

Application Number: F/YR14/0856/F
Major
Parish/Ward: Elm/Christchurch
Applicant: Mr W Cheung, Big60Million Ltd
Agent: Mr W Cheung, Big60Million Ltd

Proposal: Construction of 3.5MW (max) output solar energy farm, to include the installation of ground mounted solar panels, ancillary plant, 2.0m high security fencing, 19 x pole mounted 3.5m high CCTV cameras and a 3.0m high pole mounted padcon monitoring camera.

Location: Land north west of Wales Bank Junction, Begdale Road, Elm

Site Area: 9.15ha

Reason before Committee: This application is before committee at the request of Cllr Tanfield due to implications relating to visual impact.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The application seeks full planning permission for the construction of 3.5MW (max) output solar energy farm, to include the installation of ground mounted solar panels, ancillary plant, 2.0m high security fencing, 19 x pole mounted 3.5m high CCTV cameras and a 3.0m high pole mounted padcon monitoring camera.

The proposal is considered to raise the following key issues:

- Nature of development
- Principle and policy implications
- Design and layout
- Landscaping
- Access and highways
- Flooding and drainage
- Health and wellbeing
- Economic development

The principle of the proposal is supported by policy LP14 of the Fenland Local Plan in that it constitutes the development of a renewable energy proposal. Any visual impacts have been mitigated by the use of perimeter landscaping and noise is considered to cause no amenity problem. Concerns with regards to highway safety and the flow of traffic during the course of construction are currently being addressed. Subject to a safeguarding condition relating to construction management recommended that planning permission is granted.

2. HISTORY

F/YR13/0119/SC – Screening Opinion: Construction of a 2.6MWp solar farm – Further information not required 15.04.2013 (Delegated decision)

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 11: Applications should be determined in accordance with the development plan.

Paragraph 17: Core Planning Principles.

Paragraph 28: Emphasises the promotion of a strong rural economy

Paragraph 93: supporting the delivery of renewable and low carbon energy

Paragraph 98: LAs should recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Paragraph 204: Planning obligations should only be sought where necessary and reasonable.

3.2 Fenland Local Plan 2014:

LP1: A presumption in favour of sustainable development.

LP2: Facilitating Health and Well-being of Fenland residents.

LP14: Responding to climate change and managing the risk of flooding in Fenland.

LP16: Delivering and protecting high quality environments across the District.

3.3 Resource Use Supplementary Planning Document July 2014

S1 Siting - protect agricultural land, minimise impact on agricultural operations, utilise brownfield land where possible and positioned so as not to cause glare

S2 Design and Context – be uniformly arranged, located in close proximity to others, operate with minimal noise output

S3 Visual and Landscape Impact – any impacts should be reversible, should not negatively impact on character of locality and sited where they are not readily seen from public highways. Any lighting and fencing should also follow guidance

S6 Biodiversity – proposals should not adversely impact on designated sites and should demonstrate that consideration has been given to the impacts of the scheme with any adverse impacts being mitigated against as part of the proposal.

S7 Cumulative impact – multiple solar arrays should be arranged strategically and with visual conformity.

4. CONSULTATIONS

4.1 **Parish/Town Council:**

Object on the basis that the development would have a detrimental visual impact on the character of this part of Elm, unacceptable loss of agricultural land, precedent for other such developments which would lead to an inappropriate change in the character of the area.

4.2 **Natural England:**

No objection in relation to statutory nature conservation sites. Have not assessed the application for impacts on protected species.

4.3 **Wildlife Trust:**

Not received at time of report

4.4 **Environment Agency:**

No objections to the proposed development. The solar panels will be raised off the ground allowing for any flood water to flow underneath. It is within the remit of the Internal Drainage Board to give the final approval to the drainage design.

4.5 **Middle Level Commissioners:**

Further supporting evidence required relating to engineering plans, calculations, risk impact assessments and maintenance schedules (these can be secured via MLC bylaws). The Board's concern is that any surface ponding or high rainfall events would result in uncontrolled overland flows entering and potentially overwhelming its systems leading to flooding downstream,. To prevent this occurring the provision of a bund is requested. In the absence of any further information the bund should be 1m high around the lowest perimeters of the site.

