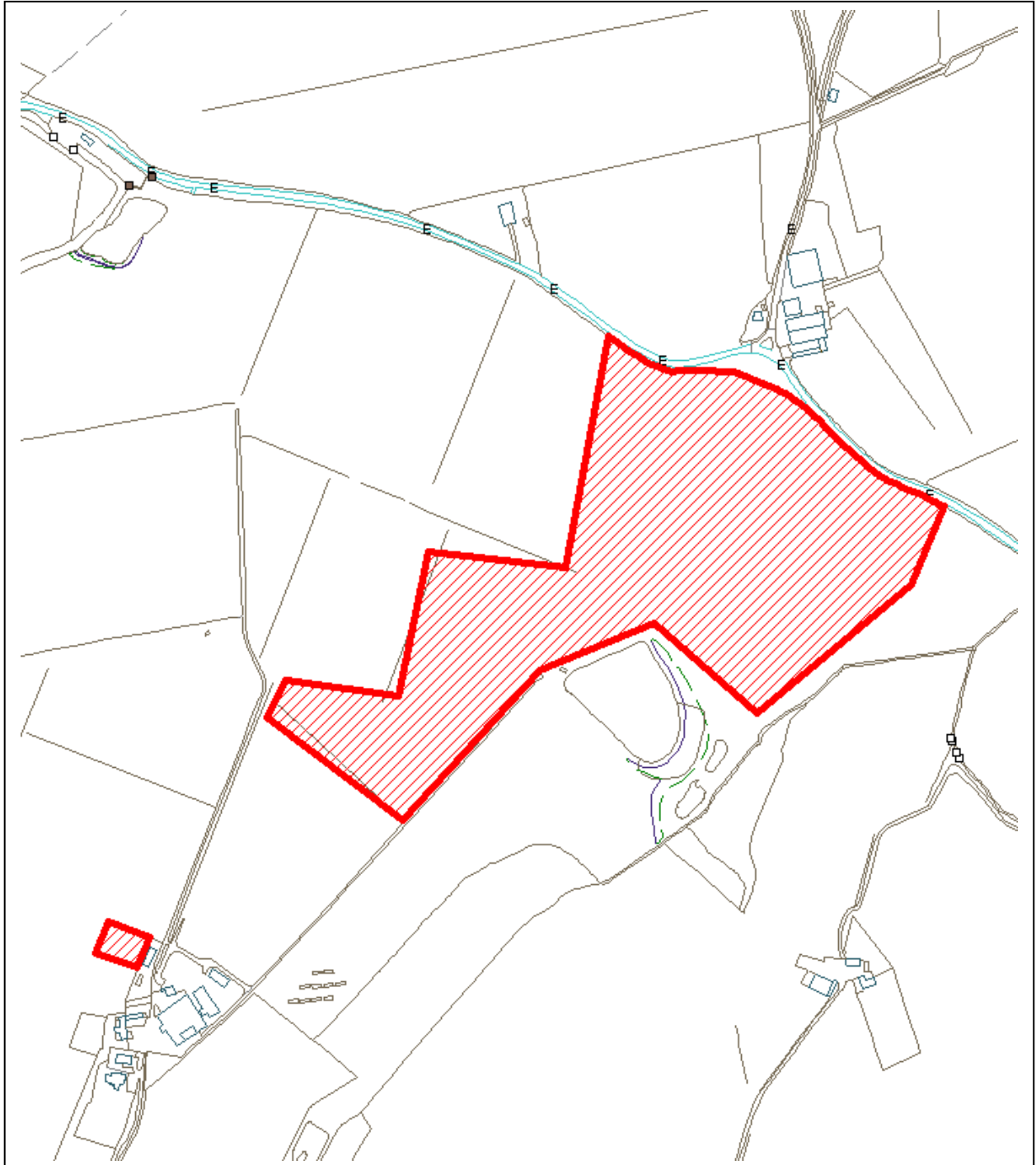


PLANNING COMMITTEE

14 OCTOBER 2014

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION - 14/00918/FUL - LAND AT BARN FARM, WIX ROAD, BRADFIELD, MANNINGTREE, CO11 2SP



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Application:	14/00918/FUL	Town / Parish: Bradfield Parish Council
Applicant:	Lightsource SPV 72	
Address:	Land at Barn Farm, Wix Road, Bradfield CO11 2SP	
Development:	Installation and operation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm.	

1. Executive Summary

- 1.1 This application has been called in to Planning Committee by Cllr. M R Patten (Ward Member for Bradfield, Wrabness and Wix).
- 1.2 This renewable energy proposal for the installation of a 4.2 MWp solar park and associated infrastructure requires assessment of the impacts to be considered in the context of the strong in principle policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation. Paragraph 98 of the NPPF states that LPA's should approve an application if its impacts are (or can be made) acceptable. Any negative impacts would have to be very significant in order to outweigh this policy support.
- 1.3 In this case, there is no adverse impact on heritage assets, ecology, residential amenity, highway safety or flood risk. There is also the opportunity to improve biodiversity. Weighed against this is the potential for the loss of grade 2/3 agricultural land for arable production for a period of 25 years.
- 1.4 The principle of this development is supported by policy and in this case, there is no adverse impact on heritage assets, ecology, residential amenity, highway safety or flood risk. There is also the opportunity to improve biodiversity. Weighed against this is the potential for the loss of grade 2/3 agricultural land for arable production for a period of 25 years. Landscape impact is considered to be relatively local, contained mainly to the B1352 and those footpaths to the east of the site. This impact however is considered to be harmful. The mitigation would soften the impact but would not eliminate it. However, the adverse impact would not be a wider impact, for example those travelling along the Wix Road to the south of the site and those travelling through the main Bradfield village to the west of the site would not perceive the presence of the site.
- 1.5 The localised impact on the area is not considered to be sufficient to recommend refusal especially given the lack of harm in other respects and the benefits to biodiversity and the long term benefits to the landscape when the site is decommissioned by the planting mitigation retained. Therefore, although Officers have found harm to the countryside, and this harm is contrary to Saved Policies QL9, QL11 and EN1 of the 2007 Local Plan, and Policies SD9 and PLA5 of the draft Local Plan, the localised extent of harm does not outweigh the national benefits derived from providing renewable energy.
- 1.6 Therefore conditional approval of the application is recommended.

