

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 24 September 2014
Time: 3.00 pm

Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713935 or email william.oulton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Trevor Carbin	Cllr Christopher Newbury
Cllr Ernie Clark	(Chairman)
Cllr Andrew Davis	Cllr Horace Prickett
Cllr Dennis Drewett	Cllr Pip Ridout
Cllr John Knight (Vice-Chair)	Cllr Jonathon Seed
Cllr Magnus Macdonald	Cllr Roy While

Substitutes:

Cllr Nick Blakemore	Cllr Stephen Oldrieve
Cllr Rosemary Brown	Cllr Jeff Osborn
Cllr Terry Chivers	Cllr Graham Payne
Cllr Russell Hawker	Cllr Fleur de Rhé-Philippe
Cllr Keith Humphries	Cllr Jerry Wickham
Cllr Gordon King	

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 6*)

To approve and sign as a correct record the minutes of the meeting held on 3 September 2014.

3 **Chairman's Announcements**

To receive any announcements through the Chair.

4 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 2.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate

Director) no later than 5pm on Wednesday 17 September. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Applications**

To consider and determine the following planning applications:

6a **14/05253/FUL: Land West of Ganbrook Farm, Little Chalfield, Wiltshire (Pages 7 - 26)**

7 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 3 SEPTEMBER 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Terry Chivers (Substitute), Cllr Ernie Clark, Cllr Andrew Davis, Cllr Gordon King (Substitute), Cllr John Knight (Vice-Chair), Cllr Christopher Newbury (Chairman), Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While

96 Apologies for Absence

Apologies for absence were received from Councillors Dennis Drewett, Magnus Macdonald and Horace Prickett.

Councillor Drewett was substituted by Councillor Terry Chivers.

Councillor Macdonald was substituted by Councillor Gordon King.

97 Minutes of the Previous Meeting

The minutes of the meeting held on 23 July 2014 were presented for consideration and it was,

Resolved:

To approve as a correct record and sign the minutes.

98 Chairman's Announcements

There were no Chairman's Announcements.

99 Declarations of Interest

Cllr Knight declared a non pecuniary interest on items 6C (14/05282/FUL) & 6D (14/05299/LBC) 9 Wicker Hill, Trowbridge. Cllr Knight was a member of Trowbridge Town Council who had previously discussed the applications.

Cllr Seed declared a non pecuniary interest on item 6A (14/05253/FUL) Land West of Granbrook Farm, Little Chalfield. Cllr Seed knew members of the public who were in objection and in support of the application.

100 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

101 **Planning Applications**

The Committee considered the following applications:

102 **14/05253/FUL: Land West of Ganbrook Farm, Little Chalfield, Wiltshire**

Public Participation

Phillip Addis spoke in objection to the application.

Sarah Morley spoke in objection to the application.

Tony Cooper spoke in objection to the application.

Robert Floyd spoke in support of the application.

Peter McLaren spoke in support of the application.

Anthony Fuller spoke in support of the application.

John Kirkman spoke as a consultee on behalf of CPRE in objection to the application.

Mitch Robert, on behalf of Atworth parish council, spoke in objection to the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given.

The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Members were invited to ask technical questions about the site which focused on the number of CCTV cameras to be installed, the height of the cameras, difficulties enforcing vehicle restrictions, the planned hedging to mitigate views of the solar farm and access routes to the development.

Members of the public were invited to speak on the application as listed above.

Cllr Chivers as the local Member spoke in objection to the application. The main issues were noted as: high level of objection in the community, highways issues, property devalued and cumulative effect. The debate focused on the highways and access issues. A motion was put forward to refuse the application, this was amended to defer the application for a site visit. At the end of the debate it was;

Resolved

To defer for a site visit.

103 14/01962/VAR: Land West of Norrington Lane, Broughton Gifford, Norrington Common, SN12 8LR

Public Participation

Martin Freeman spoke in objection to the application.

Will Monk spoke in objection to the application.

Dan Gerber spoke in objection to the application.

Susanna Miller (Applicant) spoke in support of the application.

Jodie Hoare (Agent) spoke in support of the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given.

The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Members were invited to ask technical questions about the site which focused on the developments on the site without permission, why a stop notice hadn't been issued and breaches of the planning controls.

Members of the public were invited to speak on the application as listed above.

