

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	23rd October 2013		
Application Number	N/13/01495/FUL		
Site Address	Land East & West of Hill Hayes Lane, Hullavington, Wiltshire		
Proposal	Installation of Solar PV facility on 17.50ha site produce up to 7MW of renewable electricity, including access roads, temporary security lighting electrical buildings		
Applicant	Mr Wearmouth		
Town/Parish Council	Hullavington Parish Council		
Electoral Division	By Brook	Unitary Member	Cllr Jane Scott OBE
Grid Ref	388633 182644		
Type of application	Full		
Case Officer	Chris Marsh	01249 706657	chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

The application was deferred at the meeting of 11 September 2013 in order that Committee Members could visit the site to consider the scheme's impact on the landscape prior to its reconsideration.

1. Purpose of Report

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

Hullavington Parish Council has objected to the application on highways and landscape grounds.

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on highway safety

3. Site Description

The application relates to a pair of arable fields situated to either side of Hill Hayes Lane, an unclassified country road linking the West of Hullavington to the small village of Norton, to the northwest. The site is surrounded on its remaining sides by agricultural land, although a railway line and associated embankment runs close to the northernmost corner of the East field. Hill Hayes Lane itself bisects the application site from northwest to southeast and is the principal means of access to the land in question, with traditional agricultural accesses to both fields at their southern ends and around their midpoint along the road between them. The land is situated in undesignated open countryside; with the nearest landscape designation, an Area of Outstanding Natural Beauty, lying with its closest point approximately 3km southwest of the site. A small stream runs close to the southern site boundary, however due to its relief the land is entirely within Flood Zone 1.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/13/00034/SCO	Scoping Opinion in Respect of a Proposed Solar Park	Scoping Opinion

5. Proposal

The proposed development comprises the installation of solar photovoltaic panel arrays sufficient to generate up to 7MW of electricity, together with associated infrastructure in a master control building, seven inverter enclosures and access tracks. The panels are to be arranged in rows across both fields on an East-West axis, maintaining adequate separation between rows – around 10.0m - so as to maximise solar gain from the South. Each array of 24no. panels is to measure 12m x 3.4m, although angled backward on a 35° angle so as to stand 3.0m high in total. The panels agreed through negotiation with the applicant are of the crystalline type, enabling them to be mounted on steel supports that are driven directly into the earth, to a depth of 800mm, at 4no. fixings per array with no other reinforcement. Maintaining the proposed 10m separation between row fixings for efficiency and the 1.0m gap beneath each panel will enable the land to be grazed by sheep and thus retain some kind of agricultural function. Following advice from the County Archaeologist, the applicant has confirmed that the indicative archaeological exclusion areas identified in the submitted masterplan will not be required and panels instead laid out in the most energy-efficient pattern.

In addition to the solar arrays themselves, the development also comprises the erection of 7no. inverter enclosures positioned along a hardcore partial access track at the centre of each field. Of these buildings, three are to be situated on the West field and four on the East, together with a master control building to the immediate North of the eastern field access. Each inverter enclosure is a utilitarian structure akin to a shipping container and constructed from sheet metal, which is to be painted to minimise its visual impact. These will be 3.2m in height and occupy a poured concrete foundation measuring 8.7m x 2.4m. All are to be orientated on an East-West axis and connected to the power lines, which travel in a similar direction across the site. The control building is larger and is to feature a mono-pitched corrugated sheet roof, lending it a scale of 4.5m to its ridge and 3.6m to eaves, the latter on the eastern side of the building. This facility is to be situated on a square footprint measuring 4.9m in each direction, again standing on a poured concrete foundation 0.8m deep. The final finish of the buildings is yet to be agreed.

Having undertaken survey work and through consultation with the Council's Landscape Architect, the applicant has submitted a scheme for the visual mitigation of the scheme, reinforcing boundary treatments where necessary. The entire perimeter of the site is to be enclosed by 2.5m-high stock-proof fencing, comprising wide-mesh wire strung between timber posts 100mm in diameter, which are to be driven directly into the ground.