Recommendation: Approve

Conditions:

1. Standard time limit for commencement.
2. Development to be carried out strictly in accordance with submitted plans.
3. Details of height, design and separation of panels to be submitted and approved.
4. Details of security fencing and security measures to be submitted and approved.
5. No other fencing to be erected.
6. As requested by the Highway Authority.
7. Landscaping scheme (including implementation) to be submitted and approved.
8. Details of an ecological management scheme and mitigation plan to include a scheme of biodiversity enhancement to be submitted and approved.
9. Landscape Management Scheme to be submitted and approved.
10. No external lighting (other than as may approved in accordance with security measures).
11. Flood Risk management and surface water drainage proposals to be carried out in accordance with submitted details.
12. No construction or decommissioning works outside the hours of 0730-1800 Monday to Friday and 0800-1300 Saturdays without prior written approval.
13. Fixed permission for 25 years when the use will cease and all solar panels and ancillary equipment shall be removed from the site in accordance with the Decommissioning Statement.
14. Colours of all ancillary equipment including perimeter fencing, sub-stations, inverters, and control room to be submitted and approved.
15. Construction Method Statement (as requested by Public Experience).
16. Solar park to be removed if ceases to export electricity to the grid for a continuous period of 12 months.

2. Planning Policy

National Policy:

National Planning Policy Framework (2012)

National Planning Policy Guidance (March 2014) – Renewable and Low Carbon Energy

Local Planning Policy:

Tendring District Local Plan 2007

- | | |
|------|---|
| QL3 | Minimising and Managing Flood Risk |
| QL9 | Design of New Development |
| QL10 | Designing New Development to Meet Functional Needs |
| QL11 | Environmental Impacts and Compatibility of Uses |
| EN1 | Landscape Character |
| EN4 | Protection of the Best and Most Versatile Agricultural Land |
| EN6 | Biodiversity |

EN6A	Protected Species
EN6B	Habitat Creation
EN13A	Renewable Energy
EN29	Archaeology
TR1A	Development Affecting Highways
TR1	Transport Assessment
TR2	Travel Plans
EN5A	Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014)

SD5	Managing Growth
SD8	Transport and Accessibility
SD9	Design of New Development
PLA1	Development and Flood Risk
PLA4	Nature Conservation and Geo-Diversity
PLA5	The Countryside Landscape
PLA6	The Historic Environment
PLA10	Renewable Energy Installations

3. Relevant Planning History

13/00958/FUL - Installation and operation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm APPLICATION WITHDRAWN.

4. Consultations

- 4.1 Bradfield Parish Council – No objection, but requests that regard is given to the April 2014 Government advice that no new solar farms should be built.
- 4.2 Wix Parish Council – No comments received.
- 4.3 Wrabness Parish Council - No comments received.
- 4.4 TDC Public Experience (Environmental Services) – Recommends condition for a full construction method statement to limit the noise impact associated with construction, including a working hours restriction.
- 4.5 Anglian Water - No comments or observations received.

- 4.6 Essex County Council Heritage and Archaeology team – (in summary) no recommendations in relation to this proposal.
- 4.7 Essex County Council Highway Authority – (in summary) no objections to the scheme subject to conditions requiring details of a vehicular turning facility for service and delivery vehicles of at least size 2 dimensions; details of a Construction Method Statement; the Construction and Traffic Management Plan to be adhered to; details of a Construction Traffic Routing Plan; details of a Condition Survey in line with the approved Construction Traffic Routing Plan.
- 4.8 Highways Agency – No objection
- 4.9 UK Power Networks - No comments or observations received.
- 4.10 Environment Agency - (in summary) no objections to the scheme.
- 4.11 Essex Wildlife Trust - No comments or observations received.
- 4.12 Natural England - (in summary) no objections to the scheme.
- 4.13 National Grid – (in summary) Advisory comments received in relation to proximity of the site to underground gas pipelines
- 4.14 Health & Safety Executive – Do not advise against development.
- 4.15 RSPB - No comments or observations received.