Cllr Chivers as the local Member spoke in objection to the application focusing on the lack of communication, developments without consent and that a stop notice had not been issued. The debate focused on the conditions which had been broken, the visual impact of the development, the adverse affects the development would have on Gifford Hall. The Committee were advised by the Planning Officers that discussions had taken place with the applicant and the applicant had agreed to replace the unauthorised fencing with the original

fencing as per the original conditions, the planning officer also advised the committee that the current fencing erected stood at 1.8 metres in height and that the applicant had previously been given permission for fencing to be erected at approximately 2.2 metres in height. At the end of the debate it was;

Resolved

To refuse planning permission for the following reasons:

- 1. The metal security perimeter fencing and the proposed 72 CCTV cameras based on poles would have an unacceptable adverse visual impact on the countryside and landscape contrary to policies C1 and C34 of the West Wiltshire District Plan (1st alteration) and with policy CP51 of the emerging Core Strategy (April 2014 tracked changes version) and with the Governments Planning Practice Guidance that recognises the impact security measures on solar farms could have on the landscape.**
- 2. The metal security perimeter fencing and the proposed 72 CCTV cameras based on poles would be detrimental to the heritage assets and setting of the Grade II* listed building known as Gifford Hall contrary to the National Planning Policy Framework and policy 58 of the emerging Core Strategy (April 2014 tracked changes version) and the Governments Planning Practice Guidance.**

104 **14/05282/FUL: 9 Wicker Hill, Trowbridge, Wiltshire, BA14 8JU**

Public Participation

Sarah Collins spoke in objection to the application.

Peter Andrews spoke in support of the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given.

The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Members were invited to ask technical questions about the site.

Members of the public were invited to speak on the application as listed above.

The planning officer advised Members that the relationship between the building walls was not a planning consideration, the regulation officer had not objected to the application and that issues around the amenities should be discussed outside of the meeting.

The debate focused on access, the neighbours amenities and the revised plans which addressed access. At the end of the debate it was;

Resolved

To approve planning permission with the following conditions:

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

REASON:

In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans:

Location Plan 702:10 received on 27 May 2014

Plan 702:P:10 A received on 29 July 2014

Plan 702:S:10 received on 27 May 2014

Plan 702:P:11 A received on 29 July 2014

Plan 702:S:11 received on 27 May 2014

Plan 702:P:12 A received 29 July 2014

Plan 702:S:12 received on 27 May 2014

Plan 702:P:13 received on 27 May 2014

Plan 702:S:13 received on 27 May 2014

Plan 702:P:14 received on 27 May 2014

Plan 702:P:15 received on 27 May 2014

Plan 702:P:16 received on 27 May 2014

Plan 702:P:17 received 29 July 2014

REASON:

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

105 14/05299/LBC: 9 Wicker Hill, Trowbridge, Wiltshire, BA14 8JU

This application was discussed alongside item 6C.

It was;

Resolved

To approve consent subject to the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON:

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The additional fenestration shall match that approved under application reference 06/02834/LBC and be in accordance with the hereby approved drawing 702:P:14

REASON:

In the interests of the appearance of the Listed Building.

3. The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans:

**Location Plan 702:10 received on 27 May 2014
Plan 702:P:10 A received on 29 July 2014
Plan 702:S:10 received on 27 May 2014
Plan 702:P:11 A received on 29 July 2014
Plan 702:S:11 received on 27 May 2014
Plan 702:P:12 A received 29 July 2014
Plan 702:S:12 received on 27 May 2014
Plan 702:P:13 received on 27 May 2014
Plan 702:S:13 received on 27 May 2014
Plan 702:P:14 received on 27 May 2014
Plan 702:P:15 received on 27 May 2014
Plan 702:P:16 received on 27 May 2014
Plan 702:P:17 received 29 July 2014**

REASON:

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

106 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 6.00 pm)

The Officer who has produced these minutes is Jessica Croman, of Democratic Services, direct line 01225 713935, e-mail Jessica.croman@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

REPORT TO THE AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	24 th September 2014
Application Number	14/05253/FUL
Site Address	Land West Of Ganbrook Farm, Little Chalfield, Wiltshire
Proposal	Proposed ground mounted solar farm, associated works and ancillary infrastructure.
Applicant	Solar Planning Ltd
Town/Parish Council	ATWORTH
Ward	MELKSHAM WITHOUT NORTH
Grid Ref	384921 164731
Type of application	Full Planning
Case Officer	Alison Hall

Reason for the application being considered by Committee

1. Purpose of Report

This application has been called in by Councillor Chivers in relation to the scale of the development, visual impact on the surrounding area, relationship to adjoining properties, design and environmental impact.

