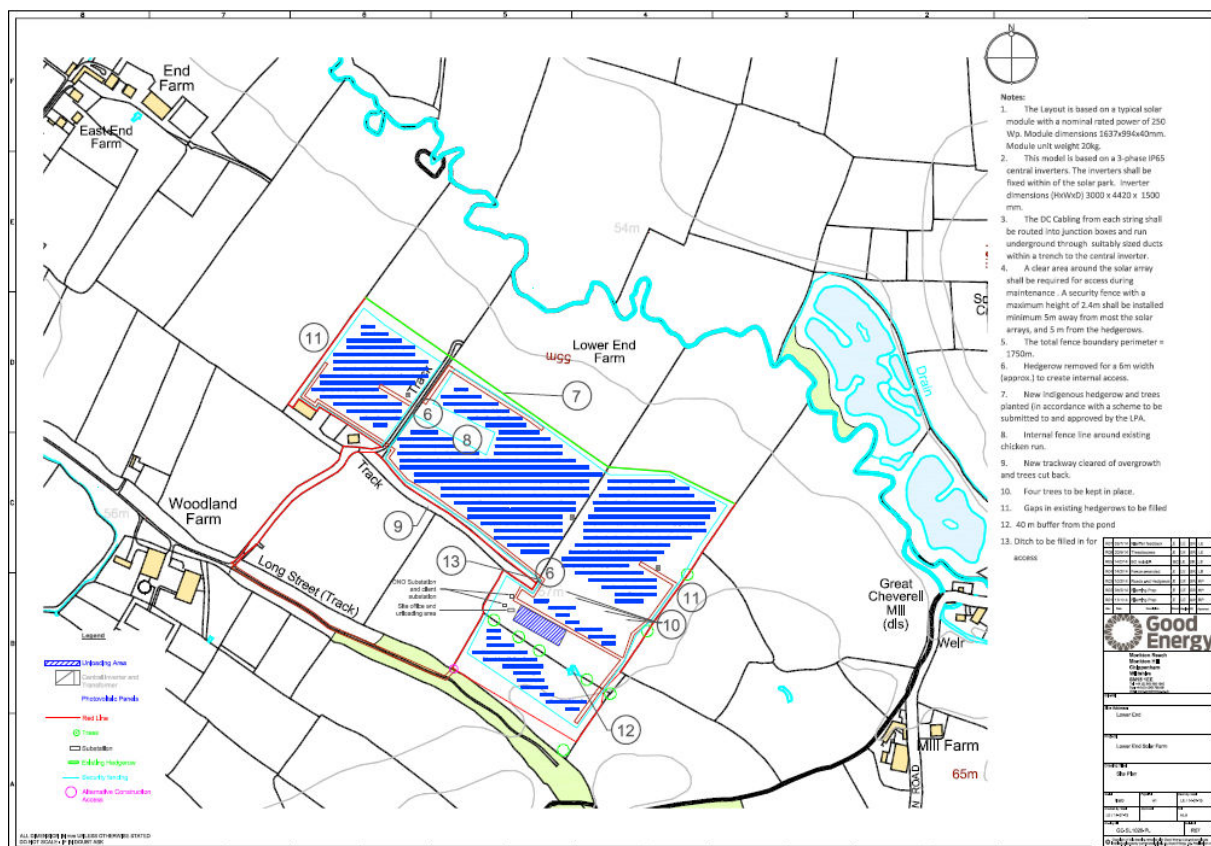
The panels will occupy the majority of the site except where buffers are required around the perimeter of the site and around landscape features such as ponds and trees.

During the course of construction, temporary widening and surfacing of the access roads/tracks would also be required.

The application documentation also refers to lighting and CCTV but these items do not form part of this application and if required by the applicant would be the subject of a further planning application.

Since the application was submitted a number of alterations have been made including:

- The retention of four trees that were originally proposed to be felled
- A change to the site access
- The proposed formation of a five metre buffer between the hedging on the boundary and the security fence to create a wildlife corridor
- Removing references to the creation of a wildflower meadow
- Updated plans and statements to reflect such changes



Site Plan

6. Planning Policy

National Planning Policy Framework (NPPF) sets out the general planning policy advice of central government. Of particular relevance to the determination of this application is section 7 “requiring good design”, 10 “meeting the challenge of climate change, flooding and

coastal change”, 11 “conserving and enhancing the natural environment” and 12 “conserving and enhancing the historic environment”.

Planning Practice Guidance (PPG) – specifically Paragraph: 013 Reference ID: 5-013-20140306 – Guidance on what are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms.

Kennet Local Plan 2011 (saved policies): Policy PD1 regarding general development and design principles and NR7 regarding protection of the landscape are the pertinent considerations. NR19 regarding stand alone renewable energy proposal relates to wind turbines and biomass but not solar farms. Nevertheless, it is relevant to be aware of the supporting text which discusses generally renewable energy within the former Kennet District area.