5. Representations

- 5.1 A total of 32 representations have been received for this application.
- 5.2 13 letters are in support of the development, these are summarised below:
- Need for renewable energy – Government commitment.
 - Site hardly visible – well screened by high hedges.
 - Barn Farm site is difficult to farm with large machinery – less productive.
 - Very few people affected.
 - Project fits well into the landscape.
 - Proposal will support associated conservation measures.
 - Good use of land on low yield agricultural land.
 - Visual detriment can be reduced to an acceptable level.
 - PV more slightly than unsightly plastic sheeting used on crops and polytunnels.
 - Site only seen from a few public vantages points.
 - Site suffers from frost and solar arrays would put the land back to a productive agricultural use through sheep grazing.
- 5.3 2 letters was received not supporting or objecting to the application, but making comments. The points raised are summarised below:
- Concern over public consultation.
 - Concern over Bradfield Parish Council’s decision to support the proposal.
 - As Bradfield residents unaware of application request to extend deadline for comments.
- 5.4 17 representations from members of the public were received objecting to the development. The issues raised are summarised below:

- Concern over re-submitted application following withdrawal last year – no public consultation.
- Adverse impact on landscape, adjacent AONB, Coastal Protection Belt and designated tourist route.
- Out of keeping with rest of landscape.
- More suitable brownfield sites could be found.
- Any light reflection could be hazardous to road users of B1352.
- Need agricultural land to grow food for increasing population.
- Concern over lack of public consultation.
- Proposal contrary to new government guidelines and legislation.
- Concern over cumulative impact.
- Loss of high grade agricultural land.
- Commercial rooftops should be used.
- Object to another solar farm in this country – no benefit to the people of this county to invest in solar power.
- Solar development has a negative collective carbon footprint for manufacture, distribution, installation, management of the life of the site and de-commissioning.
- Grading of land will be degraded from its present classification to very low poor grade at the end of its life.
- No amount of screening will render solar farm acceptable.

5.5 Cllr M R Patten (Ward Member for Bradfield, Wrabness and Wix) has requested the application to be determined by Planning Committee, and objects to the proposal for the following reasons:

- Number of solar farms schemes clustered around such a small area
- Proposal most likely on high grade agricultural land
- Proposal would scar a traditional, historic landscape in or close to a potential AONB
- Residents have not been properly consulted

6. Assessment

6.1 The main planning considerations are:

- Context and Background;
- Proposal;
- Principle of Development;
- Renewable Energy and Planning Policy Context;
- Impact on the Countryside and the setting of the adjacent Proposed Extension to the AONB;
- Impact on Heritage - Listed Buildings and Archaeology;
- Impact on Biodiversity/Ecology;
- Impact on Highway Safety;
- Impact on Residential Amenity (including glint and glare);
- Impact on Agricultural Land;
- Impact on Flood Risk; and,
- Other Issues.

Context and Background

6.2 The application site comprises an area of approx 10.3 hectares encompassing three agricultural fields surrounded by hedgerows to the north and east. The area is currently largely

unused due to the topography of the fields which makes it unsuitable for growing the soft fruits that constitute the land owners primary crop. The site has the following characteristics:

- The proposed site is characterised by gently undulating topography and largely sits flat in the eastern section of the site. The land within the site slopes in an easterly direction from a high point of 30m AOD at the sites western most corner to a low point of 10m AOD at the sites eastern most corner.
- The site is within agricultural land grading 2 and 3 (Grade 2 (68%), Grade 3a (14%), and Grade 3b (18%)), however due to the topography of this particular site suffers from frost issues.
- There is a mature, well established hedgerow that runs along the northern boundary of the site.
- There are two ponds and one agricultural reservoir which sits to the south eastern corner of the proposed site. There is a brook and a small section of flood risk to the east of the site, although this is not included within the application site.
- Small coppiced areas are located along part of the south-eastern corner of the site, which includes Pondhall Wood.

- 6.3 The site is located approx 0.65km to the west of the village of Bradfield. The B1352 runs adjacent to the entire length of the northern boundary of the site. Wix Road runs approx. 0.56km to the south of the site.
- 6.4 The character of the area is mainly open countryside with agricultural fields, agricultural type development (polytunnels) with sporadic residential development.
- 6.5 A public footpath runs adjacent to part of the eastern boundary. Further public footpaths run approx. 100 metres and 380 metres to the east of the site. No public footpaths run through the site.
- 6.6 A high voltage overhead power line, including transmission towers (pylons) run through the site in a west/east direction and north/south direction.
- 6.7 The nearest residential properties to the site and with views of the site are Lonbarn Cottage adjacent to the northern boundary of the site, and Blue House Farm located approx. 250 metres to the south-east of the site. Carlson House, and Pond Hall, a listed building, are located approx 500m to the south of the site.
- 6.8 The application site is located in the countryside, but is not located within any special landscape designations, although it is noted the northern boundary of the site (the B1352) marks the boundary of the Proposed Extension to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
- 6.9 This application has been submitted following the withdrawal of a similar application last year. The application was withdrawn as the applicant had not undertaken a presence or absence survey for Great Crested Newts.
- 6.10 The proposal was screened at pre-application stage against the criteria set out in the Town and Country Planning (EIA) Regulations and it was decided that due to the scale of the development and the position of the site away from sensitive areas (as defined in the EIA Regulations) an EIA was not required.

Proposal

- 6.11 Planning permission is sought for the use of the site as a 'solar park' for a temporary period of 30-35 years (however should permission be granted a condition would be imposed for a fixed period of 25 years in line with other solar park sites). After this period the site would be

decommissioned and the land returned to agriculture. This would include the construction of photovoltaic panels (PV panels) laid out in rows from east to west. The panels would be mounted on a metal frame at a maximum height of 2.5 metres. The panels would be orientated 25-30 degrees from the horizontal. The panels would be fixed structures, rather than tracking structures which would follow the path of the sun during the day.