The application was deferred at the 3rd September committee to allow for a members site visit which is to be carried out on the 24th September 2014.

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 to the west of South Wraxall and is an arable field. The site is broadly triangular in shape and is bounded on 3 sides by mature hedgerows. The site adjoins a country lane to the east and agricultural land to the north and west. A small watercourse runs along the western boundary. The site slopes gently from the north west to the south east from 65m AOD to 57m AOD at the southern boundary.

The site is not located within any landscape or ecological designations and there are no heritage assets within the site boundary or directly adjacent.

4. Planning History

The applicant submitted a request for a screening opinion to the council under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2011 (Council's ref: 13/06478/SCR- No EIA was required.

5. The Proposal

This application seeks permission for a 25 year period for the construction of a 12MW solar farm on 25ha of land. The panels would be installed to a maximum height of 2.135m. In addition to the solar panels supporting infrastructure comprising of seven inverter cabins, DNO cabin, customer cabin, 2m high deer fence and 2.5m high CCTV system, underground cabling, temporary vehicle tracks, access and landscaping are proposed.

The proposals would generate approximately 12 MW (peak) of electricity which would offset approximately 5,100 tonnes of Co2 per annum, and 127,500 tonnes over the life of the scheme. That (conservatively) equates to enough electricity to serve the total power needs of around 2,500 houses.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004) (WWDP)

C1 Countryside Protection, C2 AONB, C3 Special Landscape Areas, C4 Landscape setting, C15 Archaeological Assessment, C31a Design, C32 Landscaping, C34 Renewable Energy, C38 Nuisance, E7 Farm Diversification,

Emerging Wiltshire Core Strategy

Strategic Objective 2: Addressing Climate Change, Strategic Objective 5: Protecting and Enhancing the Natural, Historic and Built Environment, Core Policy 29 Trowbridge Community Area, Core Policy 42 - Standalone Renewable Energy Installations, Core Policy 50 - Biodiversity and Geodiversity, Core Policy 51 – Landscape, Core Policy 58 - Ensuring the Conservation of the Historic Environment, Core Policy 61 -Transport and new development, Core Policy 15 – Melksham Community Area

National Planning Policy Framework 2012

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)

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.

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

ATWORTH PARISH COUNCIL – Object – impact on the highway, loss of agricultural land, ecological impacts.

SOUTH WRAXALL PARISH COUNCIL – No objection, they have concerns relating to the loss of agricultural land but recognise the need for low carbon renewable energy.

BROUGHTON GIFFORD PARISH COUNCIL – Object, impact on the highway, impact of construction vehicles, cumulative impact.

WILTSHIRE COUNCIL HIGHWAYS – No objection subject to condition relating to Construction Method Statement and delivery times and movements.

WILTSHIRE COUNCIL ECOLOGIST – No objection subject to conditions

WILTSHIRE COUNCIL ARCHAEOLOGIST – No objection, no further archaeological works required.

WILTSHIRE COUNCIL LANDSCAPE ARCHITECT – No objections subject to conditions.

ENGLISH HERITAGE – Comment that consideration needs to be given to the cumulative impact of the development with great weight to be afforded to the conservation of heritage assets and their settings.

ENVIRONMENT AGENCY – No objection subject to an informative

CPRE – Object – cumulative and visual impacts.

8. Publicity

The application was advertised by site notice, neighbour notification letters and in the Wiltshire Times.

A total of 83 letters of objection were received and a total of 64 letters of support were received (41 of which were a standard letter)

Objection reasons received		Support reasons received
Impact on Listed Buildings		Site would be screened
Impact on the countryside and landscape		Renewable Energy contribution
Loss of Agricultural Land		Continued grazing under the panels
No community benefit proposed		Ecological benefits
Amenity of cyclists and horse riders		Proximity to grid connection
Highway and pedestrian safety		Benefits to rural economy/farm diversification
Impact on highway verges		Less obtrusive than wind turbines
Impact on tourism		Resting the land for 25 years has ecological benefits
Brownfield sites should be used		Help meet local and national renewable energy targets
Renewable energy targets already met		
Inefficiency of panels		
Site is in AONB		
Loss of views		
Lack of publicity		

9. Planning Considerations

- 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

ASSESSMENT:

Principle

The proposal seeks to construct a solar farm to provide 12MW of energy which would generate enough electricity to power approximately 2500 average homes per year and save 5,100 tonnes of CO₂. The solar farm would be in situ for 25 years.