The Emerging Wiltshire Core Strategy: This document is at an advanced stage of development. The key policies are considered to be Core Policy 42: Standalone renewable energy installations; Core Policy 50: Biodiversity and geodiversity; Core Policy 51: Landscape; Core Policy 56: Contaminated land; Core Policy 57: Ensuring high quality design and place shaping; Core Policy 58: Ensuring the conservation of the historic environment; Core Policy 61 Transport and Development and Core Policy 62: Development impacts on the transport network.

Other Material Considerations:

- (a) National Policy Statement for Energy Infrastructure (2011) (DECC)
- (b) National Policy Statement for Renewable Energy Infrastructure (2011) (DECC)
- (c) The 2009 Renewable Energy Directive (2009/28/EC) – setting a target for the UK to achieve 15% of its energy consumption from renewable sources by 2020.
- (d) Coalition Government’s Programme for Government (June 2010) – addressing climate change and maximising the exploitation of UK’s renewable energy resources.
- (e) National Renewable Energy Action Plan (July 2010) - all about securing energy supplies.
- (f) The International, European and UK Renewable Policy Frameworks – providing financial support for renewable energy schemes including feed in tariffs, unblocking barriers to delivery and seeking to develop emerging technologies
- (g) Renewable Energy Progress Report: South West 2013 Annual Survey
- (h) Planning Guidance for the Development of large scale ground mounted solar PV systems (bre)
- (i) Gregory Barker MP – Minister of State for Energy & Climate Change letter dated November 1 2013 titled Solar Energy.
- (j) ‘UK Solar PV Strategy Part 1: Roadmap to a Brighter Future’ (Oct 2013) (DECC) which established 4 guiding principles:
 - 1. Support solar PV alongside other energy generation technologies in delivering carbon reductions, energy security and customer affordability;
 - 2. To meet the UKs 15% renewable energy target from final consumption by 2020 and decarbonisation in longer term;
 - 3. Ensure solar PV are appropriately sited, giving proper weight to environmental considerations; and,
 - 4. Support for solar PV should assess and respond to the impacts of deployment on grid systems balancing, grid connectivity and financial incentives.
- (l) The State of the Environment Wiltshire and Swindon 2013 – published by the Wiltshire Wildlife Trust.

7. Consultations

Marston Parish Council – Supports the application subject to the following conditions:

1. A construction traffic management plan is agreed in advance with Marston Parish Council, and failure to adhere to the conditions will result in site access restrictions.
2. A report regarding the state of Marston Green (a registered common) will be submitted by the trustees of the Marston Green charity, and it will be the responsibility of the applicant to reinstate and restore the green to this state after the construction phase. This report will also incorporate the state of any land (that is not common land) or structure adjoining the public highway used by the construction traffic in the parish.
3. To ensure that any costs to cover point 2 above, are covered by a bond of £100,000 to be held in escrow.
4. That the removal of any mature trees is forbidden, and that a revision of the site plan is arranged to accommodate the retention of all mature trees.
5. Confirmation that if ownership of the solar farm or the company that operates it changes, then all obligations and conditions imposed on the current applicant are transferred.
6. That no external lights are erected on site.

Marston Parish Council also undertook a village consultation where specific concerns were raised by residents in relation to construction traffic, design, environment and management of the site.

Worton Parish Council – No objection.

Wiltshire Council Highways Team – No objection subject to conditions relating to:

- Construction Traffic Management Plan;
- Details of highway improvements;
- Details of temporary carriage widening and reinstatement;
- Details of parking and turning;
- Access route to site; and
- Condition Survey.

Environment Agency – No objection, subject to informatives to be added to decision notice.

English Heritage – No objection. There will be some impact on surrounding heritage assets, but the impact would be less than substantial and would be outweighed by the benefit of the proposed use.

Natural England – no specific comments, standing advice provided.

Wiltshire Council Drainage Consultant – No objection.

Wiltshire Council Archaeology Team – No objection and endorsed the conclusions of the submitted Archaeology Assessment and do not consider any further archaeological investigations are required.

Wiltshire Council Landscape and Design Team – No objection subject to conditions. Please refer to comments in section 9.4

Wiltshire Council Climate Change Team – Supports the application – The scheme, if approved will bring up the total of major solar applications in Wiltshire to 177 MW over 30 applications.

Wiltshire Council District Ecologist – No objection following revisions carried out to address initial concerns and subject to conditions to ensure protection of ecology and mitigation measures.

Wiltshire Council Rights of Way Team - Part of the access road to Lower End Farm from Long Street, which would be used by construction vehicles, is a public footpath. The Council has a responsibility to ensure that the surface is not damaged by this proposal. A bond is therefore sought from the developer under S57 of the Highways Act 1980 - catering for a worst case scenario where a stretch of the PRoW may need to be completely reconstructed. A bond of £10,000 prior to commencement of works should be sought.

Ministry of Defence – no objection, the MOD have no safeguarding objection to this proposal in relation to Keevil Airfield.

8. Publicity

Three site notices were erected around the site, the application was advertised in the Wiltshire Gazette and Herald; and individual neighbour notification letters were sent to 29 properties. A further round of consultation was carried out following the receipt of revised drawings from the applicant.