- 6.12 The panels would be fixed to the ground using piles or 'ground screw' that are driven into the ground at a depth of 1.5 metres. There would be no concrete foundations. The panels would be connected to the grid and would likely generate 4.2 MWp (enough power to supply around 1,209 typical households annually).
- 6.13 There is currently an existing point of access to the site from Wix Road. This will be utilised for access, and a hardstanding area created beside some existing farm buildings to be used as the construction compound area. This compound area will be utilised by the land owner after construction to storage farm machinery.
- 6.14 Working and delivery hours (during construction) are expected to be between 7:30am and 6pm Monday to Friday, and between 8am and 1pm on Saturdays. The installation period is expected to last between 6-10 weeks.
- 6.15 It is anticipated that staffing levels on site during construction will not exceed 10.
- 6.16 A number of ancillary works would be necessary to facilitate the use of the site including:
- A 2m high perimeter security deer fence (wire mesh and wooden posts), set back a minimum of 4m from boundary hedgerows.
 - 3 no. transformer units 3.4m high, 4.5 deep, 4.1m wide. Within these units the generated DC electricity will be converted to AC. These units will be steel construction with steel doors and ventilation grids, and painted green.
 - 5 no. inverter units 2.6m high, 5.9m deep and 1m wide, and painted green.
 - 4 no. sub-stations; a client sub-station which will measure 7m long, 2.7m wide, and 3.25m in height; Step-up substations which will measure 3.25m in height, 4m long and 2.5m wide, and a Distribution Network Operator (DNO) substation which will measure 5.5m long, 4.9m wide, and 4.4m in height. These will be set on concrete foundations and will be painted green.
 - Internal access tracks are provided within the site. The construction of the internal access tracks will be by using type 1 gravel and 3m in width.
 - A construction compound area will be located within the southwest of the site, and measure approx 1,200 sqm.
 - Approx 24 new trees are to be planted within the hedgerow to the northern boundary, and the northern boundary hedgerow to be allowed to grow to approx 4m in height.
 - Approx 17 CCTV cameras at a height of 3m are to be installed around the perimeter of the site. The CCTV support poles will be painted green.
- 6.17 The application is supported by:
- Landscape and Visual Impact Assessment (LVIA)
 - Landscape Planting Plan to Northern Boundary
 - Ecological Assessment
 - Habitat and Ecological Management Plan
 - Great Crested Newt Survey
 - Flood Risk Assessment
 - Built Heritage Assessment
 - Archaeological Assessment
 - Planning, Design and Access Statement

- Statement of Community Involvement
- Construction, Decommissioning and Traffic Management Method Statement
- Sequential Analysis Study and Agricultural Land Classification Report

Principle of Development

- 6.18 The National Planning Policy Framework (NPPF) contains the Government's planning policies and sets out how these should be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes. Specific references to relevant sections of the NPPF are referred to in the assessment later in this report.
- 6.19 Furthermore, the National Planning Practice Guidance (NPPG) suite of documents were published in March 2014, which includes a document on Renewable and Low Carbon Energy, and which forms a material consideration in the decision-making process. Specific references to relevant sections of this NPPG are referred to in the assessment later in this report.
- 6.20 Policy PLA5 of the draft Tendring District Local Plan Proposed Submission Draft (November 2012) states that the quality of the district's landscape and its distinctive local character will be protected and wherever possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted. The Council will seek in particular to conserve a number of natural and man-made features which contribute to local distinctiveness including, amongst other things, ancient woodlands and other important woodland, hedgerows and trees. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures for landscape conservation and enhancement. Saved Policy EN1 of the Tendring District Local Plan (2007) also follows these sentiments. It is therefore acknowledged that development can occur in the countryside, providing that development does not have an adverse impact on the character and appearance of the area.
- 6.21 Policy PLA10 of the draft Local Plan states that the Council will support proposals for renewable energy schemes, and schemes should be located and designed to minimise increases in ambient noise levels; and visual impacts should be mitigated through siting, design, layout and landscaping measures in accordance with guidance set out in the National Policy Statement for Renewable Energy Infrastructure. Saved Policy EN13a of the 2007 Local Plan states planning permission will be granted for development proposals for renewable energy generation, subject to there being no material adverse impact on the local environment in relation to noise; vibration; smell; visual intrusion; residential amenity; landscape characteristics; biodiversity; cultural heritage; the water environment; the treatment of waste products and highway and access considerations.
- 6.22 This approach is supported in the National Planning Policy Framework which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. It is therefore clear that the planning system should facilitate the transition to a low carbon economy by, amongst other things, maximising renewable energy development. The NPPF does however state that the adverse impacts of renewable energy generation need to be addressed satisfactorily. It is the impacts of proposals for renewable energy generation that need to be considered rather than the principle of such development in the countryside.
- 6.23 The above approach in the NPPF also states that applicants do not need to demonstrate a need for a renewable energy proposal, that planning professionals should look favourably

upon such proposals and that even if a proposal provides no local benefits, the energy produced should be considered a national benefit that can be shared by all communities and therefore this national benefit is a material consideration which should be given significant weight. It is within this context that a renewable energy proposal needs to be considered.

6.24 In addition to the NPPF, the Government has recently published a suite of National Planning Practice Guidance documents. Included within this suite of new national guidance, is 'Renewable and Low Carbon Energy'. This guidance assists local councils in developing policies for renewable energy in their local plans, and identifies the planning considerations for a range of renewable sources such as hydropower, active solar technology, solar farms and wind turbines. As a result of this guidance document, the 'Planning practice guidance for renewable and low carbon energy' published by the Department for Communities and Local Government (DCLG) in July 2013 has now been cancelled.

6.25 This new guidance document forms a material consideration. This guidance document provides a list of criteria which need to be considered in the determination of planning applications for large scale solar farms. Where a planning application is required, factors to bear in mind include:

- The importance of siting systems in situations where they can collect the most energy from the sun;
- Need for sufficient area of solar modules to produce the required energy output from the system;
- The effect on a protected area such as an Area of Outstanding Natural Beauty or other designated areas;
- The colour and appearance of the modules, particularly if not a standard design.