Access to the two parts of the site is to be obtained via the existing field entrances to the North of the midpoint of their boundaries with Hill Hayes Lane, where a splayed access with a visibility of 110m from the highway edge can be achieved. To each side of the highway, a mixed aggregate track is to extend a short distance into the site before turning to reach the inverter enclosures at a length of approximately 170m each. The track is to be of simple construction, with a geotextile base topped with 225mm of Type 1 aggregate and a surface of 75mm Type 2 aggregate. A Construction Method Statement has been submitted in respect of proposed vehicle movements to, from and within the site, taking measures to control the size, number, frequency and timing of deliveries to the site, as well as the route taken to gain access. This document also details the creation of an on-site compound to provide the day-to-day parking and other facilities necessitated by a project of this size.

It is proposed that at the end of a 25-year period commencing with the initial construction phase or at such time that the facility reaches the end of its serviceable life, if sooner, the panels and associated buildings, structures and infrastructure are to be removed. These works would be undertaken in accordance with an agreed schedule of works, effectively amounting to a reversal of the construction process and similar in terms of timescale and transport. The applicant's Construction Method Statement also proposes that any damage incurred to the highway at Hill Hayes Lane as a result of construction/decommissioning works will be rectified immediately.

6. Consultations

Hullavington Parish Council – objections, citing the increased construction traffic, inadequacy of access, loss of agricultural land and visual landscape impact

Norton Parish Council – [following the deferral of the application at the Committee meeting of 11 September 2013, immediate re-consultation was undertaken with Norton Parish Council. At the time of writing, no comments have been received]

Landscape Architect – no objection, subject to conditions

Highways – no objection, subject to conditions

County Ecologist – no objection, subject to conditions

County Archaeologist – no objection

Rights of Way – no objection

Agricultural Consultant – no objection

Environment Agency – no objection, subject to conditions

Network Rail – no objection

Wessex Water – no objection

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

14 letters of objection and three comments were received.

Summary of key relevant points raised:

- Visual impact on landscape
- Loss of agricultural land
- Impact on highway safety and traffic
- Lack of local benefit

One letter of support has been received, citing the scheme's environmental benefits.

8. Planning Considerations

Principle of development

In 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 support unless would cause demonstrable harm to a designated historic area or natural landscape.

Paragraph 98 of the National Planning Policy Framework makes clear that applicants need not demonstrate a need for renewable energy schemes as justification and should approve all such applications where the adverse impacts have been adequately mitigated.

The Parish Council, amongst other considerations, has cited the loss of Grade 2 agricultural land as a reason for objecting to the application. The Council's independent agricultural consultant has, however, noted that this relates to the highest quality present at the site, which also comprises a significant proportion of Grade 3 land, such that the fields would not normally be protected. The

continuing capacity to fulfil some agricultural function through the grazing of sheep further limits the effective impact of the development. The development would not compromise the viability of the owner's overall holding, which extends in total to 157ha freehold and 4.5ha leasehold.

Impact on the character and appearance of the area

Although not individually designated as a special landscape area, the site falls within the bounds of Policy NE15 of the adopted Local Plan (The Landscape Character of the Countryside), which seeks to guard against the most harmful development in the open countryside. The Council's Landscape Officer has confirmed that the submitted Landscape and Visual Impact Assessment (LVIA) is adequate for the purposes of assessing the implications of the development in this regard. The applicant proposes to reinforce the existing field boundaries where possible, particularly at the southern site edges where the greatest reduction in visual perceptibility is achievable. The additional landscaping is to comprise principally the introduction of further native trees, mainly along the North and West edges of the West field and the eastern boundary of the East field, and the gapping-up of hedgerow adjacent to the highway with the addition of further sparse tree planting, the implementation and maintenance of which can be secured by condition.

In terms of the visual impact of the development, the greatest visual change to the landscape will be localised. Local people using local circuit footpaths (e.g. dog walkers), North of Hullavington settlement will see partial views of the proposed solar PV development (mainly the western field) which is clearly shown in 'Photoview 3' and 'Photomontage A'. The local elevated farmsteads to the South and southwest overlooking the western field to the western side of Hill Hayes Lane will also view development to some degree. Inter-visibility between these receptors and the development site is likely to become greater in winter, when deciduous trees and hedges lose their leaves, and the visual filtering function of this vegetation is reduced. It is also the case that development will be visible from some residential (two-storey) properties along the northwest facing settlement edge, although views of proposed development from gardens and ground floor living rooms are much less likely.