Policy C34 of the West Wiltshire District Plan, 2004 states that Renewable Energy Generation proposals, will be permitted in appropriate locations having regard to visual impacts on the landscape, impacts on areas and features of natural, ecological, historic and archaeological interest, the environmental and visual impact of associated ancillary development including new access roads, buildings, power lines and connections to the electricity distribution network, the impact on residential amenity and pollution effects, highway capacity of the existing road network, particularly where transportation of raw materials is a major consideration, safety and access, and materials, scale, siting, design, screening and landscaping.

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

The NPPF, existing WWDP policies as well as emerging policies within the Core Strategy are considered to be in alignment with the goals of the Climate Change Act. Apart from National Guidance in the form of the NPPF, the adopted WWDP, 2004 and the emerging Core Strategy, further guidance is provided in the recently published "Planning Practice Guidance" (DCLG : Section on Renewable and Low Carbon Energy 6 March 2014).

The core purpose of the planning system as stated within the NPPF is to contribute to the achievement of sustainable development. Sustainable development is defined

as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At the heart of the decision making process as set out by the NPPF is a presumption in favour of sustainable development. It goes further to identify that planning plays a key role in securing radical reductions in greenhouse gas emission which is central to achieving the economic, social and environmental dimensions of sustainable development.

Proposals for the generation of energy from renewable sources are in principle supported by National policy due to their contribution to sustainable development, meeting the challenges of climate change, air quality and fuel security. Policy asserts that such applications should be encouraged and any application be approved if its impacts are or can be made to be acceptable. This supportive stance towards development proposals which will generate renewable energy where the impacts of the proposal are or can be made to be acceptable is also found within the local plan as outlined above (Policy C34 of the West Wiltshire District Plan 1st Alteration (2004)).

With regard to the Core Strategy, the “Strategic Objective” to address climate change (Strategic Objective 2) and Core Policy 42 (Standalone renewable energy installations) directly reflect the national policy picture and as such are considered to carry weight.

The DCLG “Planning Practice Guidance” has specific advice on situations where green-field sites are proposed, i.e: “whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

The NPPF states that LPAs must to take into account the benefits of the best and most versatile land, and that where development is considered necessary local planning authorities should seek to use poorer quality land rather than high quality land. The land quality in is this instance is therefore a material consideration. In considering this aspect records available to Council indicate Category 3 land is involved. The issue of land quality and agricultural use has been raised in neighbour comments.

In this instance the proposal is for a temporary - albeit extended period - use that is wholly reversible. The proposals include the biodiversity enhancements (discussed further below) and the land remains available for grazing between the units as has been demonstrated in other solar project cases. The improvements of biodiversity potential are themselves material considerations. The land would remain available for future agricultural use and any permission can be conditioned to ensure that it is returned to its original state at the end of the period of operation, so there would be

no permanent loss of agricultural land, such as would be the case with, for example, residential or industrial permanent development.

The above must furthermore be balanced with the NPPF (Chapter 3 Supporting a Prosperous Rural Economy) requiring that economic growth in rural areas must be supported by taking a positive approach to sustainable new development. The NPPF notes that all types of business and enterprise in rural areas, and the diversification of agricultural activity should be supported. The remainder of the agricultural land will continue to remain in use.

The proposed development has been estimated to allow for the siting of PV arrays to generate 12 Mega Watts (MW) of renewable electricity. This is a significant contribution to the amount of renewable energy generated within the county of Wiltshire in keeping with the goals of the NPPF.

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.

Would the proposal 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 application site comprises grade 3b land and as such would not be categorised as best and most versatile for the purposes of applying Core Policy 42 and the NPPF.

It is also proposed that the areas between the arrays would be sown with a wild flower mix which can then also 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.

The landscape

The applicants submitted a Landscape and Visual Impact Assessment prepared by The Environmental Dimension Partnership (EDP) in support of their proposals. 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 West Wiltshire District Plan Policy C1 (Countryside) 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, WWDP Policy C1 states development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification such as essential transport improvements, schemes of national importance or overriding benefit to the local economy. Acceptable mitigation measures will be implemented where appropriate.

The site is not located within any landscape designations.