6.26 Furthermore, this document states the particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

- 6.27 In addition to this document, the Government under the Department of Energy and Climate Change (DECC) published in November 2013 its UK Solar PV Strategy Part 1: Roadmap to a Brighter Future, which sets out four guiding principles which form the basis of the Government's strategy for solar PV which includes the principle that "Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them."
- 6.28 DECC have recently published (April 2014) a follow up document entitled UK Solar PV Strategy Part 2: Delivering a Brighter Future, which builds on those 4 guiding principles in Part 1 which reiterates the guiding principle above in italics.
- 6.29 DECC states that they will promote DCLG's planning guidance on large-scale solar farms, and the guidance sets out particular considerations for solar farms, such as their visual impact, and underlines that it important that the planning concerns of local communities are properly heard in matters that directly affect them.
- 6.30 Therefore, it is clear that all these issues need to be carefully balanced in reaching a decision to approve or refuse the application.

Renewable Energy and Planning Policy Context

- 6.31 It is important to consider the wider policy context before considering the impacts of the proposal as a balancing exercise will need to be undertaken where the inherent benefits of renewable energy are balanced against the impacts of the proposal. Key international and national policy considerations of note are as follows:
- Many reviews of climate change including the UN Climate Change Conferences in Bali (2007) Cancun (2010) underlined the need to act now to reduce carbon emissions, renewable energy being one such possible means of doing this.
 - The government commissioned Stern Review in 2007 which concluded that there is a pressing need to deal with climate change. The government has accepted these findings and also wishes to exploit the potential economic benefits of the new global green economy. Energy security was also identified as an important consideration.
 - The European Union energy policy, to which the UK is signed up to, sets a renewable energy target for each country with the UK's being 15% of energy from renewables by 2020. The country as of 2011 provides 9.4% from such sources.
 - The Energy Bill 2012 -2013 aims to close a number of coal and nuclear power stations over the next two decades, to reduce dependence on fossil fuels and has financial incentives to reduce energy demand. Government climate change targets set out in the bill are to produce 30% of electricity from renewable sources by 2020, to cut greenhouse gas emissions by 50% on 1990 levels by 2025 and by 80% on 1990 levels by 2050.
- 6.32 The above are material considerations which weigh in favour of a renewable energy proposal.
- 6.33 In summary, there is strong in principle support for renewable energy proposals in light of the national and local policy context. This in principle support needs to be considered against the impacts of the proposal and the two 'weighed'. The weighing process is a matter of planning judgement. Consequently the assessment moves on to consider the impacts of what is proposed, the impacts will then be balanced against the in principle support and the inherent national benefits.

Impact on the Countryside and the setting of the adjacent Proposed Extension to the AONB

- 6.34 Policy PLA5 of the draft Local Plan states that the quality of the district's landscape and its distinctive local character will be protected and wherever possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted. The Council will seek in particular to conserve a number of natural and man-made features which contribute to local distinctiveness including, amongst other things, ancient woodlands and other important woodland, hedgerows and trees. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures for landscape conservation and enhancement. Policy EN1 of the 2007 Local Plan also follows these sentiments. It is therefore acknowledged that development can occur in the countryside, providing that development does not have an adverse impact on the character and appearance of the area.
- 6.35 The site, other than being within the countryside, is not located within any special landscape designation, although it is noted the northern boundary of the site (the B1352) marks the boundary of the Proposed Extension to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
- 6.36 The application site is situated within the area defined in The Tendring District Landscape Character Assessment (LCA) as The Stour Valley System. The land, within which the application site sits, is a shallow valley tributary of the River Stour. Immediately adjacent to the south, east and west of the application site the higher land, from the ridges of the valley, form part of the Heathland Plateau described in the LCA as Bromley Heaths.
- 6.37 The tributary valley has an intimate, wooded character which contrasts with both the adjacent expansive Stour Estuary and the large scale arable landscapes of the plateau above. The B1352 runs adjacent to the application site and, more generally, broadly parallel with the River Stour emphasising the undulating character of the area and giving outstanding views of the estuary.
- 6.38 In the Council's Landscape Management Strategy the condition of the landscape is described as good with a strong character. It identifies need to conserve the character of the area.
- 6.39 In addition to the impact of the development proposal on the local landscape character it is also necessary to consider its impact on the setting of the adjacent Suffolk Coast and Heaths Area of Outstanding Natural Beauty and its proposed extension to include the southern shore of the Stour.
- 6.40 In terms of the impact of the development proposal on the character and appearance of the local landscape and taking into account the land form and condition of the trees and hedgerows on the boundary of the application site the proposed Solar Farm will, from certain locations, be a prominent feature in the landscape.
- 6.41 As part of the planning application the applicant has submitted a Landscape and Visual Impact Assessment (LVIA) which accurately describes the existing baseline situation for topography, vegetation cover and land uses. The information submitted does not identify any new soft landscaping to mitigate the potential harm caused by the installation of the solar array.
- 6.42 In order to assess the likely impact of the proposed structures on the character and appearance of the area a site visit was made to the site itself and to Viewpoint Locations as set out in the (LVIA).