By reason of the relief of the land, together with the siting, design and scale of the apparatus required, the visual impact beyond the immediate vicinity is likely to be limited. It is the view of the Landscape Officer that the proposed development will not result in any significant wide reaching negative landscape or visual effects that would cause landscape or visual harm to the Cotswolds AONB, which lies some 2.5km to the southwest and 3km to the North, or its setting. In this regard, it is considered that the proposal accords with Policy NE4 of the adopted Local Plan (Areas of Outstanding Natural Beauty). Omitting any permanent security lighting from the scheme will avoid any additional light pollution, which would otherwise harm the rural character of the area and in terms of the AONB likely prove considerably more intrusive than the apparatus itself.

Unlike onshore wind farm developments, which might be targeted to similarly-profiled sites, the proposed solar arrays and associated apparatus will emit only a negligible level of noise, certainly insufficient to be detected beyond the site boundary. It is not considered, therefore, that the development will have any significant adverse environmental or amenity impacts.

Impact on highway safety

A number of local concerns have been raised in relation to the highways impact of the development during the construction and decommissioning phases. Whilst disturbance resulting from the implementation of a planning permission is generally only to be afforded limited weight in the decision-making process, it is considered reasonable in this instance to pursue a strategy to minimise this impact as practicable. Having particular regard to the type, frequency and number of vehicles anticipated, together with the constrained nature of much of the approaching highway, a Construction Method Statement has been submitted by the applicant to cover these phases.

The Construction Method Statement is the result of earlier engagement with the Council, identifying two alternative routes to the site - one through the village of Hullavington itself before turning northwest on Hill Hayes Lane and one from the North leading through the smaller hamlet of

Norton. Although neither is ideal for the purposes of articulated vehicles, the latter route minimises disruption to local vehicle movements, particularly during peak hours, and avoids passing the local school. The sections affected by the route that are single-track and/or have limited visibility are considered to be acceptably limited as to avoid a significant highway risk in either case.

Although concerns have been raised, it is considered that the submitted management plan goes as far as reasonably necessary toward mitigating against the highways impacts of the construction and decommissioning phases. In development control terms, potential disruption during such times can only be afforded limited weight in any case, although it is reasonable to require appropriate measures to ensure that long term detriment is avoided. To this end, it is also proposed by the applicant that any damage incurred to the highway surface at Hill Hayes Lane by construction traffic is promptly remedied at their own expense under S38 of the Highways Act.

The issue of highway closures during electrification works to the nearby railway has been raised. However, this is not materially significant to the merits of the development and associated construction traffic and in any case a timescale for these works has yet to be confirmed.

The scheme employs adequate measures for the management of construction traffic on site, including sufficiently wide visibility splays at site entrances and a temporary hard standing on each field for the parking and turning of vehicles. As such, the general impact on the local highways network will be contained to movements to and from the site in exclusivity.

Once operational, the level and type of traffic to be associated with the proposed development is undoubtedly minimal, and indeed this matter is little contended. It is anticipated that typical movements will be limited to single journeys by van for routine and emergency maintenance as and when required. The highways officer has confirmed that this level of vehicular movement should be easily incorporated into the existing use of the surrounding road network without any significant disruption. The retention of the entrances will enable adequate visibility and turning space for these smaller vehicles.

Conclusions

It is considered that the proposed development as a whole contributes toward sustainability objectives and as such is inherently justified in principle. The site is well suited to its intended function, and occupies a relatively unassuming position that will prevent any wide-reaching landscape impact, especially on the Cotswolds AONB. The arrangement of the site and enhancement of boundary landscaping will mitigate against the scheme's immediate visual impact so far as reasonably possible so as to have a very limited effect on the setting of Hullavington itself. It is considered that the anticipated highways impact of the development during the construction and decommissioning phases has been minimised so far as reasonably necessary, such that an objection on these grounds would be unreasonable.

10. Recommendation

Planning Permission be GRANTED or the following reason:

The proposed development, by reason of its siting, size, scale, design and materials, will not adversely affect the character or appearance of the host landscape or the setting of the Cotswolds AONB, nor will it result in detriment to highway safety once operational. As such, the proposal accords with Policies C2, C3, NE4, NE15 and NE16 of the adopted North Wiltshire Local Plan 2011 and Sections 10 and 11 of the National Planning Policy Framework.

Subject to the following 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 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 3 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the facility or 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.

