

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	17 September 2014
Application Number	14/03084/FUL
Site Address	Land East of Manor Farm, Wadswick, Box, Corsham, Wiltshire, SN13 8JB
Proposal	Construction of 6.3MW Solar PV Park with Transformer Housings, Security Fencing & Cameras, Landscaping & Other Associated Works (Resubmission of 13/04055/FUL)
Applicant	RB & T Barton
Town/Parish Council	BOX
Division	BOX AND COLERNE
Grid Ref	384505 167922
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application was considered by the Area Planning Committee on 16 July 2014, at which the matter was deferred in light of late revisions to the scheme.

The application was originally called in to Committee by Cllr Tonge, in order to consider the scale of development and its visual impact upon the surrounding area.

1. Purpose of Report

To consider the above application and recommend that planning permission is REFUSED.

At the initial round of consultation, Corsham Town Council and Box Parish Council both objected to the application, as set out later in this report. The application also attracted comments from CPRE, Corsham Civic Society and on behalf of the Neston Park Estate. 64 letters of objection and 33 letters of support were received from local residents and those further afield. A petition in support of the proposal with 110 signatories was also received.

A further full round of consultation was undertaken upon formal revision of the layout plan and supporting documentation, closing on 20 August 2014. Box Parish Council and Corsham Town Council reiterated their objections. 34 letters of objection, including those on behalf of CPRE and the Neston Park Estate, and 20 letters of support were received, together with a petition of 110 signatories objecting to the proposal.

2. Report Summary

The main issues in considering the application are:

- Principle of development

- Impact on the character and appearance of the area
- Impact on the setting of the Cotswolds AONB
- Impact on highway safety
- Impact on agricultural land
- Impact on site ecology and biodiversity

3. Site Description

The proposal relates to an area of agricultural land situated to the East of Manor Farm, itself situated a short distance to the East of the B3109 Bradford Road, South of Corsham. The land amounts to a little over 14ha in total and is currently put to mixed arable use on a seasonal basis. The land is divided by a traditional rubble stone wall into two separate fields, across which an overhead electrical cable bisects the site. The smaller of the two fields is arranged over an L-plan a short distance to the East of the main farm complex, which is accessed directly from the Bradford Road. Mature trees and hedgerow provide substantial screening from this part of the site, with two small separate areas of paddock/pasture excluded from the development site at its western end. The larger field is situated to the East and, continuing from the smaller field, extends alongside Wadswick Lane some 450-500m up to the point at which the highway turns North toward Neston. A public footpath briefly runs directly adjacent to this end of the site, diverting from the line of the boundary on its northern side. The boundary to Wadswick Lane along the site's southern edge is characterised by its mixture of rough, self-germinated vegetation including ivy, bramble and old man's beard, which has become established around the historic dry stone walls typical of the area.

The site lies some 600m East of the closest point within the Cotswolds Area of Outstanding Natural Beauty, with the adjacent Wadswick Lane forming part of a wider network that extends into the designated landscape area. The land is also identified as of the Cotswolds Limestone Lowland landscape type 16 (Within Landscape Character Area 16A Malmesbury-Corsham Limestone Lowlands, as identified in the Wiltshire Landscape Character Assessment, 2005), which is noted for characteristics such as dry stone walls and the panoramic view evident at the site. The Neston Conservation Area lies approximately 700m to the northeast of the site at its closest point, and the various designated heritage assets of Hazelbury Manor and Neston Park are situated roughly equidistant from the site, within around 1km from its northwest and southeast ends respectively.