Viewpoint 1 Lonbarn, B1352 North of the site

- 6.43 The site is well screened by an existing Hawthorn hedgerow that will be retained. The screening will be less effective in the autumn and winter when the leaves have fallen. Therefore it would be desirable to secure additional planting to increase the density of the screening. New planting should include tree species to add height. An additional planting plan has been provided by the applicant which includes the planting of 24 new trees within the existing hedgerow to the northern boundary to provide additional height and also help screen the 5 CCTV camera points being sited along this boundary. In addition, the landscaping plan also proposes that the existing hedge be allowed to grow to a height of 4m and a width of 2 to 2.5m to help screen the development. This planting scheme is considered to be acceptable.

Viewpoint 2 Public Right of Way ' B1352 'East of Site

- 6.44 Views from Public Right of Way (PROW) into the site give clear views of the land on which the solar panels would be situated. The views are from approximately 400m across a low valley. There is a hedgerow with trees in the lowest part of the valley but these do not provide screening. The fall of the land means that new soft landscaping would not provide additional screening unless directly adjacent to the PROW. The PROW is not well trodden and does not form part of the Essex Way footpath route so it is unlikely that large numbers of people would be affected by the change to the appearance of the area.

Viewpoint 3 Junction between two Public Rights of Way

- 6.45 The view of the land is partially screened by Pondhall Wood and views of the solar array will be restricted to the relatively low number of users of the PROW. The fall of the land means that new soft landscaping would not provide additional screening.

Viewpoint 4

- 6.46 The views toward the site are distant and the vegetation between the viewpoint and the application site means that the site cannot be seen from this point.

Viewpoint 5

- 6.47 Partial views of the site allow relatively distant views of part of the application site. Whilst in principle additional planting could be carried out between this viewpoint and the application site landownership issues and the time that it would take for screening to grow mean that this is not practical. The distance between the viewpoint and the application site is such that the public's enjoyment of the footpath walk, close to viewpoint 5, would not be significantly diminished by the development proposal.

Viewpoint 6

- 6.48 The views toward the site, across the Stour Estuary are distant and the landform and vegetation between the viewpoint and the application site means that the site cannot be seen. Therefore the proposed development will not have a negative impact on the setting of the Suffolk Coast Area of Outstanding Natural Beauty.

Additional Viewpoints

- 6.49 It was noted that the most significant views of the application site, both in terms of proximity and quantity of affected persons, were from the highway B1352 when approaching from the south east. These views are most likely to be from a vehicle or bicycle as the road is not suitable for pedestrians. In order to mitigate the harm to the appearance of the countryside from this perspective it would be desirable to secure the planting of a substantial hedgerow or

planting belt on the western side of the B1352 ' from the brow of the hill to the small bridge over the stream in the valley floor ' as this would provide a good level of screening. However, to provide such a hedgerow on neighbouring land outside the ownership of the applicant any Grampian condition must be able to be complied with for it to be lawful. There appears to be a 4m wide (approx) highway verge along the side of the B1352. However, in discussions with the Highway Authority they have stated they would not give permission for a new hedgerow to be planted within the highway verge, as it would constitute an obstruction and create a maintenance liability.

- 6.50 Given these comments, it is considered that as views would only be from moving vehicles, and these views would only be glimpsed views of the wider site, the proposed development would not result in significant harm to visual amenity.
- 6.51 Overall it is considered that the development proposal will, when viewed from the any of the viewpoints identified be an incongruous and unsightly feature in the landscape. However in terms of the degree to which harm is caused to the character and appearance of the quality of the local landscape and to the proposed extension to The Suffolk Coast and Heaths Area of Outstanding Natural Beauty it is considered that the changes are not so great that the significant harm would be caused to warrant a refusal of planning permission, especially given the principle support for renewable energy by the national government.
- 6.52 The NPPG requires Local Planning Authorities to consider that cumulative impacts require particular attention, especially the increasing impact that this type of development can have on landscape and local amenity as the number of solar arrays in an area increases. As a result a cumulative assessment has been undertaken by the applicant within their LVIA. The guidance used for assessing landscape and visual impact recommends that cumulative effects of proposals should be considered against similar schemes which are already present, consented, screened for EIA or in planning awaiting a decision.
- 6.53 In this instance a cumulative assessment is required. To the south approx. 1.2km away is Wix Lodge, Wix with planning permission for a 15MW solar park granted on 15 November 2013 (LPA ref 13/00896/FUL) and already constructed. To the south-east located approx. 0.7km away is Burnt Ash Farm, Wix which was refused planning permission on 01 August 2014 and an appeal against the refusal has recently been submitted (LPA ref 13/01340/FUL). To the south-east located approx. 2km away is Green Farm, Wix, which was refused planning permission in February 2014 (LPA ref. 13/01210/FUL).
- 6.54 With regard to the cumulative effects of development upon the landscape, the combined or additional effects will generally include: effect upon the fabric of the landscape, effect upon the aesthetics of the landscape and the overall effect upon the character of the receiving landscape.
- 6.55 It is considered that mainly due to the relatively low level nature of the developments, this type of development will not result in a significant change to the fabric of the landscape setting, and can exist alongside one another without compromising the rural character of this landscape.
- 6.56 With regards to the visual environment, there are two generic types of cumulative effect, being Combined (where the observer is able to see two or more developments from one viewpoint) and Sequential (when the observer has to move to another viewpoint to see the same or a different development e.g. moving along a footpath or road).
- 6.57 In this instance, inter-visibility between Barn Farm, Green Farm and Wix Lodge solar farms will be limited by intervening landform, vegetation (particularly Pondhall Wood and along Bradfield/Wix Road) and built development, therefore it is not considered that the effects of the addition of the Barn Farm scheme would result in prominent cumulative effects on the landscape character of the area, or the visual amenity of the receptors in the area.

