

**Application Number: F/YR12/0891/F**  
**Minor**  
**Parish/Ward: Whittlesey**  
**Date Received: 14 November 2012**  
**Expiry Date: 09 January 2013**  
**Applicant: Farcet Farms Ltd**  
**Agent: Mr W Lusty, Savills**

**Proposal: Erection of ground mounted photovoltaic solar panels, inverter housing and landscape planting**  
**Location: Land west of agricultural buildings, Blackbush Farm, Daws Drove, Whittlesey**

**Site Area/Density: 1.02ha**

**Reason before Committee: The level of objection received**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

The proposal involves the erection of ground mounted solar panels, inverter housing and associated landscaping. The current use of the site is as agricultural land, however, given the relatively small scale of the site, this is not considered to be to the detriment of the local farming industry. The existing and proposed landscaping are considered sufficient to mitigate any harmful visual impacts arising from the proposal. The principle of the proposal is sustainable in the scheme complies with the general thrust of current planning policy, There are no material planning considerations which outweigh the benefits gained by allowing this renewable energy. It is, therefore, recommended that planning permission is granted.

**2. HISTORY**

Of relevance to this proposal is:

|                   |   |                        |
|-------------------|---|------------------------|
| 2.1 F/YR12/0302/F | Erection of ground mounted photovoltaic solar panels and 2.2m high security fence and landscaping | Refused – 10/07/2012   |
| F/YR12/0106/F     | Erection of ground mounted photovoltaic solar panels  | Withdrawn - 04/04/2012 |
| F/95/0167/F       | Erection of an agricultural store   | Granted – 27/06/1995   |
| F/94/0749/F       | Erection of an agricultural building  | Granted – 03/03/1995   |

### 3. PLANNING POLICIES

#### 3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources (for example by the development of renewable energy)

Paragraph 93: When determining planning applications for renewable energy projects, local planning authorities should approve the application if its impacts are (or can be made) acceptable.

#### 3.2 Draft Fenland Core Strategy:

CS12: Responding to Climate Change and Managing the risk of flooding in Fenland

CS14: Delivering and Protecting High Quality Environments

#### 3.3 Fenland District Wide Local Plan:

E8: Landscape and amenity protection

E1: To resist development likely to detract from the Fenland landscape

### 4. CONSULTATIONS

#### 4.1 *Parish/Town Council:*

Recommend refusal as there is inadequate screening around the site, the site is too close to existing properties, the site is south facing and the developer should look at available roof space rather than taking valuable land.

#### 4.2 *Ramblers:*

Not received at time of report

#### 4.3 *CCC Countryside Access:*

Planning informatives relating to the byway remaining open, alterations to the byways surface and maintenance of boundary treatments are required.

#### 4.4 *Environment Agency:*

The Flood Risk Assessment is acceptable for the scale and nature of the proposed development. The Internal Drainage Board should be consulted with regards to flood risk.

#### 4.5 *Middle Level Commissioners:*

Standard comments relating to the confirmation of design/analysis methods, ground conditions, calculations and proposed devices.

- 4.6 **CCC Highways:** A photographic survey of the sections of Cambers Drove, Black Bush Drove and Daws Drove used in connection with the proposal is required before development and immediately upon completion to establish whether any damage to the metalled surface or verges has occurred as a result of the proposal and appropriate remedial work and timetable for such work to be completed. If this is conditioned then no further highway comments to make.
- 4.7 **Huntingdonshire Council:** **District** No objections subject to satisfactory screening around the panels.
- 4.8 **FDC Environment and Health Services:** No objections as the proposal is unlikely to have a detrimental effect on local air quality or the noise climate and should not be affected by ground contamination.
- 4.9 **FDC Housing and Development Manager:** Not received at time of report
- 4.10 **CCC Waste:** Not received at time of report
- 4.11 **Neighbours:** 5 letters of objection and 2 petitions with 7 and 18 signatures received. Concerns regarding:
- harbouring of vermin
  - transport of equipment
  - the solar panels would be better suited to the roof of agricultural buildings rather than taking up agricultural land
  - the development would have an enormous impact
  - it would be clearly visible and particularly obtrusive
  - overbearing and dominant impact on neighbouring dwelling
  - out of character with the open landscape
  - loss of agricultural land
  - impact on amenities of adjoining property
  - increased crime risk
  - too close to the neighbouring dwelling
  - size of development and choice of site
  - adverse impact on the visual amenities of the area

## 5. SITE DESCRIPTION

- 5.1 The application site is located on the southern side of Daws Drove. The site is currently scrub land although it is classified as grade 2 agricultural land. The site is positioned between an existing bungalow and a collection of agricultural buildings and is approximately 40metres from the neighbouring bungalow.