4. Planning History

13/04055/FUL	Construction of 9.6MW Solar PV Park with Transformer Housings, Security Fencing & Cameras, Landscaping & Other Associated Works
N/10/00261/CLE	Certificate of Lawfulness for Airstrip and Aircraft Hangar
N/12/03528/SCR	Screening Opinion - As to Whether EIA is needed for a Solar Park

5. The Proposal

The application is a resubmission of a larger scheme (reference 13/04055/FUL) which was refused under delegated powers in December 2013 and has now been further reduced in scale to comprise approximately 4.0MW of ground-mounted solar photovoltaic arrays, together with associated inverter and control buildings, fencing, CCTV and landscaping. As with the earlier scheme and typical of a development of this type, the panels are to be laid out in continuous 'strings' on an East-West axis, with a clear void of around 2.4m between rows, in order to maximise solar gain. This equates to a front-to-front spacing of 6.4m and is likely to be close to the maximum density achievable in practical terms for a site of this relatively flat relief. The linear 'strings' are to be served by occasional 8m maintenance strips

at regular intervals, as well as by the existing North-South dry stone wall that bisects the site and is to be retained. The scheme has been reduced in scale in light of concerns raised by Officers and the public so that the planted strip of *Miscanthus* and apparatus itself are to be stepped back from the boundary of Wadswick Lane, to the South. At around the halfway point of the southern boundary, this amounts to a maximum separation of around 120m.

Site access for the construction phase is to be provided via the existing shop/farm complex to the northwest of the site, and this is to be retained throughout the project's lifespan for maintenance purposes, as will the existing field entrance at the southwest corner of the smaller field. As this currently operates in tandem with the similar field access directly opposite for the movement of agricultural machinery across the landholding, sufficient space is to be retained toward the western end to facilitate a 7m-wide unmade route to the farm complex. In practice, this does not in itself represent any change to the current status quo.

Overall, it remains that the majority of the two fields will be occupied by solar panels, which are to be laid out in a similar pattern, and associated infrastructure. Having been pulled back from the boundary wall, the southern limit of solar arrays now follows loosely a line-of-sight between the southeast and southwest corners of the site, albeit with some concession to the winding route of the adjacent part of Wadswick Lane. From this boundary, a strip of saved 'agricultural' land is abutted by a 20m-wide planted strip of *Miscanthus*, 'elephant grass', which is to be used to screen the development. Deer-proof fencing is to be used to secure the apparatus and is to be sited directly behind this planted buffer, as well as extending around the remaining perimeter. Within the thickened buffer at the eastern end of the site, the scheme includes a modest educational area linked to the adjacent footpath and with clear views of the panels. Drainage swales are to be introduced around the underutilised periphery of the fields, taking account of the relief of the site, which drops by some 10m from northwest to southeast.

The solar photovoltaic apparatus itself is to be of a fixed design repeated throughout the site. Each modular rack of panels is to measure 31.82m x 3.979m in surface area and 2.3m in height, based on an angle of 20°. The rack is to be mounted on metal supports arranged front and back at intervals and driven directly 1.2-1.5m into the ground. The lower, front supports are to provide a ground clearance of 630mm at the lowest point of the panel, enabling the continued use of the site for the grazing of sheep throughout the lifespan of the development. In addition, the apparatus requires the installation of 6no. transformer enclosures, together with a master DNO station situated at the northwest corner of the site.

The current scheme makes provision for a new permissive right of way and bridleway across the site itself, the former loosely following site perimeter and linking to the established public right of way to the northwest, the latter running the length of the southern site boundary. The retained agricultural access at the southwest corner is to provide access to pedestrians and horse riders via a widened hunting gate, with a similar facility at the far eastern corner with Wadswick Lane. An additional stile is to be introduced at the southern boundary, creating a new opening directly opposite the point at which the Old Drovers Way footpath reaches Wadswick Lane.

The site is to be secured using deer proof fencing running between the apparatus and behind the new *Miscanthus* strip, as well as within the established planted boundaries of the north and east perimeter. This is to be of traditional post-and-wire construction using 100mm square wire netting strung between 100mm dia. round treated timber posts, which are to be 1.9m in height once driven 0.9m directly into the ground at maximum intervals of 5m. As an additional security measure, CCTV cameras are to be installed on 3.0m-high metal columns on a line-of-sight basis along the fence boundary. Whilst the exact colour and finish is yet to be agreed, these are fairly typical in design to their utilitarian function. It is confirmed in the submission that no additional lighting is to be introduced to the site as part of the proposals.