Following this public consultation, 18 letters have been received with 9 opposing the development and 9 in support. It is noted that a number of those writing in support of the application, are not resident in the vicinity of the site.

The objections raised can be summarised as follows:

- Generic application with many inaccuracies, ambiguities, and contradictions
- Loss of trees and hedges
- Glint and Glare assessment provided for nearby planning application at Stokes Marsh ref: 13/02309/FUL
- Roads not wide enough to accommodate construction traffic as illustrated on swept paths provided by applicant
- Lack of clarity regarding the installation of CCTV
- Noise from electrical substation
- Validity of figures quoted for traffic movements
- Coordination of traffic movements with nearby approved site
- Uncertainty regarding the size number and location of inverter equipment
- Planning statement describes the site as Chalkland but it is Kimmeredge Clay
- Clay will not support a Wildflower Meadow
- Mitigation suggested in ecologist report is not carried forward into planning application
- Community fund is not a good will gesture but a requirement by government
- Solar operators are in the pursuit of profit and not solely about the concept of green energy generation.
- Three sites within a 2 mile radius of Marston
- Access and road safety
- Infringement of Common Land
- Design, appearance and layout

- Impact underplayed
- Ecological impacts
- Screen hedge will have little impact for residents who look down on the site from a higher elevation.
- How long before hedging matures and effectively screens site
- Impact on views from public rights of way.
- Longer views will be obscured by high hedges
- The area has done its bit for renewable with two solar farms approved in the vicinity
- Renewable energy should not be at the expense of green field land
- Visible from listed buildings
- The perimeter fence will have an austere appearance that will not be satisfactorily screened.
- Should be cautious on the effects of wildlife until true effects are known
- Timing of construction works
- Access to PROW during construction works
- Easement required to access site over common land as proposed in revised drawings
- Revised plans are not accompanied by revisions to supporting information and it is unclear if it will result in less panels or panels being positioned closer together.

Those in support of the application raised the following summarised issues:

- The form of development is endorsed and supported
- The site is hidden from view
- The dual use of land for agriculture and renewable energy is an intelligent compromise
- Support subject to any damage to Marston Common being minimised and made good
- Subject to retention of trees

CPRE - Campaign to Protect Rural England - No objection in principle subject to the retention of trees and minimising damage to common land as well as making good any such damage. In addition, the applicants should be required to provide for temporary, automatic traffic controls on the stretch of Long Street between the cross roads and the lane leading left into the site, to facilitate argument-free and verge-damage-free single-lane working for the construction period. Use of the controls could be confined to the time-frame agreed for movements for construction vehicles.

9. Planning Considerations

9.1 The Principle of the Development

This application proposes the creation of a solar park and associated infrastructure. As far as the adopted Local Plan is concerned, the Kennet Local Plan is silent with respect to standalone solar pv proposals although the supporting text to policy NR19 states that the local plan sets sustainability as a high priority. The NPPF, PPG and the emerging Wiltshire

Core Strategy provide the most up to date policy guidance that specifically deals with renewable energy proposals.

The NPPF applies a presumption in favour of sustainable development and sets out 12 core planning principles, which includes specific reference to supporting the transition to a low carbon future by encouraging the use of renewable resources (for example, by the development of renewable energy) (para 17).

Nationally, the need for renewable energy sources is well established in planning policy. The NPPF also outlines that “*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*” and should have a positive strategy to promote energy from renewable and low carbon sources (para 97). It is important to note that the responsibility of providing renewable energy lies with all communities.

The NPPF further advises that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and should approve the application if its impacts are (or can be made) acceptable (paragraph 98).

The emerging Wiltshire Core Strategy adopts the same approach as the NPPF and Core Policy 42 advises that ‘*Proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of site specific constraints*’ This policy also advises that applicants are not required to justify the overall need for renewable energy development, either in a national or local context.

The production of renewable sources of energy, on any scale, will inevitably contribute to the objective of the NPPF and local policy to address climate change and encourage the production of energy through renewable sources. The proposed development, in principle, is therefore supported by the NPPF and the emerging Wiltshire Core Strategy.

As the development is acceptable in principle all material planning consideration associated with the proposal must be considered. Core Policy 42 sets out the parameters within which standalone renewable energy installations shall be supported and advises that ‘Proposals will need to demonstrate how impacts on the following factors have been satisfactorily assessed and taken into account:

- (i) The landscape, particularly in and around the AONBs
- (ii) The Western Wiltshire Green Belt
- (iii) The New Forrest National Park
- (iv) Biodiversity
- (v) The historic environment including the Stonehenge and Avebury World Heritage Site and its setting
- (vi) The use of the local transport network
- (vii) Residential amenity, including noise odour, visual amenity and safety: and
- (viii) Best and most versatile agricultural land’.