6.58 There would however be successive and sequential inter-visibility of Barn Farm and Burnt Ash Farm from areas just to the north of the sites, including the B1352, and between the two sites including 2 footpaths (footpaths 183/23 and 183/33 which run south from the B1352 to Bluehouse Farm, and south-east to Spinnel's Lane). However, intervening vegetation and undulating landform would mean that effects would be localised and intermittent therefore solar farms would not become a key characteristic of the landscape, and the AONB would not be affected, and the solar farms would not dominate the experience of travelling along the B1352 or using the footpaths.

Impact on Heritage - Listed Buildings and Archaeology

- 6.59 The enduring physical presence of the historic environment contributes significantly to the character and 'sense of place' of rural and urban environments. Some of this resource lies hidden and often unrecognised beneath the ground in the form of archaeological deposits, but other heritage assets are more visible.
- 6.60 Policy PLA6 of the draft Local Plan states that the Council will work with its partners to understand, protect and enhance the district's historic environment by, amongst other things, requiring archaeological evaluation to be undertaken for schemes affecting sites that do or might contain archaeological remains. Furthermore, Policy PLA8 of the draft Local Plan states development affecting a listed building or its setting will only be permitted where it, amongst other things, does not have an unacceptable effect on the special architectural or historic character and appearance of the building or its setting. These sentiments are echoed in policies EN23 and EN29 of the 2007 Local Plan.
- 6.61 The NPPF is clear that when determining applications, Local Planning Authorities (LPA's) should require the applicant to describe the significance of a heritage asset affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 6.62 The NPPF further states that where a site includes or has the potential to include heritage assets with archaeological interest, LPA's should require developers to submit an appropriate desk-based assessment and where necessary a field evaluation. In this instance the applicant has submitted a Built Heritage Assessment with the application. This assessment found no statutory designated assets located within the site boundary and a walkover survey did not identify any unrecorded remains. A search of the Historic Environment Record of Essex identified 38 built heritage assets recorded within the 5km search area of the site, whilst no recorded non-designated heritage assets were recorded within the site.
- 6.63 The desk based assessment indicated within a 5km study area two Scheduled Ancient Monuments (Mistley Towers and WWII bombing decoy), three Grade I listed buildings, and eight Grade II* listed buildings. The same study identified 19 Grade II Listed buildings within the 1km search area. The closest listed building to the boundary of the site comprises a Grade II listed milepost located 260m east of the site. The proposed development is not considered to negatively contribute to the setting of any of the Grade I or II* listed buildings or SAMs within 5km or any of the Grade II listed buildings within 1km of the proposed development. The designated heritage assets will not be physically impacted upon by the development, although it is noted Grade II Pond Hall located approx 500m to the south of the site may experience setting impacts, however the potential impact to setting would be no greater than 'up to slight adverse' significance and temporary in nature.
- 6.64 A separate Archaeology Assessment has been submitted. In respect of buried archaeological remains, it has been established that no archaeological remains are present in the location of

a possible cropmark indicative of a possible ring ditch. In addition there is little potential for the presence of other as yet unknown buried remains within the site.

- 6.65 This assessment has been assessed by the Built and Historic Environment Team Manager at Essex County Council, who recommends no further work is required.

Impact on Biodiversity/Ecology

- 6.66 Both the Development Plan and NPPF support the safeguarding of protected species and their habitat. These documents also support the need to exploit opportunities to improve biodiversity in all developments where possible. To this end the applicant has prepared an ecological appraisal comprising both a desk based assessment and field survey assessment of the site and its hinterland.
- 6.67 The report included mapping specific habitat features identifying water bodies, buildings, and trees of particular note. During the Extended Phase 1 Habitat survey a Habitat Suitability Index (HSI) was undertaken of all water bodies within 500m of the site. A total of 8 water bodies were identified via a desk survey, with only 4 of the 8 worthy of assessment as part of the HSI survey. 3 of the 4 water bodies were considered average with the other poor. Therefore these water bodies have the potential to support Great Crested Newts (GCN).
- 6.68 The applicant has consulted with EWT and North East Essex Badger Group who have identified several records of badger within 2km of the site. No records were identified within the site boundary. Evidence of badger was identified in Pondhall wood adjacent to the south-east boundary of the site, however this appeared to be an inactive subsidiary sett, but despite this the wider woodland contained signs of recent activity.
- 6.69 With regards to birds, the site and surrounding area provide suitable habitat for nesting birds, as well as foraging and roosting habitat for bats.
- 6.70 Two brown hare were recorded within an arable field in the north-west section of the site.

The Ecological Appraisal makes the following recommendations:

- 6.71 Badger - No further survey work considered necessary, however in order to ensure compliance with relevant legislation, it is recommended that a check for the presence of mammal burrows with an entrance diameter exceeding 100mm should be undertaken prior to the onset of works. This work is independent of planning legislation and an informative will be added to any permission.
- 6.72 Brown hare - No further survey work required. Suitable habitat elsewhere and following construction and converting arable fields to grassland will be an enhancement.
- 6.73 European hedgehog - No further surveys required. This species was not recorded during the survey however it is likely that hedgehogs will be found within hedgerows and these habitats remain untouched.
- 6.74 Otter and Water Vole - No further survey required. No field signs or known records have been identified. The brook to the south-east of the site will remain untouched.
- 6.75 Common Toad - The mitigation in place for GCN will also be sufficient for common toad.
- 6.76 Birds - The proposals are not anticipated to result in any reduction in conservation value of yellow wagtail, linnet, yellowhammer, reed bunting, although a minor loss in foraging habitat for all species may be apparent.