6. Planning Policy

The following planning policies are relevant:

Policy C1 of the adopted North Wiltshire Local Plan 2011 (Sustainability Core Policy)

Policy C3 of the adopted NWLP 2011 (Development Control Core Policy)

Policy NE4 of the adopted NWLP 2011 (Areas of Outstanding Natural Beauty)

Policy NE15 of the adopted NWLP 2011 (The Landscape Character of the Countryside)

Policy NE16 of the adopted NWLP 2011 (Renewable Energy)

Policy BD7 of the adopted NWLP 2011 (Farm Diversification)

Sections 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) of the National Planning Policy Framework are also relevant.

The DCLG Planning Practice Guidance for Renewable and Low Carbon Energy, published July 2013.

The UK Solar PV Strategy Part 2: Delivering a Brighter Future, published April 2014.

The strategy set out in the Wiltshire Landscape Character Assessment (LCA) 2005 is also of some relevance, as are Core Policies 42 and 51 of the emerging Wiltshire Core Strategy.

7. Consultations

Box Parish Council – *‘Strong objections. Despite the changes made to the previous submission it does not alter the views of the Parish Council in that by reason of its siting, scale, amount and appearance the proposed development will be detrimental to the character and appearance of the site and its setting in the wider landscape and the AONB. It is an inappropriate setting in an historic landscape.*

The proposal conflicts with policies C3, NE4, NE15, NE16 and BD7 of the adopted NW Local Plan 2011 and the objectives of paragraphs 98, 109, 115 and 131 of the National Planning Policy Framework.

Corsham Town Council – ‘The Council was supportive of renewable energy and acknowledged the improvements which had been made to the proposal. After some discussion a vote was taken and it was

Resolved: that the application be refused. It was felt that this site was inappropriate as the size and scale of the proposal would have a detrimental impact on the area and the setting of the Cotswolds AONB; would constitute urbanisation of the countryside; be of no benefit to the community; the application was contrary to Core Policy C3, policies NE4, NE15, NE16 and BD7 of the North Wiltshire Local Plan 2011; contrary to paragraphs 98, 109, 115 and 131 of the National Planning Policy Framework and would adversely impact the recreational amenity for local people.’

Landscape Architect – no objection, on the basis that following the revisions made, adequate measures could be secured by condition to mitigate adverse impacts of the development
Highways Officer – no objection, subject to conditions
County Ecologist – no objection, noting that the reconfiguration of the scheme is likely to neutralise some potential benefits and potentially decrease hedgerow quality
County Archaeologist – no objection
Environment Agency – no objection, subject to informatives
Ministry of Defence – no objections

The Council's Agricultural Consultant has previously advised that the proposal will not compromise the commercial agricultural operations at Manor Farm and that limited continued agricultural use is facilitated in tandem with the development.

The standing advice of the Civil Aviation Authority remains that ground-mounted solar photovoltaic installations are not a matter of concern to aviation safety.

The Wiltshire & Swindon Biological Records Centre has noted the recording of Great Crested Newt species within c.25m of the site in 1999-2000.

8. Publicity

The application was re-advertised by site notice and notification of neighbours and those who had previously made representations.

34 further letters of objection received, including representations on behalf of CPRE, Corsham Civic Society and the Neston Park Estate, in which the following relevant points were raised (number of citations shown in brackets):

- Impact on the character and appearance of the site and its setting (30 comments)
- Principle of Greenfield solar PV development (15)
- Impact on the setting and character of the nearby AONB (14)
- Loss of agricultural land (10)
- Impact on site ecology (7)
- Impact on historic environment (7)

Other issues raised legitimately include the impact on recreational users of Wadswick Lane specifically and additional service (as opposed to construction) traffic associated with the development.

Several other matters raised such as the efficacy of apparatus, developer profit and level of government subsidy do not amount to material planning considerations. It is therefore necessary to detach these issues from legitimate considerations as regards the principle of development.

Additionally, a petition of 110 signatories has been submitted in objection to the revised scheme including a summary of specific planning grounds for their representations. It is understood that the source of signatories includes residents of Neston and Wadswick, as well as recreational users of Wadswick Lane from further afield.

21 letters of support and one general comment have also been received from members of the public, raising the following points.