It is acknowledged that the site comprises Greenfield land however as the National Planning Policy Guidance in relation to renewable and low carbon energy states where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

As already discussed the site comprises Grade 3b land which is not considered to be the best and most versatile agricultural land, in addition the proposal would allow for the continued sheep grazing of the land and encourages biodiversity improvements through the sowing of wild flower meadow seed mix.

The Council's Landscape Architect has been consulted and raises no objections. The site is located in a rural, managed agricultural setting; it is relatively tranquil and is described as having a local landscape character that is 'broadly consistent' to that described in the local Landscape Character Assessment. Overall the value attached to the landscape is medium.

Introducing a solar development to an agricultural field will inevitably, albeit temporarily change the character and appearance of the local landscape. However on balance solar development has a medium to low susceptibility to change the landscape due to

- The local low, undulating topography, existing hedges and vegetation that reduce the influence of the development in the landscape
- Retention and enhancement of existing landscape elements on site
- Development is of low height and therefore not intrusive
- The development is completely reversible (although landscape improvements will be retained)

In terms of visual impact most views into the site are local and filtered by existing topography or trees and hedging. In addition the mitigation planting both gapping up hedges and new tree belt, will reduce the residual effects to moderate/minor at the worst from VP2, VP3 & VP8, which in terms of landscape and visual impact assessment is not considered to be significant.

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 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.

It is therefore considered that while the proposal would result in a change to the character of the area due to the scale of the proposal, topography of the land, the temporary nature of the development and the proposed mitigation planting the proposal would not result in an adverse impact on the landscape in accordance with Policy C1 of the WWDP, Policy CP51 of the emerging WCS and the NPPF.

The cumulative impact of solar farm development in the locality

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 9 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.

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.

The LVIA submitted with the application concludes that the Kingston Farm (3.5km to the south, operational) and Marsh Farm (3.5km to the south east, in planning) proposal would be unlikely to be visible cumulatively due to a combination of

distance and intervening vegetation. As a result, Kingston Farm and Marsh Farm were scoped out of the cumulative assessment.

In addition the two other schemes either within 5km radius of the site are Broughton Gifford (Permitted) and Roundponds/Leechpool Farm (Permitted). The submitted LVIA states that there are potential cumulative effects arising on the right of way between the crossroads north at Ganbrook Farm and Stonar School. Theoretically combined visibility with Broughton Gifford and Roundponds Farm is predicted, although in reality any likely visibility would be sequential along the elevated (northern) portion of this route where trees would screen the proposed development, but not the other two schemes. Photo viewpoint EDP 4 illustrates the view at the termination of this route at the crossroads north of Ganbrook Farm. Views of Broughton Gifford and Roundponds Farm are only likely from the most elevated part of this route due to intervening woodland and hedgerows screening these schemes in views at lower elevations, closer to the crossroads. Where visible, they would appear as a single scheme (as one would be located immediately behind the other). It is therefore most likely that the proposed development and the two schemes to the east would not actually appear in combination (due to the screening described), but rather sequentially. Neither scheme alone would result in greater than a very low magnitude of change along this route, so it is estimated that the cumulative level of effect would be minor.

Wiltshire Council Landscape Architect has been consulted and raises no objections to the proposal commenting that they agree with the conclusions of the LVIA. In relation to the cumulative impact they state the Little Chalfield solar farm has a number of large mature trees along the western boundary and planned mitigation planting. It is therefore highly unlikely that there would be any visibility between the application site and the Broughton Gifford site (or beyond it to Roundponds).

The historic environment

The application is supported by a detailed Archaeological and Heritage Assessment by EDP which identified the heritage assets, their significance and potential impact of the development on their significance. A further letter dated 8th August from the agent in response to English Heritage's comments on the application in relation to the cumulative impact on heritage assets.

English Heritage and Wiltshire Council's County Archaeologist provided comments in the context of potential effects on the historic environment.

At the request of the County Archaeologist trial trenching has been undertaken which concluded that there was no archaeological interest in the area. The final archaeological report is still to be submitted and therefore a condition is recommended that requires the submission of the report and an archaeological works/mitigation strategy to be submitted and agreed in writing.

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 world heritage sites, scheduled monuments or registered battlefields in the wider 1km study area however there are in excess of 40 listed buildings and a single conservation area South Wraxhall and Lower Wraxhall is located c.800m to the west of the application site (as shown on plan EDP H1). A registered park and garden is located 1.3km to the south east of the site. Great Chalfield Manor is located 1.4km to the south east of the site and is Grade I Listed.