## 6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Principle and policy implications
  - Design and layout
  - Impact on surroundings and residential amenities
  - Other matters.

### (a) Principle and policy implications

The application involves the erection of a collection of ground mounted solar panels and associated inverter housing and landscaping. The nature of the proposal, therefore, complies in principle with the thrust of the NPPF which seeks to achieve sustainable development.

The presumption in favour of sustainable development set out in the NPPF is reiterated at a local level in Policy CS12 of the emerging Core Strategy. Although this document can only be afforded limited weight, it demonstrates the direction of travel in terms of forthcoming planning policies. CS12 stipulates that 'renewable energy proposals will be supported and considered in the context of sustainable development and climate change'. It also states that factors including the surrounding landscape, residential amenity, highway safety, nature conservation and high quality agricultural land will be taken into consideration when determining renewable energy proposals.

The principles of CS12 have linkage with the existing Local Plan Policies E1 and E8 can be afforded weight as per Paragraph 215 of the NPPF. These policies stipulate that new development which detracts from the unique open character of the Fenland Landscape will not normally be permitted and new development should have regard to the amenities of adjoining properties and the locality in general.

### (b) Design and layout

The proposal involves the installation of 18 rows (laid out east to west) of ground mounted solar panels. 1040 modules will be provided in total which will provide a capacity of 249.1kWp to be fed into the existing farm enterprise. The panels will have a maximum height of 2metres above ground level and will be tilted 25°southwards to maximise solar gain.

The inverter box will be finished in aluminium and positioned on the northern elevation of the existing farm building. It will have a footprint of 3m x 3m and will be approximately 2.5m high and will, therefore, appear as a relatively small and negligible addition to the existing farm building.

An additional landscaping belt is to be provided on the north, west and south boundaries of the site. Details of the species of planting have not been

submitted, however, this can be secured via a planning condition.

(c) Impact on surroundings and residential amenities

The proposal will be positioned on a parcel of agricultural land which is positioned to the south west of the existing farm buildings.

The landscaping which will be provided around the site should be sufficient to overcome any harmful visual impacts which may arise from the solar panels. In order to ensure that the landscaping remains as an appropriate screen, a condition to secure the height of the landscaping is considered relevant and necessary.

The land is used for agricultural purposes and the existing landscaping will not be affected. As such it is considered that there will be little or no negative impact on natural wildlife habitats. The impact on the neighbouring property at the Piggeries appears to be one of the main objections to the solar proposal. Whilst the comments raised have been noted, it is considered that the proposal is unlikely to result in a harmful impact on the adjoining residential amenities due to the distance from the dwelling and the existing and proposed boundary treatments. It is widely accepted in planning law that the right to a view does not constitute a material planning consideration.

The development is unlikely to result in a significant increase to vehicular movements to the site and CCC Highways have raised no objections to the proposal. This is, however, on the proviso that a photographic survey of Daws Drove, Blackbush Drove and Cambers Drove is taken before the development commences and after completion to identify any damage caused to the verge or highway during the course of construction. The survey will inform any repairs that need doing. A condition to this effect is considered to be relevant and necessary.

As mentioned in section (b) of this report, the inverter unit is considered to have minimal impact on the surroundings.

(d) Other Matters

It is acknowledged that the proposal will result in the loss of agricultural land, however, as the site is relatively small, it is considered that the proposal is unlikely to have a harmful impact on the general farming industry.

Members will recall a similar application being presented to the Committee in July 2012. Members resolved to refuse the application due to the impact on the neighbouring property to the west. By moving the site boundaries approximately 30m east and 50m south, and proposing a landscaping screen, it is considered that the proposal has overcome the previous reason for refusal.

Members should also be aware of the neighbouring application for solar panels to the east, on land which is within the same ownership as this current application. Although it would have been preferable for both schemes to be considered under the same application, this in itself is not reason enough for refusal. Due to the relatively small scale of each of the proposals, it is considered that the development of both sites for ground mounted solar panels would be acceptable.

All other comments received in respect of this application have been noted and those which are material planning considerations have already been addressed within the body of this report.

## **7. CONCLUSION**

- 7.1 The principle of the proposal is sustainable in the scheme complies with the general thrust of current planning policy, There are no material planning considerations which outweigh the benefits gained by allowing this renewable energy project and it is considered that any harmful impacts can be mitigated by appropriate conditions. In view of the above it is recommended that planning permission is granted.