- Overriding need for renewable energy and principle of development (19 comments)
- Appearance of the development has been adequately mitigated (19)
- Development will not adversely affect the AONB (5)
- Loss of agriculture either limited or properly mitigated (4)
- Local ecological benefits (2)

9. Planning Considerations

Principle of development

As referenced at the time of the previous application, as a matter of principle new renewable energy projects are supported by local and national planning policy, with a strategic commitment to decentralising energy production and meeting climate change objectives. Policy NE16 of the adopted Local Plan (Renewable Energy) states that projects such as this will be supported unless they would cause demonstrable harm to a designated historic area or natural landscape. Standalone renewable energy schemes are also supported in principle by core policy C1 of the Local Plan (Sustainability Core Policy).

Paragraph 98 of the National Planning Policy Framework makes clear that applicants need not demonstrate a need for renewable energy schemes as justification and the local planning authorities should approve all such applications where the adverse impacts have been adequately mitigated. Whilst this remains the substantive planning policy position and 'starting point' for consideration of large-scale ground-mounted solar PV applications, regard should be paid to subsequent documents including the Planning Practice Guidance for Renewable and Low Carbon Energy published July 2013 and the UK Solar PV Strategy Part 2 published April 2014. The latter, together with the letter to Local Planning Authorities from Greg Barker MP, was published after the determination of the previous application at Manor Farm. These two documents suggest that proposals for such installations should be considered on the balance of a range of factors are not necessarily automatically appropriate save in the most extreme circumstances. It is emphasised in the latter that previously-developed land and commercial rooftops should be the focus of new large-scale solar PV energy schemes. It is considered that, insofar as the current application is concerned, these material considerations somewhat deplete the previously strong policy presumption in favour of the scheme in principle set out at Paragraph 98 and demand careful scrutiny of local circumstances and site-specific matters.

The application therefore falls to be considered on the basis of whether the site-specific impacts of the development are so harmful as to outweigh the presumption in favour of a renewable energy facility at this scale, notwithstanding its reduced capacity for electrical generation in comparison to the previous scheme. Interestingly, in his letter of 7 April, former Energy Minister Greg Barker MP writes that '*I do not want uncontrolled expansion of solar on the countryside. The main focus for future growth must be onsite generation.*' In this instance, the proposal undoubtedly relates to a rural Greenfield site but falls within the broad distinction of 'onsite generation', as it is to supply directly an established and large energy consumer and, potentially, others in the immediate vicinity in future.

The information submitted in respect of site selection is considered entirely adequate and robust insofar it relates to the applicant's entire landholding. Around half of this falls within the Cotswolds AONB and little of the remainder in such close proximity to a suitable grid connection, such that the selected site meets the initial requirements in terms of elementary barriers to such energy schemes. The individual merits of the proposal are considered hereafter.

Impact on the character and appearance of the area

The most pronounced visual impacts of the development on public viewpoints will be experienced at Wadswick Lane itself, as well as the public footpath that runs to the North and East of the site, linking to Bradford Road further north. Drawing upon the earlier comments of the Council's Landscape Architect, it is considered that the proposed type and scale of development in the open countryside represents a dramatic departure from the established local countryside character and will have a discernible impact on recreational amenity for local people accessing countryside from nearby settlements. The Officer has previously identified the capacity of the development to have an urbanising effect on the existing rural character of Wadswick Lane, and this is rather compounded by the integral CCTV and transformer apparatus. One significant shortcoming of the increased distance between public viewpoints and the line of *Miscanthus* screening is that due to the relief of the land it is more likely that solar panels will be seen. How detrimental an effect this is depends, to an extent, on the subjective judgement of whether the panels themselves are visually offensive.