Planning Practice Guidance for Renewable and Low Carbon Energy outlines the particular planning considerations that relate to the deployment of large scale ground-mounted solar photovoltaic farms in paragraph 13 and these are summarised below:

- The effective use of previously developed land
- Proposals involving greenfield land should involve continued agricultural use and/or encourages biodiversity improvements around arrays

- The temporary nature of solar farms
- The effect on landscape of glint and glare
- Additional impacts if solar arrays follow the movements of the sun
- The need for and impact of security measures such as fencing and lighting
- Impact on heritage assets
- The potential to mitigate landscape and visual impacts
- The energy generating potential

These specific considerations are addressed in this report alongside the relevant criteria set out in Wiltshire Core Policy 42.

9.2 Whether the proposal would result in the loss of the best and most versatile agricultural land

The Agricultural Land Classification system classifies land into five grades, with grade 3 subdivided into sub grades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a and is the land which is the most flexible, productive and efficient in response to inputs and which can best deliver food crops for future generations.

The Council's mapping system records that the application site comprises largely grade 4 land with a small area of grade 3 to the north adjacent to Lower End Farm buildings and as such would not be categorised as best and most versatile for the purposes of applying Core Policy 42 and the NPPF.

Furthermore the existing use of the farm as a free range chicken farm is proposed to continue and it is also proposed that the areas between the arrays can be grazed by sheep. The management of the land will be addressed in both the Landscape and Ecology Management Plans which are required by condition.

9.3 The Landscape

The applicants submitted a Landscape and Visual Impact Assessment prepared by Pegasus Environmental in support of their proposals. This was later updated to provide corrected references to local policies. Wiltshire Council's Landscape and Design Team provided comments in the context of potential effects on Landscape Character, Views and Visual Amenity resulting from development of this proposed nature and scale at this location having regard to the (Saved) Kennet District Local Plan 2011 (KDLP) Policy NR7 and emerging Draft Wiltshire Core Strategy (DWCS) - Core Policy 51: Landscape.

Core Policy 51 of the emerging Wiltshire Core Strategy clearly states that in particular, proposals would need to demonstrate that the following aspects of landscape character have been considered; 'ii. *The locally distinctive character of settlements and their landscape settings*' & 'vi. *important views and visual amenity*'. Likewise, Kennet District Local Plan Policy NR7: Protection of the Landscape, clearly states that '*Where development is acceptable in principle, through other policies of the Plan, outside the limits of development, the Council will seek to protect and enhance the character and quality of the environment and will not permit development which is likely to have a significant adverse effect upon the landscape. In particular, development proposals will be considered against their potential effects upon:- a) landscape character, quality and distinctive features; and b) views and visual amenity.*'

The proposed development would introduce a change effect, from agricultural fields to an solar farm installation within the site itself, which would be partially visible from the north, north west and north east. Resulting effects are likely to be more prominent during the construction phase and winter months thereafter. Officers do not view the principle of development in this case to be unacceptable. The effects resulting from the proposed

development are likely to be localised and could be satisfactorily absorbed into the receiving landscape due to the relatively flat nature of the site itself, the low height of the proposed development and the existing intervening topography and vegetation which helps restrict and filter views from the elevated vantage points from the south along the 'Springline' slope villages of Erlestoke and Great Cheverell etc. and the Salisbury Plain Special Landscape Area further south. Where potential views of development are likely to be achieved, such as from adjacent and nearby public rights of way and the southern edge of Worton, it would be important to mitigate against such visual effects as far as possible through the inclusion of additional hedgerow and tree planting to screen and filter the installation and further visually compartmentalise the proposed development.



Photograph taken from Sandlease in Worton. The proposed Solar farm would occupy southern half of the fields in the centre of the photograph visible beyond the hedge.

The design of the ancillary infrastructure associated with the solar farm would also have an impact on the character and appearance of the area. It is proposed to mitigate such impacts through the use of conditions to ensure that roads and paths are reinstated, trees and hedgerows are protected and improved, the substation and inverter housing are painted in recessive colours, deer fencing is used and solar frame foundations are kept to a minimum.

In addition to conditions the Council's Public Right of Way Team have requested a Bond to cover the cost of reinstating the Public Right of Way. Marston Parish Council has also requested a Bond to cover the cost of reinstating the Marston Green where construction traffic is proposed to overrun the highway. Should this application be approved, officers recommend that informatives are attached to any permission to cover such matters.

The Design and Access Statement prepared by Good Energy Generation Limited discusses Glint and Glare advising that the Solar Panels are designed to absorb the sun's energy and absorb between 82 – 90% of the light received and that anti reflective coatings are used which effectively and significantly reduce reflectivity. Furthermore the majority of views of the site are from the north and the panels themselves are facing south.

9.4 Cumulative Impact

Planning Practice Guidance advises that *'the approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However in the case of ground mounted solar panels it should be noted*

that with effective screening and appropriate land topography the area of a zone of visual influence could be zero'.

The visual impact assessment submitted with the application identifies 6 viewpoints that are intended to be representative of the range of views and receptors around the site. They do not cover every single possible view but are intended to be representative of a range of receptor types e.g. residents, walkers on public footpaths and road users, from different directions and distances from the site. The viewpoints selected in the study are as follows:

Viewpoint 1: From South Cross Lane, Worton Common, looking west, south west

Viewpoint 2: Public footpath in the vicinity of New Road, looking north east

Viewpoint 3: From the village green at Marston looking east

Viewpoint 4: Public footpath located on the south eastern edge of Worton looking south, south west

Viewpoint 5: Located on the White horse trail recreation path as it passes over Wick Bridge looking in an east south east direction.