Appendix EDP1 of the Archaeological and Heritage Assessment details each Listed Building and the likely impact of the development. The listed buildings identified within the study area (the positions of which are shown on Plan EDP H1), comprise a range of domestic scale cottages, farmhouses, public houses, larger scale country houses, churches and monuments, where it is highly unlikely that there would have ever been functional or aesthetic associations with the land within the site. Their settings are variously focused within the farmstead and settlement groupings, within their own grounds, or with the roads and tracks they are positioned adjacent to, rather than the wider agricultural landscape. The report concludes that due to the topography of the land and existing and proposed tree planting and hedgerows the proposal would not result in an adverse impact on the setting or character of the heritage assets. While English Heritage comment that the development has the potential to impact on the wider landscape setting of a number of designated heritage assets and the potential cumulative effects. Officers consider that as the Archaeological and Heritage Assessment concludes that there would be no change to the settings of any designated heritage assets, and a neutral effect on all assets as result there would also be no cumulative effects resulting from the implementation of the scheme.

Great Chalfield Manor is located 1.4km to the south east of the site. The land levels at this point are approximately 47m AOD with the land rising and falling towards the site which is located at approximately 61m AOD. The National Trust has commented on the application stating that they are supportive of renewable energy. In addition they commented that the proposal is not immediately adjacent to Great Chalfield Manor, and the ground in between is relatively level. Unacceptable landscape and visual impacts that may affect the historic significance of the property are therefore unlikely. It is considered that given the separation distance and screening afforded by the topography of the land and the intervening tree and hedging planting the setting and character of the Grade I Listed property would not be impacted upon.

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.

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 Traffic Management Plan prepared by Mayer Brown advises that the construction of the solar array would last approximately 3 to 4 months. In total, the construction phase is anticipated to attract in the region of 150 to 200 two-way trips. The majority of delivery trips will occur during the first two months; the daily traffic generation would be in the region of five two-way trips per day. Once operational, vehicle access to the site would be low, with the majority of trips relating to monitoring, on-going maintenance and cleaning of the site and would equate to approximately 1-2 two-way trips per week, and would occur by car or small van.

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

Wiltshire Council Highways Officer has been consulted and raises no objections to the proposal subject to conditions relating to the submission of a construction method statement and to ensure the traffic generation does not exceed the traffic management plan.

Officers consider that the proposed development complies with Policies 61 and 62 of the emerging Wiltshire Core Strategy. Construction traffic can be suitably controlled by condition including permanent and temporary upgrades to the road network.

Biodiversity

The application is supported by an Ecological Appraisal prepared by EDP and a further letter dated 8th August 2014 and email dated 11th August following the request for additional information by the County Ecologist in relation to skylarks and wildflower strips. Core Policy 50 of the emerging Core Strategy seeks the protection and enhancement of biodiversity.

Landscape mitigation proposals will restore gaps in boundary hedgerows, and conserve features of ecological value on site. Wildflower buffers would extend from a minimum of 3m in width to a maximum of 10m. New hedgerows would be planted extending to approximately 800m and native wildflower grassland would be established. The mitigation strategy would result in a net gain in biodiversity with respect to ecology and will reinforce the key landscape features that form part of the local landscape character. The County Ecologist has been consulted on the proposals and additional information and is raising no objection subject to conditions.

Residential amenity

The Wiltshire Council Landscape Architect is raising no objections to the proposals and comments that although views from upper windows are considered less sensitive than those from day living quarters in LVIA terms, the submitted assessment has recognised the sensitivity of all residential receptors as very high.

The nearest residential properties are Gable Cottage located approximately 140m to the south of the site and Ganbrook Farm located approximately 140m to the north east of the site. There are other residential properties at Little Chalfield which are located 0.8km to the south east. South Wraxall is located approximately 0.6km to the west and Lower Wraxall 0.9km to the west.

Gable Cottage and the property referred to as the Barn (No.232) are located approximately 140m and 160m to the south of the application site.

Gable Cottage and the existing boundary planting along the road screen the single storey property no.232 (The Barn) from views of the proposed solar farm. Gable Cottage is orientated so that the principle elevation faces onto the road and is orientated angled slightly to the north east. Therefore obscured views from the first floor windows would be afforded of the site. The proposed hedge and tree planting along the southern boundary of the site would after year 1 predominantly screen the proposed solar farm from the upper views from Gable Cottage. It is considered that while there will be an enclosure of the open field view currently experienced by the property this would not result in an adverse impact on residential amenity.