It is considered that aside from its being uncharacteristic of the historic appearance of the area the use of *Miscanthus* as a means of screening the development represents, in theory, a reasonably effective and innovative solution. It is, of course, a recognised fallback position that the field area could be used to cultivate *Miscanthus* as a fuel crop – and indeed parts of the holding are already given to this purpose in conjunction with the biomass facility at Manor Farm – without the need for planning permission. By progressively setting back the line of development along the Northern boundary of Wadswick Lane, the immediacy of its visual impact is diminished, conserving more of the open characteristics of the landscape even for users of the new permissive routes along the southern site edge. It is considered that the means of accessing proposed and existing routes are much improved with existing breakthroughs are to be formalised using hunting gates and a modest stile providing permeability to the Old Drovers Way; both conserving the high-quality fabric of the stone wall although a section of this must be removed to enable effective cropping of the *Miscanthus* buffer. It is anticipated that the revised scheme could secure a meaningful refurbishment of the southern stone boundary wall and overall maintenance of this fabric throughout the lifespan of the project.

It is also worthy of note that a full *Miscanthus* screen could not be established in a single growing season, such that the soonest this may be effective is from its second year onwards. However, given the distance from Wadswick Lane now proposed it is likely to perform better as a screen for the apparatus for much of its length. The Council's Landscape Officer has commented that the reduction in size and associated setback is a significant improvement and that, crucially, a line-of-sight aspect along Wadswick Lane is now protected. This will, of course, depend on the use of the 'agricultural' land retained within the southern half of the site, however. It is also observed that the revised proposal "*now incorporates and retains an appropriate level of openness and a satisfactory rural agricultural setting to this lane.*" It is therefore concluded that the visual impacts of the development will not be detrimental to the overall setting of the site, but that they will undoubtedly be apparent, and will unavoidably alter the character of Wadswick Lane for the duration of the project.

As previously explained, a critical factor in the local amenity impact of the current proposal is the way in which Wadswick Lane is used. In his decision to refuse planning permission in respect of a 24MW solar park at land adjacent to Ellough Airfield the Secretary of State identified the amenity enjoyed by horse riders specifically as a relevant concern as to the development's immediate visual impact. In this instance, it is considered that the popularity of Wadswick Lane as a route for recreational walking, running, cycling and horse riding is an important consideration in respect of the sensitivity of the site. These users are considered to be immediate and sensitive receptors to the appearance of the site, and their experience

of the site should be treated differently to, for instance, fleeting views from moving vehicles passing such a development. It is considered that the visual impacts of the development remain significant in this context, as these will be readily apparent although not overbearing.

In light of the above it is necessary to reach a balanced judgement as to whether the proposal conflicts with the provisions of Policies C3, NE15 and BD7(iii) of the adopted North Wiltshire Local Plan and Core Policy 51 of the emerging Wiltshire Core Strategy as regards the degree of harm caused to its context.

The Planning Practice Guidance for Renewable and Low Carbon Energy, published in July 2013 requires planning authorities to examine the cumulative impacts of renewable energy developments, as infrastructure may encourage a clustering effect. In this instance, there is no comparable scheme either existing or proposed that would either be seen readily in context or otherwise experienced – for instance on a well-established walking route – collectively with the proposed development. Regard has been paid to the prospect of any adverse cumulative impacts with recent housing, business and defence schemes in the locality, although these have few parallels with the current proposal and due to their disparate nature and relative lack of inter-visibility. In any case, it is not considered that recent developments in these areas have any significant bearing on the proposal in question, however.

Impact on the setting of the Cotswolds AONB

Due to its lying outside of the Cotswolds AONB, the site does not benefit from the same automatic protection afforded to similarly open countryside within this designation. Nonetheless, the proximity of the AONB's easternmost extent is a significant consideration and issues such as inter-visibility and general context and character are critical, and as such the proposal falls to be considered against Policy NE4 of the Local Plan. The site lies approximately 600m from the edge of the AONB, areas of which are clearly perceived from the site and public vantage points surrounding it, particularly those to the South and East of the site. This vista, with the development in the foreground and a designated natural landscape forming the backdrop, will have a notable impact on the setting of the AONB from the limited sections of public highway and footpaths in the immediacy of the site. In this regard, however, the sensitivity of receptors is closely linked to the visual impacts of development in the context of the recreational use and enjoyment of Wadswick Lane in general.