4.6 **CCC Highways:**

The suggested route for construction vehicles to access the site is not suitable for heavy goods vehicles. Therefore improvements including localised widening of the carriageway is required to enable vehicles to pass.

A site specific speed survey is required to support the access visibility proposed.

The access should be sealed and drained. The access should be wide enough to facilitate two way vehicle movements. The access should be aligned at right angles to the existing highway.

4.7 **EDF Energy:**

Not received at time of report

4.8 **National Grid:**

Not received at time of report

4.9 **Police Senior Architectural Liaison Officer:**

No objections to the development, the proposed security fencing is acceptable.

4.10 **FDC Environmental Health:**

No objections to the proposed development as it is unlikely to have a detrimental impact on local air quality or the noise climate. Contaminated land is not considered an issue.

4.11 **FDC Housing and Development:**

Not received at time of report

4.12 **Neighbours:**

Comments from a neighbouring resident have been received as follows:

- The fencing and hedging is one of the first jobs to be carried out;
- A condition should be imposed that if the work is unable to commence during the plating season it should be delayed until the season resumes in November given the importance of the hedging to screen the development;
- The access road between the site and the A47 is in very poor condition.

Two letters of objection have been received as follows:

- Visual impact;
- Out of keeping with views;
- More akin to an industrial area, not a rural location;
- No visual benefits;
- The panels will still be seen when the screening is matured;
- The landscape officer from Fenland will not have to look at the development everyday;
- Dispute that the panels will look like a 'beautiful lake';
- Noise generated by the converters;
- 20-30 years is not temporary;
- Loss of value on neighbouring properties;
- Dispute that the development will in effect be a nature reserve;
- The land should be used for agricultural purposes;
- No consideration of the local community;
- No benefits to the local community;
- Could planting be placed in front of neighbouring properties to screen their view of the panels?
- The landscaping could be higher than proposed to eliminate views;
- Would the developer pay towards medication for stress of resident?
- Does not oppose renewable energy projects in the right location;
- The road is in a poor state of repair;
- No passing places on the highway;
- No issues with the panels even though live closest to them;
- The entrance gates should be close to the road to stop people parking on the access;
- Not enough hedging – if sufficient hedging is put in place to cover the panels then would be happy with the solar farm.

5. SITE DESCRIPTION

- 5.1 The application site is located on the northern side of Begdale Road, opposite the junction with Wales Bank. The site is within a rural location although there are a few dwellings within the vicinity. The nearest dwelling is approximately 95m to the access of the site. The land is partially screened by existing trees and hedges to the north, east and south-eastern boundaries of the site. The current use of the site is agricultural.

6. PLANNING ASSESSMENT

- 6.1 The application seeks full planning permission for the construction of 3.5MW (max) output solar energy farm, to include the installation of ground mounted solar panels, ancillary plant, 2.0m high metal security fencing, 19 x pole mounted 3.5m high CCTV cameras and a 3.0m high pole mounted padcon monitoring camera.

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(a) Nature of development

The development will generate up to 3.5 megawatt of renewable energy which will be exported to the Grid. The Government has committed to cut greenhouse gas emissions by 80% by 2050. It is submitted that this will be delivered by a reduction in the use of fossil fuels which in turn will require a greater dependency on renewable energy sources. The proposal is therefore compliant with the spirit of Government objectives.

The initial site selection process involved the investigation of 43 potential alternative sites in the District. It was found that, due to constraints including landscaping, proximity to residential dwellings and high grade agricultural land, the site in question was sequentially preferable.

The application site comprises of land which is Grades 3a and 3b agricultural land. The panels do not involve significant ground works and they will not lead to an irreversible loss of agricultural land. No high grade agricultural land will therefore be lost as a result of the proposal

(b) Principle and policy implications

The application site is located in open countryside. In such locations there is strict control over new development and it is generally restricted to that which is essential to the efficient operation of agriculture, horticulture, outdoor recreation and limited other uses specified within the Local Plan. In determining this application it is therefore necessary to consider whether the proposed development is acceptable in principle, in a countryside location such as this.

Policy LP14 of the Fenland Local Plan 2014 considers that renewable energy proposals will be supported and considered in the context of sustainable development and climate change. Proposals for renewable energy technology, associated infrastructure and integration of renewable technology on existing or proposed structures will be assessed both individually and cumulatively on their merits taking account of the surrounding landscape, residential and visual amenity, noise, highway safety, biodiversity conditions and high quality agricultural land.