Due to the separation distances from other residential properties including the settlements of South and Lower Wraxall it is considered that over looking, loss of privacy, loss of light and overbearing impact would not be an issue. The panels/arrays are static and would not give rise to any noise or disturbance. In addition subject to the mitigation tree and hedge planting and planting improvements the solar farm would have very limited to no visibility from neighbouring properties. It is therefore considered that the proposals are in accordance with Policy C38 of the WWDP, 2004.

Other Matters

Hydrology and Flood Risk – The application was accompanied by a flood risk assessment.

The Environment Agency is raising no objections subject to an informative. They comment that the submitted Flood Risk Assessment (FRA) takes into account advice given to the developer at the pre-planning stage. The proposed swales and the run-off calculations are therefore acceptable. The site falls within a groundwater Source Protection Zone 2 (SPZ2). This is a zone of protection surrounding a nearby public drinking water borehole, which needs careful protection from pollution to which they are recommending an informative be attached.

Temporary Permission – The application seeks temporary permission for a period of 25 years.

Public Rights of Way – There are no public rights of way within or adjacent to the site. The proposals therefore do not give rise to any adverse impact on public rights of way.

Lack of publicity – The application has been advertised by site notice, directly affected neighbours notified by letter and a press notice.

Loss of views- Loss of a view is not a material planning consideration.

Impact on tourism – There is no evidence to detail that renewable energy schemes such as solar farms impact on tourism.

10. Conclusion

The proposed development is considered to be acceptable in principle and would not result in 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 permitted shall be carried out in accordance with the following approved plans:
D-200 General Site Plan dated 17/12/2013
D-204 Cross section perimeter path dated 18/02/2014
D-108 Customer Cabin dated 18/02/2014
D-106 Structure detail dated 18/02/2014
D-105 Camera detail dated 18/02/2014
D-104 Control room dated 18/02/2014
D-103 Inverter cabin dated 3/04/2014

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 4 then all associated development on, under or above the application site shall be removed from the site and the land returned to its former condition in accordance a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation of the generation of energy from the site.

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

- 4 The development hereby approved shall be discontinued and the land restored to its former condition on or before 3 September 2039 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.

- 5 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.

- 6 The development hereby approved shall be carried out in accordance with sections 4.10 - 4.34 of the Ecological Appraisal dated May 2014 prepared by The Environmental Dimension Partnership, including a pre-commencement badger survey to accurately pinpoint the location of the perimeter fence, unless otherwise agreed in writing with the local planning authority.

REASON: to ensure the full implementation of the recommendations made in the Ecological Appraisal.

- 7 A survey of habitat condition measured against the Amended Landscape Strategy (drawing numbers EDP2151/35, EDP2151/19 and EDP2151/36a) will be undertaken by a professional ecologist during the period June to August and submitted for Local Planning Authority Approval in the first, third and fifth years after the site first becomes operational. Where monitoring identifies non-compliance, remedial measures will be identified, implemented and reported through a subsequent agreed monitoring survey.

REASON: to ensure full compliance with the Amended Landscape Strategy.

- 8 Any decommissioning plan submitted in accordance with Conditions 3 and 4 shall include an ecological assessment and mitigation report to be submitted to the planning authority for written approval. The site will only be

decommissioned in accordance with the approved mitigation report.

REASON: to ensure that protected species are fully considered at the de-commissioning stage of the development.

- 9 The development hereby approved shall be carried out in accordance with the Construction Traffic Management Plan dated May 2014, received 29th May 2014.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase

- 10 Prior to the commencement of development the boundary/deer fencing shall be erected in accordance with the approved plans.

REASON: In the interests of the protection of wildlife.

- 11 The hours of working shall be restricted to 07:00-18:00 Monday - Friday, 07:00-12:00 Saturday and no working on Sundays or Bank Holidays.

REASON: In the interests of amenity and highway safety.

- 12 There shall be no more than 10 HGV deliveries to the site per day Monday – Friday, no more than 2 HGV deliveries to site on Saturdays and no deliveries on Sundays or Bank Holidays.

REASON: In the interests of highway safety and neighbouring amenity.