Notwithstanding the above, the extent of vantage points overlooking the site from within the AONB is limited, owing in part to the proliferation of mature woodland and planting covering much of the higher topography. However, it is considered that the proposal has the potential to adversely affect the active enjoyment of the AONB itself, as its visual impact is likely to be sharpened by the activities associated with the designated landscape. Wadswick Lane is known as a popular walking, running, cycling and horse riding route and part of the network of lanes extending well into the AONB, and therefore the site will frequently be experienced by receptors in that context. As such, the risk that the development will impact adversely on the public's enjoyment of the AONB is a real one, due to its functional and physical linkage with the recreational use typical of that designation. The volume of public representation identifying or sourced directly from recreational use as a locally-specific reason for objecting on amenity grounds is further evidence of this.

Impact on highway safety

The previous submission initially drew criticism in respect of the potential of a substantial proposed native hedgerow at the southern boundary to obstruct critical views along Wadswick Lane. Since this has been omitted, however, visibility along the winding highway

has been protected to an adequate extent to enable safe movement by the setting back of the proposed security fencing and *Miscanthus* planting buffer. It is therefore considered that the proposals do not compromise the safety of Wadswick Lane, either to motorists or the many other frequent road users.

Overall, the proposed reinforcement of the local footpath/bridleway network is welcomed and undoubtedly a worthwhile exercise in this location, where recreational movement is readily apparent. It is reasonable to conclude that this is a matter of pure enhancement to pedestrian and horse rider safety, brought about as an opportunity by the scheme, rather than direct mitigation for any adverse impacts of the development itself.

Although it must be emphasised that the footpath feature is permissive in nature, rather than an adopted right of way, its availability throughout the lifespan of the solar installation could be secured by condition. One is mindful, however, of the potential for that route becoming established 'as of right' by its continuous use for 20 years or more, and to secure the safe and economical use of the land for agriculture further ahead it may be necessary to allow for very occasional scheduled closures. Notwithstanding the benefits of the permissive route in respect of highway safety, it would not be desirable to see its formalisation compromise the future economic use of the land for agricultural purposes. Likewise, it should not therefore be assumed that the landowner could provide this benefit whether or not the application was successfully implemented, as this is not considered to be the case.

Impact on agricultural land

The issue of the loss of agricultural land required to accommodate the proposed development has been examined in relation to the previous application and at the earlier version of this report. As this consideration remains fundamentally unchanged in principle, this is reproduced below. However, it must be noted that the revised scheme considered here also makes a significant concession to the retention of productive agricultural land along the southern site boundary. This, it is felt, reinforces the below conclusions such that a refusal on grounds of the loss of agriculture could not be substantiated.

The site comprises predominantly Grade 3 quality land, although the information held centrally does not differentiate between Grades 3a and 3b – the former being of 'good' quality, the latter 'moderate' – although it is probable that the site comprises land somewhere between the two on the basis of the types of crop in rotation. The best and most versatile land is recognised as falling within Grades 1, 2 and 3a and accordingly entitled to a greater level of protection from development under Policy NE15 of the adopted Local Plan. Paragraph 112 of the NPPF further emphasises that the 'economic and other benefits' of the best and most versatile agricultural land should be taken into account. In this instance, it is recognised that other material considerations, such as the temporary/reversible nature of the development, capacity to support some limited ongoing agricultural use and any other fallback position, require that a balanced judgement is reached in this regard.

It is recognised by the Council's Agricultural Consultant that the proposed development will not compromise the overall operation of Manor Farm as a commercial agricultural enterprise, and it is noted that diversification of this business has already occurred through the retail unit, biomass facility and fuel crop grown at the farm. As such, there is no detrimental economic impact of the development that conflicts with Paragraph 112 of the NPPF or the relevant part i) of Policy BD7 of the adopted Local Plan. Although the development will inevitably impair the use of the land for arable crops to a significant extent, the solar PV apparatus is to be arranged in such a way that the land may continue to be grazed by sheep and thus maintaining some, albeit limited, agricultural productivity. Even with a lower density of panels, larger livestock cannot be supported due to the structural sensitivity of the apparatus. It is proposed that the land is returned to its former agricultural condition after a

period of 25 years and possible to secure an earlier return if the facility should cease to be operational prior to this time, and therefore the long-term quality of the land is to be maintained. Furthermore and as previously noted the use of the land to grow non-food crops as biofuel is a realistic fallback position due to the existing operations on the farm, and thus a material consideration. For these reasons, it is considered on balance that the temporary loss of Grade 3 land, even assuming a 3a classification, does not in itself present an insurmountable obstruction to the proposed development, with the long-term productive capacity of the land protected pursuant to the aims of Local Plan Policy NE15.

