

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	16 July 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
Ward	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 originally called in to Committee by Cllr Tonge should the Officer recommendation be for approval, in order to consider the scale of development and its visual impact upon the surrounding area. In light of the substantial volume of public representations received both in support of and objection to the proposal the Officer has recommended that in the interests of transparency the application is considered by Committee in any case. This approach has been agreed with the local Member.

1. Purpose of Report

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

Corsham Town Council and Box Parish Council have objected to the application, as set out later in this report. The application has 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 have been received from local residents and those further afield. A petition in support of the proposal with 110 signatories has also been received.

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 now comprises the installation of 6.3MW 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.

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, the vast majority of the site continues to be occupied by the solar panels, of which there are to be around 34,000, down from the previous 40,000, and which are to be laid out in a similar pattern. Despite its being pulled back from the boundary wall, the southern limit of solar arrays nonetheless remains loosely parallel to the southern edges of the fields, following the winding route of the adjacent part of Wadswick Lane. From this boundary, a varying strip sufficient to accommodate a permissive right of way 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 full 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 earth below. The lower, front supports are to provide a ground clearance of 630mm at the lowest point of the panel racking, enabling the continued use of the site for the grazing of sheep, which is proposed during the lifespan of the development. In addition, the apparatus requires the installation of 6no. transformer enclosures, together with a master DNOC station situated at the northwest corner of the site.

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 a metal frame, which is in turn supported by steel supports arranged front and back at intervals and driven directly 1.2-1.5m into the earth below. The lower, front supports are to provide a ground clearance of 630mm at the lowest point of the panel frame, enabling the continued use of the site for the grazing of sheep, which is proposed during the operational lifespan of the development.

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 Drivers 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 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 – *‘Objections. Despite the changes made to the previous submission it did 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. The proposal conflicts with policies C3, NE4, NE15, NE16 and BD17 [sic] of the adopted NW Local Plan 2011 and paragraphs 98, 109, 115 and 131 of the National Planning Policy Framework.’*

Corsham Town Council – *‘Resolved: that the application be refused. Although the Council was supportive of renewable energy 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 – objections as detailed letter in this report

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 advertised by site notice, press advert and neighbour notification.

64 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 (60 comments)
- Impact on the setting and character of the nearby AONB (22)
- Cumulative impact with nearby major developments (12)
- Impact on highway safety (5)
- Loss of agricultural land (18)
- Impact on site ecology (21)
- Lack of local benefit (16)

Other issues raised legitimately include the impact on the setting of the Neston and Box Conservation Areas and the use of the existing nearby airstrip.

Concerns have been raised in respect of the impact of the development on private views and, consequently, the value of property. As neither is a material planning consideration, it is necessary to detach these issues from legitimate considerations such as the impact of the development on public viewpoints and the setting of the AONB.

Other immaterial points raised include the efficiency of the apparatus, projected developer profit, anticipated disruption caused by construction traffic and the risk of setting a precedent. These should of course be disregarded for the purposes of reaching a legally sound judgement.

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

- Appearance of the development has been adequately mitigated (27 comments)
- Development will not adversely affect the AONB (2)
- Footpath/bridleway will improve highway safety (12)
- Sustainable future use for agricultural land (17)
- Local ecological benefits (9)
- Local benefits of permissive right of way, educational area and power generated (20)

Underlying most letters of support was an accepted need for renewable energy.

Additionally, a petition of 110 signatories has been submitted in support of the application, although this document itself does not contain any specific planning grounds for their representations.

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. This remains the substantive planning policy position and is not outweighed by recent ministerial comments, including the Energy Minister's letter of 22 April 2014, advising that previously-developed land should be the focus of new solar PV energy schemes, although these are of course of relevance. 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.

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 is 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 fact that end users have been identified in the immediate locality is laudable and should be accorded some material weight, as well as demonstrating some local benefit in terms of energy production. 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 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 substantial impact on recreational amenity for local people accessing countryside from nearby settlements. The Officer has again identified the capacity of the development to have an urbanising effect on the existing rural character of Wadswick Lane, and considers the submitted Landscape and Visual Impact Assessment (LVIA) to be inadequate in this respect. Whilst not considered necessarily 'industrial' in character, it is agreed that the proposal represents a degree of urbanisation of the area, particularly in relation to the proliferation of fence boundaries and CCTV apparatus, the immediate visual impact of which will be severe irrespective of the degree of screening offered by the elephant grass.

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. Rather than reducing the impact of the solar arrays and associated equipment, however, the proximity of the proposed 20m planted strip to the highway will cause further harm to the site's setting by enclosing the lane somewhat. This runs contrary to the open characteristics of the landscape and will be even more pronounced for users of the new permissive routes within the site. In conjunction with the accompanying fencing and apparatus, together with the slight increase between highway and site levels, the planting will part-obliterate the existing vista along the narrow lane. Despite the proposed refurbishment of parts of the stone boundary wall, this arrangement will negate any such improvements by diluting the definition offered by this historic feature.

It is considered that these impacts are contrary to the guidance contained in the relevant part of the Wiltshire LCA, which emphasises amongst other points that locally distinctive features such as dry stone walls should be reinforced where possible. In fact, little enhancement of these boundaries is proposed beyond the standards of the Higher Level Stewardship scheme of which the applicant is a member, and the proposal in fact seeks in part to remove sections of the wall for access. Although deer proof fencing is preferred to the more 'industrial' weldmesh type, the sense of enclosure created by a more substantial boundary treatment in this location will have a detrimental impact on the character and enjoyment of the area. 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.

Moreover, 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. Contrary to the assertions contained in the submitted LVIA, 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 are unacceptable on this basis and, cannot be mitigated sufficiently to satisfy the requirements of Paragraph 98 of the NPPF.

In the above respects, 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 appropriateness of the development to its local 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 capacity to adversely affect the active enjoyment of the AONB itself, as its effects are likely to be acute in relation to 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, it can be rationally anticipated that the development will impact adversely on the public's enjoyment of the AONB, due to its functional and physical linkage with the recreational use typical of that designation. The volume of public representation identifying 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. As this consideration remains fundamentally unchanged in terms of the land affected and policy framework, this is reproduced below.

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

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.

Moreover, however, 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. It is the view of the Conservation Officer that this amounts to material, although less than substantial, harm to the setting of designated and non-designated heritage assets integral to the character of the area.

The above 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

In summary, it is considered that on the balance of factors, there remain outstanding impacts of development amounting to substantial harm that outweighs the inherent benefits of the development. Although the scheme represents a notable improvement upon its predecessor, the alterations to the size and layout of the scheme do not adequately address the severity of impacts on local character and appearance or provide sufficient visual mitigation, principally due to the overall intensity of development. 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 on the same grounds as the application previously determined.

RECOMMENDATION

That planning permission is REFUSED, for the following reason:

- 1 The proposed development, by reason of its siting, scale, amount and appearance, will detrimentally alter the character and appearance of the site and its setting in terms of both immediate visual amenity and of the wider landscape, as well as the setting and enjoyment of the Cotswolds AONB and local built heritage.

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.

Appendices: None

Background Documents Used in the Preparation of this Report: None