Viewpoint 6: From Cheverell Road as it passes over the railway line looking north west.

Of the above viewpoints the report concluded that the development would have no effect on views from Viewpoints 2, 3, 5 and 6, have a slight effect on views from Viewpoint 1 and a moderate effect from Viewpoint 4.

With regards Viewpoint 1 the assessment states the development site is heavily filtered from view by the significant amount of vegetation located along field boundaries in the intervening landscape. It advises that it would be possible to gain glimpses of the solar farm through the vegetation but that the solar farm would not be a prominent feature in the view.

With regards Viewpoint 4 the assessment states: 'that from this location, elevated clear views are afforded in a southerly direction across the Mill Race valley. Views look across a working agricultural landscape, which has various agricultural features throughout, such as individual farmsteads, chicken sheds and out buildings. The majority of fields have well maintained hedgerows, with mature trees located throughout the hedgerows. The site is located in the valley bottom, and would be partially filtered from view by intervening vegetation. Before the new mitigation hedgerow located along the north eastern extent of the solar farms is established there would be a medium magnitude of change in the view. Once the new hedgerow has become established this would heavily filter views of the solar farm and cause a low magnitude of change in the view'.

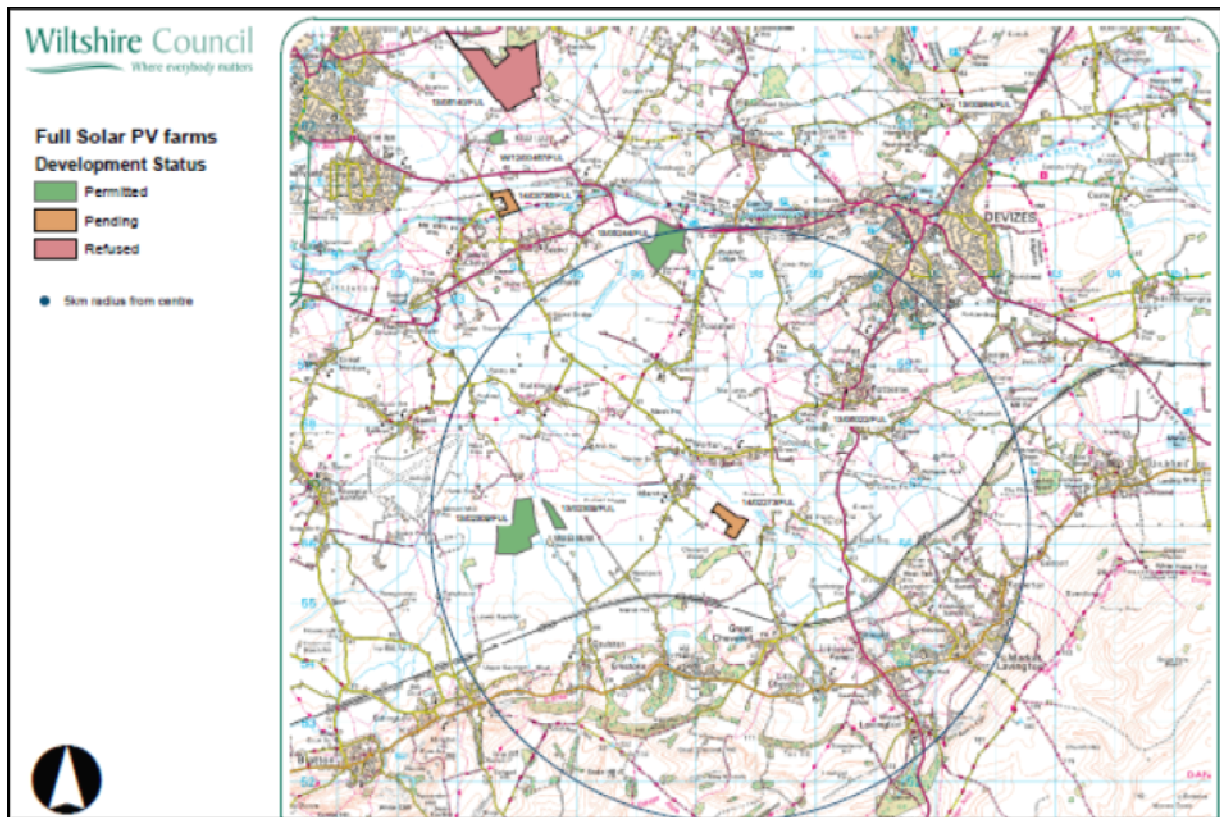
In its conclusions the report advises that 'due to the topography and the screening effect of the numerous existing hedgerows, hedgerow trees and mature woodland, it is evident from this assessment that the actual zone of visibility associated with the proposed development would be limited to the immediate environs of the site and to the north of the site.