Impact on site ecology and biodiversity

Consistent with the site's most recent use as good to moderate quality rotation-cropped arable land, it is understood that the site supports a number of transient species found in this area, including deer, hares, birds of prey and farmland birds, despite its relatively limited innate ecological value. The existing arable field margins have some capacity to provide foraging and cover for a range of farmland birds and there is a strong possibility that these would be disrupted and/or lost in the course of development, although other potentially suitable areas will remain available for such use.

Owing to the type and arrangement of the proposed apparatus, it is not considered that the means of construction, solar PV arrays themselves or the associated equipment pose any substantial threat to species. Under the current proposals, it is likely that small-scale habitats can be redistributed throughout the less intensively developed parts of the site. The County Ecologist has noted, however, that the ecological enhancement achievable by introducing wildflower habitats to site fringes is rather diminished in this instance; the wildflower grassland originally proposed has been removed almost entirely and the proposed area of *Miscanthus* enlarged substantially. Although *Miscanthus* can support some bird species, from an ecological perspective its use is not supported in the current context where native wildflower grassland would be the preferred option, and so the ecological gains that may otherwise weigh in favour of the development are limited.

Concerns are also raised in respect of the siting of proposed deer fencing adjacent to the northern hedgerow, as it does not appear that sufficient space has been left to facilitate long-term maintenance of this boundary feature by tractor-mounted machinery – typically a buffer of around 5m with wider areas for turning corners. Should this restricted space prevent proper management of the hedgerow, it is likely that this will become detrimentally overgrown and will make the proposed permissive path along this boundary inaccessible. It is likely, however, that this consideration can only be overcome by the realignment of the fencing and potentially also the substation at the northeast site corner and moreover indicates the sheer intensity of development proposed.

There are no known protected species permanently or frequently resident at the site, although the County Ecologist has advised that precautionary measures should be taken to further limit risks to great crested newt, reptile and breeding bird species, should the development proceed. To this end, it is recommended that any permission should require subsequent agreement of an appropriate Landscape and Ecological Management Plan (LEMP), containing the necessary details of sensitive working methods, landscaping and habitat management.

Other issues

In this instance, it is considered that the explicit reference at Paragraph 5 of the Planning Practice Guidance to the necessity that '*the planning concerns of local communities are properly heard in matters that directly affect them*' requires careful attention. Consistently, the community resident in the immediate vicinity of the site (<1km approx), which is by no

means large in number, has presented a substantial degree of opposition to the iterative proposals and cited material planning reasons for such objection. A petition recently received also draws upon the occasional users of Wadswick Lane, many of whom visit in a recreational capacity and are thus similarly sensitive receptors to visual change. It is considered that this response should critically be afforded significant weight in this instance, given the otherwise finely balanced considerations relevant to the proposal.

It is of course noted that a significant volume of correspondence in support of the scheme has also been received, and this should not be disregarded despite these comments generally coming from further afield. Most make reference to the overriding need for renewable energy, visual mitigation and reduction in the scale of the scheme. It is of course, rather difficult to make a case for any kind of visual enhancement of the area but attention is drawn to the prospective benefits to local business that tend to be altogether absent from standalone, 100% grid-connected installations.

Detailed representations have been received in respect of the impacts of the proposed development on the settings of the Box and Neston Conservation Areas, as well as the listed Neston Park (Grade II*), Hazelbury Manor (Grade I) and gardens (Grade II), together with their various related buildings and structures (all Grade II). As previously discussed, the visual impacts of the development will be severe but contained to the more immediate environs of the site. The applicant's application of a zone of theoretical visibility (ZTV) based on unobstructed views to and from the site confirms that changes to the landscape will be barely perceptible in this context. As the applicant concludes that no designated heritage assets will be affected by the proposal, there is no policy requirement to give an account of their significance.