Policy LP16 seeks to deliver and protect high quality environments throughout the district by virtue of protecting and enhancing heritage assets, biodiversity and nature features on sites. Development should mitigate against sources of noise, emissions, pollution and contamination.

All of the above issues will be individually addressed within this report.

(c) Design and layout

The panels will have a maximum height of 2.5m, sloping down to a height of 0.85m. They will be 6.1m deep and will be arranged in rows running east to west across the site which will be between 4.5m and 6m apart. The panels will be located approximately 60m from the Begdale Road frontage with the majority of the structures (inverter buildings, communication box, meter box and transfer station) located towards the south of the site. Two inverter buildings will be positioned within the heart of the site and CCTV cameras on poles at 3.5m high will be positioned around the perimeter of the site.

(d) Landscaping

Perimeter fencing is proposed to secure the site, the details of which have already been agreed with the Police Senior Architectural Liaison Officer. The scheme is considered to satisfy crime and security measures in accordance with policy LP16 of the Fenland Local Plan.

The existing landscaping on the north, east and part of the southern boundaries will be retained and additional landscaping is proposed on the west and part of the southern boundaries. The landscaping will soften the appearance of the fencing and will help to screen the proposal in order that no harm is caused to the visual amenities of the open countryside.

(e) Access and highways

Access to the site is via Begdale Road towards the south western corner of the site. CCC Highways has noted that Begdale Road is of insufficient width in parts to accommodate two-way traffic and appropriate visibility and that this will be an issue for HGV vehicles required during the course of construction. Their comments also note that changes are required to the access point so that it is perpendicular to the highway to allow for two-way vehicle movement during this time. This can be addressed by a construction management condition.

(f) Flooding and drainage

The site lies within flood zones 2 and 3. The Environment Agency raises no objections to the proposal and notes that the panels are raised above the ground to allow for any flood water to flow beneath.

The Middle Level Commissioners has requested further information to address surface water discharge on the site. They have also requested that a 1m bund is put in place to control overland flows which have the potential to overwhelm existing drainage systems. These comments have been noted and given that the required information and mitigation measures can be secured under the Middle Level Commissioners bylaws, it is considered unnecessary to request any further information under this planning application.

The application is therefore considered to comply with part B of policy LP14 in respect of flood risk and drainage.

(g) Health and wellbeing

Environmental Protection notes the submitted information and stipulates that the proposed development is unlikely to have a detrimental impact in terms of the local air quality or the noise climate. The proposal will be screened by landscaping and so solar glare generated from the panels is not likely to cause substantial harm. It is therefore considered that the proposal will not have a harmful impact on the health and wellbeing of local residents in accordance with policy LP16 of the Fenland Local Plan.

(h) Economic development

The proposal constitutes a new enterprise within the District thereby contributing towards economic growth in a rural area. The proposal will support the local economy through the creating the opportunity for employment of local people for the maintenance of landscaping and cleaning of the panels. During the course of development construction workers will be using local amenities thereby investing in the District.

7. **CONCLUSION**

- 7.1 The principle of renewable energy production is supported by policy LP14 of the Fenland Local Plan. Visual impacts are mitigated by the use of perimeter landscaping and noise impact is not an issue in this case as suggested by FDC Environmental Protection. Concerns with regards to highway safety and the flow of traffic during the course of construction are currently being addressed and Officers are confident that the issues can be overcome. It is recommended that planning permission is granted.

8. RECOMMENDATION

Grant subject to the satisfaction of the Local Highway Authority and the following conditions:

- 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 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

- 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 its former condition.**

Reason

To prevent the retention of development in the countryside that is not being used for its intended purpose in accordance with policy LP16 of the Fenland Local Plan 2014.