## **8. RECOMMENDATION**

### **Grant**

1. **The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

**Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.**

2. **Within a period of 26 years from the date of the first electricity generation on site the development hereby permitted shall be removed from the site in its entirety and the site restored to its former condition unless otherwise agreed in writing by the Local Planning Authority.**

**Reason - To allow the Local Planning Authority to re-assess the condition of the development in line with the potential life span of the development.**

3. **Should the solar panels not be used for the production of energy for a period of six months, the panels and support structures shall be removed in their entirety and the land shall be restored to agricultural use.**

**Reason - To prevent the retention of equipment that is not being used for its intended purpose**

4. **Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-**

- a) planting plans, including specifications of species, sizes, planting centres number and percentage mix**
- b) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife**
- c) management and maintenance details**

**Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted.**

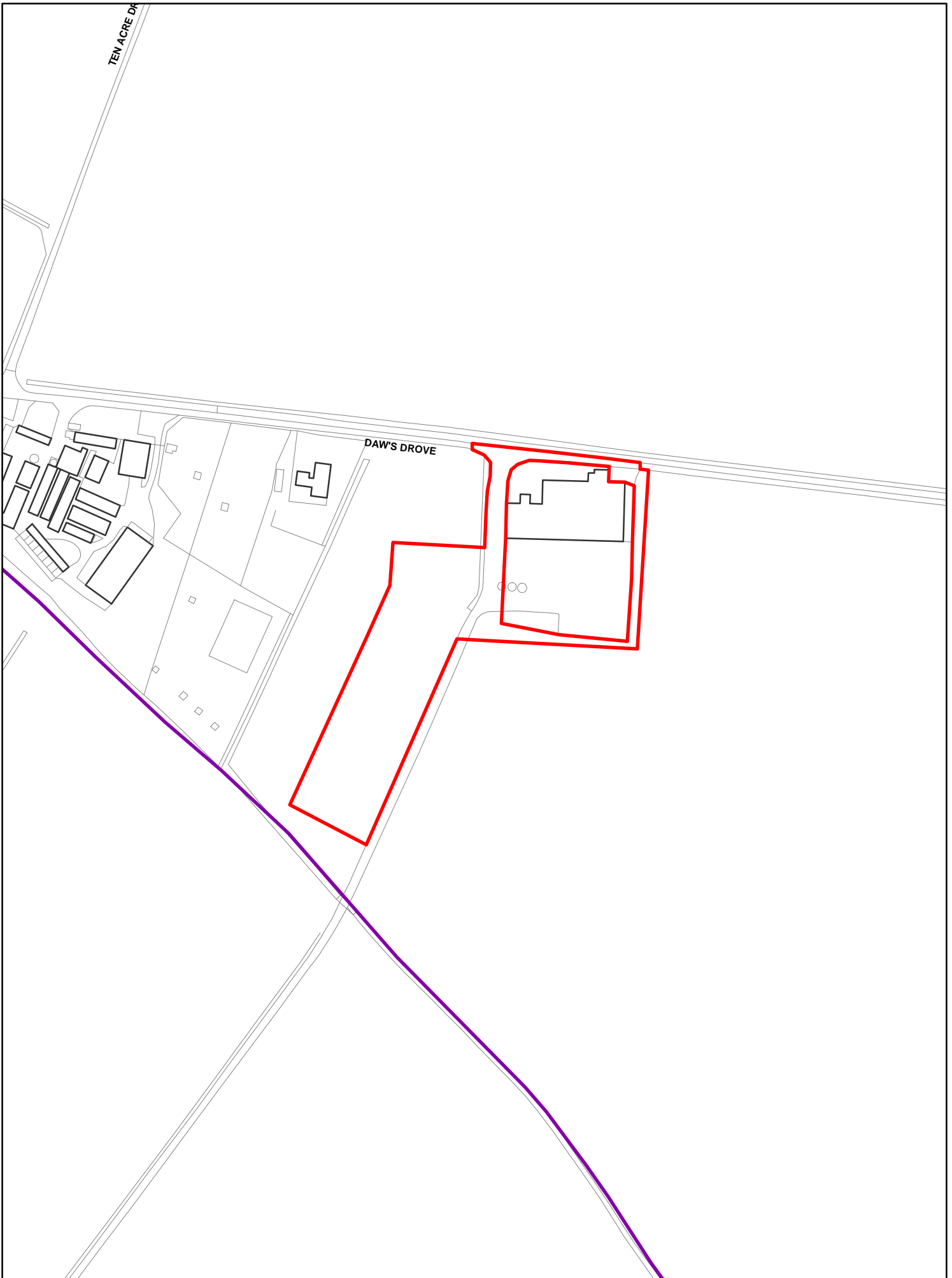
5. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

6. Prior to the commencement of development, a photographic survey of the sections of Cambers Drove, Black Bush Drove and Daws Drove used in connection with the proposal, shall be conducted by the applicant in association with the County Highways Maintenance Engineer, and submitted to and acknowledged by the Local Planning Authority. Immediately following the completion of the development, the aforementioned photographic survey shall be carried out again and any damage/deterioration to the metalled surface of the highway and/or verges shall be identified. A scheme which outlines the remediation works and associated timetable for repairs shall then be submitted to and approved in writing by the Local Planning Authority within 4 weeks of the completion of the development.