In line with the consultation advice of English Heritage, regard has been given to the Conservation Officer's previous comments, based on an extensive knowledge of the area and the designated and undesignated heritage assets therein. As the submission concludes that the development will have little impact on designated heritage assets, no meaningful assessment of their significance is provided, and this is consistent with paragraph 128 of the NPPF. The impact of the development on the designated heritage assets of Neston Park, Hazelbury Manor and gardens and the Neston Conservation Area is likely to be relatively contained by the limited significance of the site in their immediate approach. The extent of harm to any of these is likely to be the distant detection of the solar apparatus, most likely by its capacity for glint, from Neston Park and this is likely to be most pronounced in winter when the sun is lowest and the deciduous screening at the boundary of the estate most sparse.

The short distance between the site and the Bradford Road contains a number of Grade II-listed properties and one Grade I-listed medieval church, all of which make an important contribution to the character and appeal of the immediate area. Likewise, the non-designated but nonetheless historic field boundaries and stone walls reinforce this overriding character, as described in the Wiltshire Landscape Character Assessment. For these reasons, these elements are considered inseparable from the overall character of the Wadswick Lane and surrounding public network, which is a fundamental reason for its recreational enjoyment by both local people and those from further afield. As such, it is considered that the impact on historic fabric is similar to that of the scheme on the site and enjoyment of Wadswick Lane, and should therefore be balanced against the other material considerations. This in turn calls into question whether the wider public benefits of the proposal are sufficient to outweigh the degree of harm to heritage assets, consistent with Paragraphs 134 and 135 of the NPPF.

The issue of aviation safety has been raised in relation to the airstrip situated immediately adjacent to the northern site boundary. The standing advice of the Civil Aviation Authority is

that ground-mounted solar PV installations are likely to have little to no impact on incoming or outgoing aircraft, owing to the temporal and typically brief capacity for reflective glare from the panel arrays. In any case, both elements remain in the immediacy within the control of the applicant, and thus it can be assumed that this would remain a self-regulating exercise.

10. Conclusion

The merits of the scheme are finely balanced, with relatively few specific matters in actual dispute. The UK has a legal responsibility to deliver renewable energy but also a wide range of means for doing so, such that it is essential to consider individual proposals with regard to their wider context. It is considered that the reduction in size and revisions to the layout of the scheme reduce the level of visual harm caused by the development to the extent that this could not reasonably be considered to be 'substantial' or 'detrimental'. However, that is not to say that the scheme is without some degree of harm to the composite factors that make up the site's unique setting or to the recreational enjoyment of it, and this needs to be weighed against the benefits of the scheme and generally policy support for such technologies. In this instance, it is considered that the notably high quality of the site's setting and particular sensitivity of visual receptors warrant the most careful protection of the site and this is reinforced by local opinion, which should be given due weight in the decision-making process. Although efforts to provide a new permissive right of way, educational facility, ecological measures and conservation of the established boundary walls are all acknowledged to be of inherent value to the area, the extent to which these are directly related to the impacts of the development is questionable and therefore their collective inclusion can only be afforded limited weight.

For the above reasons, it is considered that overall the proposal remains unacceptable in planning terms, although on slightly different grounds to the previous decision.

RECOMMENDATION

That planning permission is REFUSED, for the following reason:

- 1 The proposed development, by reason of its siting, appearance and local perception, fails to conserve or enhance the character or appearance of the site and its setting, and by extension compromises the enjoyment of the Cotswolds AONB and local built heritage, such that the harm associated with the proposal is not outweighed by its benefits or any support in principle.

The proposal therefore conflicts with Policies C3, NE4, NE15, NE16 and BD7 of the adopted North Wiltshire Local Plan 2011 and the objectives of Paragraphs 98, 109, 115, 134 and 135 of the National Planning Policy Framework and Paragraphs 5 and 27 of the Planning practice guidance for renewable and low carbon energy.

Appendices: None

Background Documents Used in the Preparation of this Report: None