- 4 No development shall commence on site until full construction details of both access points for the construction phase and operation phase have been submitted and approved in writing by the Local Planning Authority. These details shall include how the design incorporates the swept path (for lorry of 16.6m). The access shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from site (including surface water from access) incorporating sustainable details and details for piping of the ditch. The development shall not be first brought into use until surface water drainage and piping of the ditch has been constructed in accordance with the approved scheme. The access shall be maintained as such thereafter. No development shall commence on site until the access has been constructed in accordance with the submitted plans.

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

- 5 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 6 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 60 metres either side of the entrance from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 No part of the development hereby permitted shall commence until the parking

area and turning area shown on the temporary construction compound and location (Figure 3) has been surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times during the construction phase and removed and the land restored to its former condition on or before the date six months from the development being first brought into use. The same compound shall be provided in advance of the first removal of buildings/solar panels from the site during the decommissioning phase and removed within three months of the land having been restored to its former condition.

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

- 8 No development shall commence on site until a full condition survey of the agreed site access along Hill Hayes Lane has been carried out and approved in writing by the highway authority and compliant with Section 59 of the Highways Act. A further survey of the same route shall be carried out within 1 month of the first use of the development and agreed in writing by the highway authority. Any damage to the highway surface resultant of the construction works shall then be repaired within a period of 3 months of the first use of the development hereby permitted and the works approved in writing by the Local Planning Authority. The same process shall be followed during the course of the decommissioning phase.

REASON: In the interests of highway safety.

- 9 No development shall commence on site until full construction details associated with the drawing titled 'Extents of required road widening' numbered Figure HU 03 related to Appendix A of the approved 'Construction Traffic Management Plan' have been submitted and approved in writing by the Local Planning Authority. The road widening works shall be completed in accordance with the approved details prior to the development works commencing at the site.

REASON: In the interests of highway safety.

- 10 No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 11 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 12 The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (Wessex Solar Energy, May 2013) and the surface water run-off management (SUDS) measures detailed therein. The scheme shall be fully

implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: In the interests of flood prevention.

POLICY: National Planning Policy Framework paragraphs 100-103.

- 13 Prior to commencement of development, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the following elements:

- Protection of existing trees and shrubs
- Establishment of hedgerows, trees and shrubs to be planted
- Establishment / restoration of grassland habitats
- Long-term management of all hedgerows, ponds, and restored / created grassland
- Features to be installed for the benefits of protected / BAP fauna
- Ecological monitoring to inform future management at the site

The development shall be carried out in accordance with the agreed Landscape and Ecological Management Plan and the site managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect and enhance biodiversity at the site

- 14 Within six months of the date 25 years after commencement of development or the date on which the facility permanently ceases to be operational, whichever is the sooner, all apparatus, buildings, hard standing and fencing shall be permanently removed from the site and the land restored to its former condition.

REASON: In the interests of preserving the long-term character and appearance of the site and its setting.

- 15 The development hereby permitted shall be carried out in full accordance with the submitted Construction Traffic Management Plan (Wessex Solar Energy, August 2013), including the following:

- a) Loading and unloading of plant and materials;
- b) Access route and site entrance arrangements;
- c) Storage of plant and materials used in constructing the development;
- d) Wheel washing facilities;
- e) Measures for the protection of the natural environment;
- f) Hours of construction, including deliveries; and
- g) The parking of vehicles of site operatives and visitors.

The construction traffic route shall be via Norton. No traffic relating to the proposal shall access the site via Hill Hayes Lane from Hullavington (except in the event of an emergency). Any departures from the approved plan shall be agreed in writing by the Local Planning Authority in advance.

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.

- 16 The development hereby permitted shall be carried out in accordance with the following approved plans:

Figure 1.1 - Site Location Drawing
Figure 1.2 0 Site Boundary and Indicative Layout
Figure 4.1 - Indicative Mounted Panel Dimensions - Crystalline
Figure 4.2A - Hullavington Inverter Building
Figure 4.2B - Hullavington Control Building
Figure 4.3 - Indicative Access Track Cross-Section
LL87.03A - Landscape Masterplan

Received 15 May 2013

Figure 4.4 V2 - Indicative Security Fence Details

Received 15 July 2013

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

INFORMATIVES:

- 1 Any alterations to the submitted and approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 2 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 3 Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.