Reason - In the interests of highway safety.

7. The development shall be carried out in accordance with the following approved plans.



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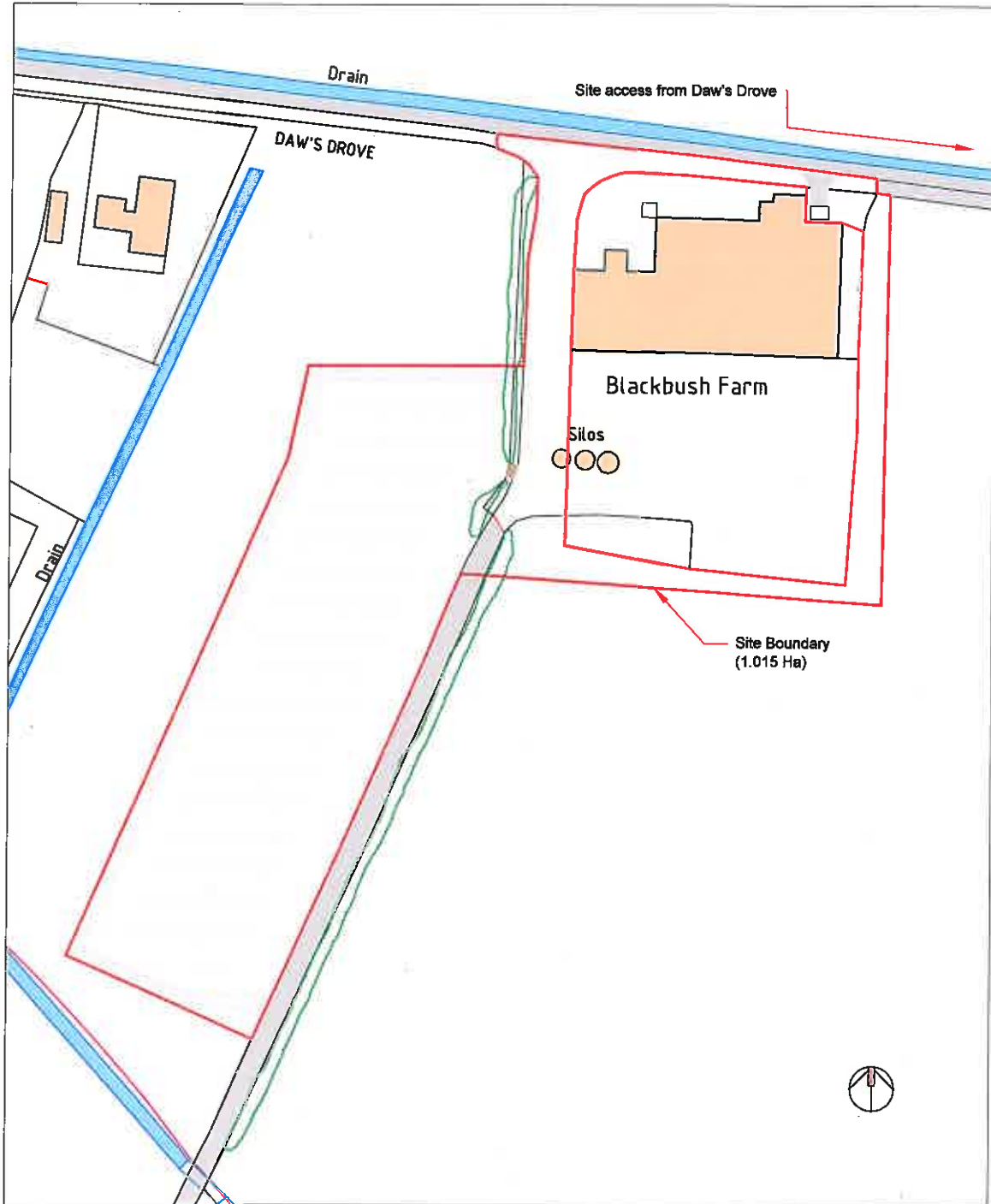
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**SAVIL-BLACK-001**  
**Black Bush Farm**

**Technology:** Renesola 240Wp [J240M-24/Bbv]  
**Module Size:** 1640x992x40mm  
**No. of Modules:** 1040  
**Total kWp:** 249.6  
**Array Slope & Orientation:** 25° South



**FOR APPROVAL**