This view is also assessed in the next section of the report in relation to the impact of development on heritage assets.

There are three permitted solar installations within a 5km radius of this site. These are Stokes Marsh Farm ref: 13/02309/FUL to the west of the site, Lodge Farm, Poulshot Road to the north of the site and a small scale installation of 200 panels at Eastwell Manor, Eastwell Road, Potterne ref: 13/06022/FUL to the north east. Further afield there is a current application pending determination to the north of Seend ref: 14/03736/FUL.

Officers are in broad agreement with the submitted LVIA and consider that the visual impacts of the site are localised and would not be viewed in the same field of vision as other permitted schemes.

The map below shows the position of sites with permission and currently under consideration. Those within the circle are within a 5km radius of the site. A larger map is appended to the report. (Appendix 1)



A schedule of solar farm development is also appended to the report setting out the applications for large scale solar farm permitted since 2011. (Appendix 2) The current total stands at 31 permitted schemes in the county. The vast majority of these schemes are concentrated to the north and west of Wiltshire with 16 permitted in the North Area, 10 in the West, 4 in the East and 1 in the South of the County. There are currently 6 applications pending decisions and 3 of these are in the North, 2 in the East (this application and the application to the north of Seend) and 1 in the South. There are also three refused application with 1 in the North, 1 in the west (currently the subject of an appeal) and 1 in the South.

9.5 The Historic Environment

The application is supported by a detailed Heritage Desk Based Assessment by Cotswold Archaeology. This has identified the heritage assets, their significance and potential impact of the development on their significance. English Heritage, Wiltshire Council Conservation Team and Wiltshire Council's County Archaeologist provided comments in the context of potential effects on the historic environment.

Chapter 12 of the NPPF relates to conserving and enhancing the historic environment. Wiltshire Core Strategy Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. The policy advises that development should protect, conserve and where possible enhance the historic environment.

There are no designated Heritage Assets on the proposal site however there are a number in the vicinity so the key issue to assess here relates to the impact the development would

have on these Heritage Assets. The closest Heritage Asset is Great Cheverell Mill a grade II listed building is approximately 320m from the site. The submitted report provides an analysis of the significance of the setting to the building and advises that there is no inter-visibility with the proposal site; and as such, there is no impact of the proposed development. Marston Conservation Area is located approximately 430m to the west of the site and contains a number of listed buildings. However, due to the topography, hedges and trees, the site will not be visible from the listed buildings or conservation area.

Approximately 600m to the north of the site is Worton, and its Conservation Area with a number of listed buildings. The views south from this village over the agricultural landscape are part of the significance of the conservation area. The report identifies that part of the proposal site would be visible in some views from the village. However the site is located some distance from the village with intervening fields, hedges and trees. In addition the panels would be orientated to the south. There may be some glimpses of the installations from the conservation area and it is acknowledged that there would be a visual change in the landscape from agricultural land to metal structures. In this regard, the report does identify some harm to the setting of the Worton Conservation Area. Officers consider that the harm would not be substantial. It is also important to record that paragraph 134 of the NPPF states that the level of '*harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*'. Officers consider that the harm is very limited and not significant to warrant refusal of this application, especially when considered in the wider context. This view is supported by English Heritage in recognising that there would be some impact on surrounding heritage assets but that this impact would be less than substantial.

The Heritage Desk Based Assessment concludes that there is a low potential for heritage assets with archaeological interest to be impacted by the proposed development. Considering the relatively low impact of the proposed development, lack of records within the vicinity pre-dating the medieval period and remnant medieval/post medieval ridge and furrow recorded across the site, Officers (including the Council's archaeologist) concur with the conclusions reached in the submitted Archaeology Assessment and do not consider that further archaeological investigations are necessary in relation to this application.

9.6 Use of Local Transport Network

The application is supported by a Traffic and Construction Plan. It is proposed to secure a revised and updated Traffic and Construction Plan by condition. The Design and Access Statement prepared by Good Energy Generation Limited advises that the construction of the solar array would last approximately 10 weeks and that following the construction period there would likely be between 6 to 12 vehicular movements annually.

The principle transport consideration concerns the suitability of the access route to accommodate construction traffic and the management of construction traffic to minimise disruption.

Officers are satisfied that construction traffic can be accommodated on the route proposed provided that there is a permanent upgrade to the Junction of Worton High Street with Mill Road and temporary widening and reinstatement of Long Street. It is also noted that construction traffic would overrun Long Street onto Marston Green and that the applicants have secured an agreement with the Parish Council to allow the temporary widening to encroach onto the Green. The Parish Council have requested a bond to ensure reinstatement works are carried out. Construction traffic would also use a Public Right of Way to access the site. The right of way shall remain open to other users during this period and the highways team have requested a bond to ensure that it is reinstated to its present condition following the construction works.

A construction management plan is recommended as a planning condition which would require deliveries to be programmed to avoid stacking of vehicles on the road network around the site.

Officers consider that the proposed development complies with Policies 61 and 62 of the emerging Wiltshire Core Strategy as it would not have a significant transport impact once construction works are complete. Construction traffic can be suitably controlled by condition including permanent and temporary upgrades to the road network.