- 4. 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

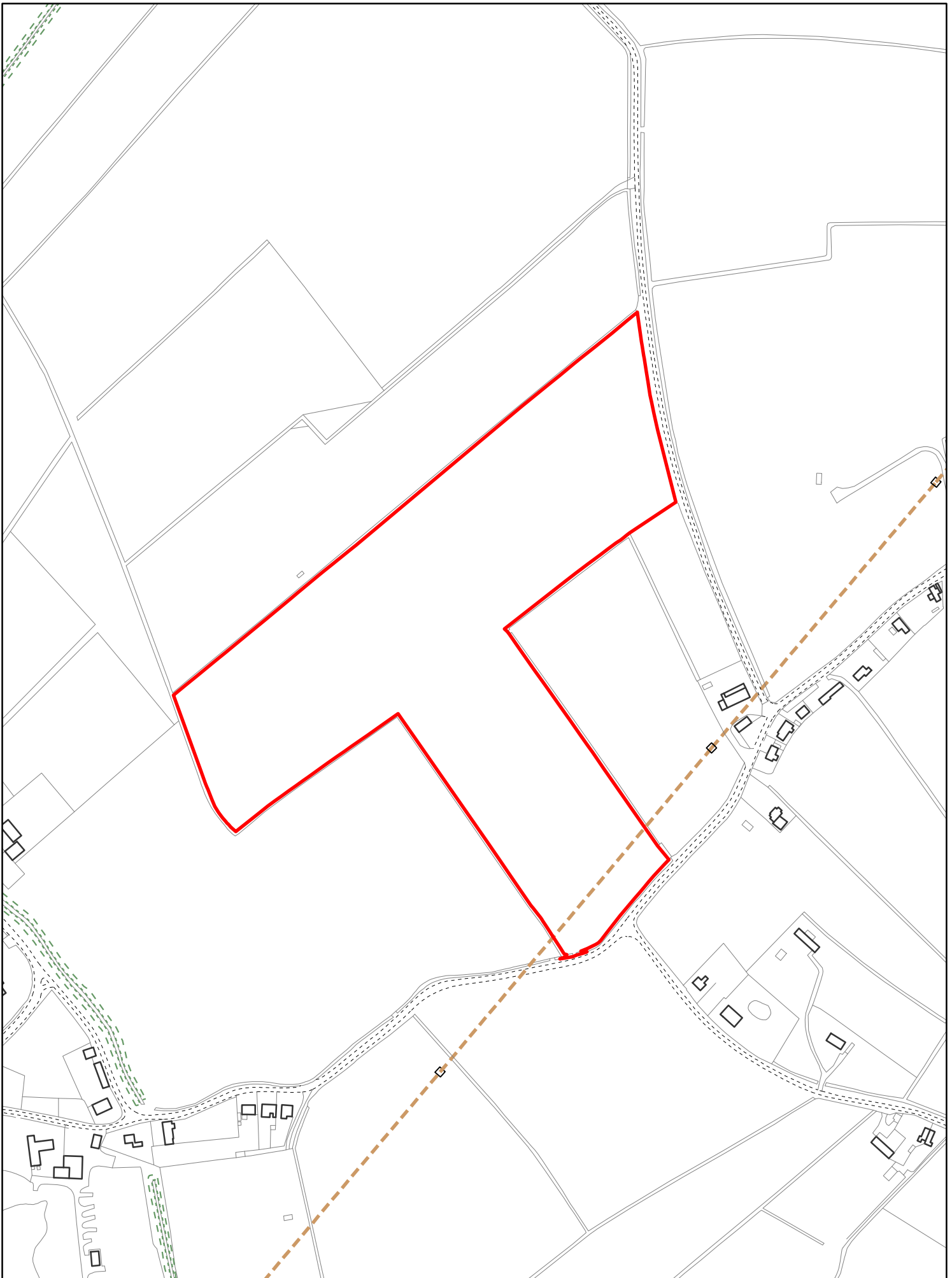
- 5. The perimeter fencing shall be constructed in accordance with the Elipse-Lite fencing details dated 10 December 2014. The fencing shall be erected concurrently with the construction of the development and shall be retained and maintained as installed until the development is removed from the site.**

Reason – In the interests of crime risk and crime prevention in accordance with policy LP16 of the Fenland Local Plan 2014.

- 6. No development shall take place until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:**
- routes for construction traffic**
 - hours of operation**
 - method of prevention of mud being carried onto highway**
 - pedestrian and cyclist protection**
 - proposed temporary traffic restrictions**

Reason: In the interests of safe operation of the highway in accordance with policy LP15 of the Fenland Local Plan 2014.

- 7. Approved plans**



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