- 13 Any gates erected shall be set back a minimum of 5m from the carriageway edge and shall open inwards only. The gates shall remain open during the hours of construction.

REASON: In the interests of highway safety.

INFORMATIVE TO APPLICANT

Removal of hedgerows and ground preparation shall be undertaken only during the period 1st September to 28th February unless, if done outside this period a survey by a professional ecologist is submitted to and approved in writing by the local planning authority. The works shall then only undertaken in accordance with the ecologist's written advice.

INFORMATIVE TO APPLICANT

Bats

The mature trees present in the northern boundary hedgerow contain suitable features for roosting bats, as the Ecological Appraisal identified significant deadwood. Although these trees are not affected by the proposed development, which is retaining the northern boundary hedgerow, subsequent management of the trees may be required for Health and Safety purposes or as part of the ongoing management of the farm. The applicant should be advised that all bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 (as amended), which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. A bat survey by a licensed bat ecologist should be undertaken prior to tree surgery works to ensure that full consideration is given to their likely presence. If bats are subsequently discovered, then all works should stop immediately and the Natural England should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

Breeding birds

All British birds; adults, young, nests and eggs (with certain limited exceptions), are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, while they are breeding. The applicant is advised to check any structure or vegetation suitable for breeding birds and delay removing or altering these features until after the young birds have fledged (i.e. left the nest). Damage to extensive areas of vegetation that could contain nests/breeding birds should be undertaken outside the breeding season to ensure their protection. The breeding season is usually taken to be the period between 1st March to 31st August, but some bird species are known to breed outside these limits.

INFORMATIVE TO APPLICANT

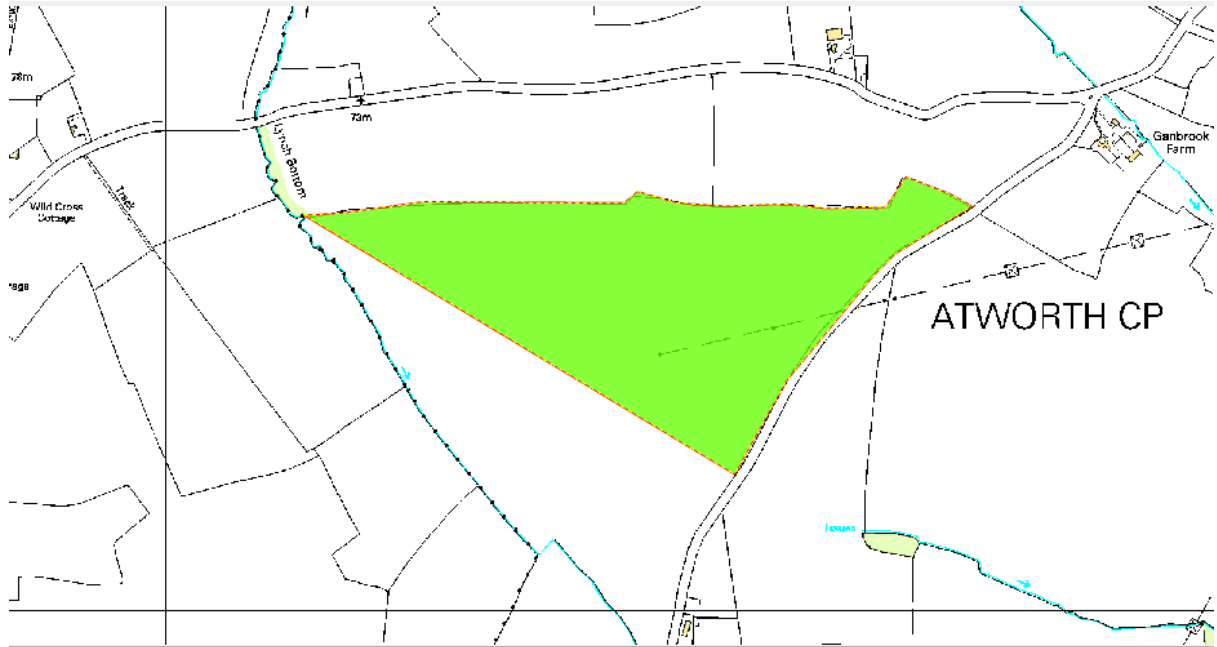
Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- 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.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Item 1 - 14/05253/FUL - Land West Of Ganbrook Farm Little Chalfield



This page is intentionally left blank