9.7 Biodiversity

The application is supported by an Ecological Survey prepared by Michael Woods Associates. This report has been updated to take on board concerns raised by Wiltshire Council Ecologist. The updated ecology report advises that Great Crested Newts are unlikely to be present and revises the mitigation and enhancement measures proposed.

Core Policy 50 of the emerging Core Strategy seeks the protections and enhancement of biodiversity.

Mitigation has been provided in the form of a 5m buffer outside the security fence to provide a natural habitat between the security fence and the existing and proposed hedging. Buffers are also included around other ecological features within the site such as trees and ponds. This approach is supported by the Council's ecologist. Enhancement measures include the planting of a hedge along the northern boundary of the site and planting to improve the existing hedging. This approach supersedes the proposal of a wildflower meadow within the site boundary.

9.8 Residential Amenity

The nearest residential occupier (domestic receptor) to the site is the land owner who would share the northern boundary of their residential curtilage with the application site. The house would be 5m from the security fencing and over 15m from the solar arrays. It is considered that the deer fencing would not have an unacceptable adverse impact on the amenities of residential occupiers as it would not result in loss of light or have an unacceptable overbearing appearance in the circumstances. The arrays are located further away and it is considered that they would not have an unacceptable impact on the amenities of the residential occupiers. The panels/arrays are static and would not give rise to any noise or disturbance. The inverter housing and substation are located over 70m away from the residential property and set within the arrays. It is considered that they would not have an impact on residential amenity.

The impact on visual amenity of surrounding residential occupiers is discussed under the heading of landscape.

9.9 Other Matters

Hydrology and Flood Risk – The application was accompanied by a flood risk assessment. Run off from the panels would drain into the fields below and it is generally accepted that they do not increase the risk of flooding. The Environment Agency and Wiltshire Council's Drainage Officer have commented on the application and raise no objections.

Community Benefit – The Community Engagement, consultation report prepared by Good Energy Generation Ltd sets out their intentions with regard community benefit. This includes working with Five Lanes Primary School in Worton and providing an annual fund of £1000 per Megawatt of installed capacity. This is not required to make the development acceptable and is not secured by condition or s106 agreement, but an informative is recommended to encourage this element.

Temporary Permission – The application seeks temporary permission for a period of 30 years. The applicant has advised that this time frame optimises the earning potential of the site.

10. Conclusion

The proposed development is considered to be acceptable in principle and would not have an unacceptable impact on the surrounding landscape, historic environment, biodiversity, residential amenity or transport.

RECOMMENDATION

Approve with conditions

- 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 The development hereby approved shall be discontinued and the land restored to its former condition on the expiry of 30 years from the date of this permission or within 6 months of the PV modules ceasing to be used, whichever is the sooner. This shall be carried out in accordance with a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning; unless before that date planning permission has been sought and granted for the retention of these structures for an extended period of time.

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

- 3 The substation and inverter housing shall be painted in 14-C-39 Green BS4800 (Holly Green) gelcoat finish.

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

- 4 The proposed security fencing should be rural deer proof fencing, timber post and agricultural galvanised stock netting.

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

- 5 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs,

trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of 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 prior to the occupation of any part of the development 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.

- 7 No demolition, site clearance or development shall commence on site; and no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree & Hedgerow Protection Plan showing the exact position of all trees and hedges and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority.

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained trees and hedgerows shall be cut down, uprooted or destroyed, nor shall any retained trees be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the from the completion of the development].

REASON: To enable the Local Planning Authority to ensure the retention of the trees and hedgerows on the site in the interests of visual amenity.

- 8 Construction work on the site shall only take place between the hours of 08.00 and 18:00 on weekdays and between 08.30 and 13:00 on Saturdays, with no work taking place on Sundays or Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 9 Following the installation of the solar farm, there shall be no external lighting/illumination at or on the site unless otherwise approved by the local planning authority following the

submission of a separate planning application.

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

- 10 Prior to the start of construction, an Environmental Construction Method Statement shall be submitted to and approved in writing by the LPA. This must include a site drawing indicating all buffer zones and tree root protection zones, with additional annotations e.g. location of badger setts, where any specific precautionary measures are to be implemented. The development shall be implemented in accordance with the approved plan.

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

- 11 Prior to the bringing into use of the solar farm, an Environmental Management Plan for the operational phase of the project shall be submitted to and approved in writing by the LPA. This is best presented as a site drawing with detailed annotations for management of each habitat or feature to be managed for the benefit of biodiversity. This document will also detail specific enhancements for biodiversity as required by NPPF. The development shall be implemented and operated in accordance with the approved plan.

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

- 12 A revised Construction Traffic Management Plan shall be submitted and approved in writing by the LPA prior to commencement of development. Key items to be covered in the traffic management plan include:

- Wheel washing facilities and measures to prevent mud and other debris entering highway.
- Full signage details in relation to the construction traffic route, a signage scheme shall be maintained in accordance with scheme and removed at completion of works. The scheme shall include from the A361 junction with Bell Hill in north towards site via Bell Hill, High Street/ Mill Road / Norney Road and Long Street.
- Banksman shall be employed for all HGV deliveries from High Street/ Mill Road / Norney Road .
- A programme shall be agreed for all HGV deliveries to ensure that there is no stacking on the highway or adjacent network, HGVs shall wait in official registered lorry parks (ie M4). A Delivery and Transport Manager will need to be appointed with this responsibility.

The development shall be implemented in accordance with the approved plan.

REASON: In the interests of Highway safety

- 13 No development shall commence on site until full construction details of the highway improvements / widening to the High Street / Mill Road junction have been submitted and approved in writing by the LPA. The junction improvements shall be properly consolidated and surfaced. The development shall not be commenced until the access has been constructed in accordance with the approved details. The access shall be maintained as such thereafter.

REASON: To ensure that the development can be adequately accessed.

- 14 No development shall commence on site until full construction details of the temporary carriageway widening and permanent re-instatement to the Long Street widening have been submitted and approved in writing by the LPA in consultation with the Parish Council prior to any works to the Common taking place. The development shall not be first commenced until the temporary carriageway widening has been constructed in accordance with the approved details. The permanent re-instatement in accordance with approved details shall be carried out within 3 months of the development works being completed or an agreed timeframe.

REASON: To ensure that the development can be adequately accessed.

- 15 No part of the development shall commence until details of the parking area and turning area have been submitted and approved constructed and laid out in accordance with the approved details. This area shall be maintained and remain available for the duration of the construction period.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 16 Access to the site for construction traffic shall be via A361, Bell Hill, High Street, Mill Street, Norney Road and Long Street, as outlined in Traffic Management Plan. No alternative route shall be used unless agreed in writing by the local planning authority.

REASON: In the interests of highway safety

- 17 No development shall commence until a condition survey of High Street, Mill Street, Long Street and Norney Road carriageways and verges has been undertaken and submitted to the Local Planning Authority for its written approval, together with a programme for undertaking remedial works for any highway damage that is reasonable to attribute to the construction traffic associated with the proposal and identified in a post-works condition survey. The post works surveys shall be undertaken in accordance with a methodology which shall first have been submitted to and approved in writing by the Local Planning Authority. Those remedial works reasonably attributed to the constructed traffic shall be undertaken in accordance with approved programme, or within 3 months of the completion of the construction works, to ensure that as a result of the proposal the existing condition of the highway network is maintained.

REASON: In the interests of highway safety and to safeguard the local character of the rural roads network in this landscape character area.

- 18 Prior to the commencement of development hereby permitted a condition survey of the part of the site identified as Long Street Public Right of Way (PROW) which is a Byway open to all Traffic (BOAT), reference: Marston 8, shall be undertaken and submitted to the Local Planning Authority, together with a programme for undertaking remedial works for any damage that is reasonable to attribute to the construction traffic associated with the proposal and identified in a post work condition survey. The post works surveys shall be undertaken in accordance with a methodology which shall first have been

submitted to and approved in writing by the Local Planning Authority. Those remedial works reasonably attributed to the constructed traffic shall be undertaken in accordance with approved programme, or within 3 months of the completion of the construction works to ensure that as a result of the proposal the existing condition of the byway is maintained.

REASON: In the interests of highway safety and to safeguard the local character of the rural roads network in this landscape character area.

INFORMATIVE 1:

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes

All works must be undertaken in accordance with the Environment Agency's Pollution Prevention Guidelines which can be viewed at the following link:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

In the event of a pollution incident, the site operator must contact the Environment Agency immediately by calling 0800 80 70 60.

INFORMATIVE 2:

Use of road planings (tarmac scalplings) for track construction requires a Use of Waste in Construction exemption (U1) under the Environmental Permitting (England and Wales) Regulations 2010. It allows the use of suitable wastes for small scale construction but does not allow treatment of wastes to be carried out unless covered by a different exemption. For more guidance including permitted types of waste and tonnage please visit:

<http://www.environment-agency.gov.uk/business/sectors/117075.aspx>

INFORMATIVE 3:

The provision of new service cables under public rights of way / highway, will require separate consents under provisions of the New Roads and Street Works Act.

INFORMATIVE 4:

The developer/applicant is advised that this permission does not authorise the diversion, obstruction, or stopping up of any right of way that crosses or adjoins the site. The public rights of way shall be kept free from obstruction during and after the construction period.

INFORMATIVE 5:

A Bond of £10,000 has been requested by the Public Right of Way Team to ensure that the Right of Way is reinstated to its former condition following the completion of construction works.

INFORMATIVE 6:

The applicant is encouraged to enter into discussions with the local community/parish council to potentially agree upon any community benefits this development may accrue for the 25 year period of the permission.

INFORMATIVE 7:

The applicant shall need to confirm in consultation with the highways team the proposed start date for construction traffic with the aim of avoiding conflict with construction traffic for the Stokes Marsh Farm Solar Farm planning ref: 13/02309/FUL which will use the same route for construction traffic.