- 6.77 Nesting birds - Due to the potential presence of ground nesting bird species (skylark) within the site, it is recommended that initial development works are undertaken outside of the bird breeding season (March-July). For skylark the opportunity to enhance the site can occur if existing arable fields were converted to grassland, with skylark strips also being created. This would increase the amount of nesting habitat available for skylark that is currently available within the site.
- 6.78 Reptiles - No further surveys required. No field signs of reptiles recorded however desk top records confirm the presence of protected reptiles within 2km of the site. Given the condition of the site, it is considered that reptiles would have limited habitat resource within the site, however the scrub around the reservoir adjacent to the southern boundary has some potential to support reptiles.
- 6.79 Under the current proposals the scrub around the reservoir is to be retained, thus the impact to reptiles would be negligible. Given its proximity to the site it is recommended that a buffer of 10m be implemented as a precaution to limit any impact the scheme may have on any potential reptile population present. If the buffer is adhered to, then no further surveys are required for reptiles.
- 6.80 Great Crested Newts - The water bodies previously identified are outside the site boundary, and there is potential for GCN to use the terrestrial habitats within and adjacent to the site comprising woodland, hedgerows, field margins and ditch margins. GCN surveys were carried out in Spring 2014. No GCN were found in the 5 ponds surveyed but four out of the five ponds supported smooth newt populations.
- 6.81 As a result, the proposed development can be carried out without any adverse impact on protected species.
- 6.82 The Ecological Appraisal, together with the Habitat and Ecological Management Plan, provides recommendations and ecological enhancements, as required by the NPPF, which under paragraph 118 requires developments to enhance the natural environment by providing net gains to biodiversity where possible. For example, with regards to hedgerows, these are to be fully retained, and a hedgerow management plan has been produced to improve the existing hedgerows, with new trees also planted.
- 6.83 Furthermore, new areas of grassland across the fields and beneath the solar panels will be established. Areas of wildflower grassland creation is proposed, which would create a habitat of increased wildlife value and would provide a foraging resource for a number of invertebrates, birds and small mammal species, especially Skylark as ground plots will be created to aid this ground nesting bird. The continuous scrub areas around the reservoirs to the south will also be retained and managed for any potential reptile populations.
- 6.84 Moreover, it is noted the perimeter fence line maintains a minimum distance of 4m from the perimeter of the field at all points. This is to allow farm vehicles and wildlife to pass through the area, and to ensure access and space for new planting and landscape management is achievable. Furthermore, the submitted fence details are designed to allow small mammals to navigate through the site (such as rabbits, hares, badgers, weasels, stoats, field voles, foxes etc), through the inclusion of small mammal gates.
- 6.85 The proposed development will remove the site from intensive agricultural production for a period of 25 years. With the correct management, the potential biodiversity of the site will be increased after the construction phase. Existing wildlife and potential habitats will be conserved as part of the site management, as well as the creation of new habitats to increase the sites biodiversity, by including the planting of new trees and management of existing hedgerows, and areas of sown wild flower mix and grassland using selected native species which will provide a rich feeding habitat for birds, bees, butterflies and a wide range of insects.

The proposal is not considered to have any adverse impact upon important habitats or protected species, and following consultation with Natural England, they confirm the application provides significant potential to create habitats which could contribute towards Biodiversity Action Plan targets.

- 6.86 With regards to ecological designations, it is considered all statutory and non-statutory nature conservation designations in the vicinity of the site are sufficiently well separated from the development such that adverse effects from the proposals are unlikely. Natural England in their consultation response state given the nature and scale of the development, they are satisfied that there is not likely to be an adverse effect on the following designated sites from this proposal; Stour and Orwell Estuaries Special Protection Area (SPA), Hamford Water SPA, Stour Estuary SSSI or Hamford Water SSSI. Therefore the SSSI and SPA designations do not represent a constraint on determining this application. Furthermore, they state that they are satisfied the proposal does not demonstrate a significant risk to the nearby AONB designation.
- 6.87 On this basis, the proposed development is not considered to adversely affect any nearby ecological designations.

Impact on Highway Safety

- 6.88 The operation of the site would not result in significant traffic movements (only security and maintenance - leading to approx 10-30 vehicle visits per year). This level of activity is considered to have a negligible impact on the highway network.
- 6.89 However it is expected that during the pre-construction period, whilst preparing the site for the installation of the panels, works within the site would result in larger movements with on average 5 HGV deliveries per day (80 in total over a 6-10 week construction period), in addition to the generation of car, van, motorbike, mini bus journeys to the site daily from the construction workers. This would be for a short period of time, with the movements decreasing as the construction period begins. No abnormal loads are required as part of the construction.
- 6.90 The site would be served by a single access to the south of the site off Wix Road. No other vehicular access route is available to the site.
- 6.91 The Highway Authority has reviewed the application and has raised no objections from a highway safety aspect. The impact on highway safety is considered to be acceptable, subject to the imposition of standard conditions.

Impact on Residential Amenity (including qlint and glare)

- 6.92 Policy SD9 of the draft Local Plan states new development should be compatible with surrounding uses and minimise any adverse environmental impacts, and that development (amongst other things) will not have a materially damaging impact on the amenities of occupiers of nearby properties. This sentiment is echoed in policy QL11 of the 2007 Local Plan.
- 6.93 The array is entirely passive during operation, has no moving parts and emits no carbon, noise, smell or light. Once installed, the system itself needs minimum maintenance and will be unmanned.
- 6.94 It is acknowledged that the substations, inverters and transformer stations will be acoustically rated, but even so they emit very little noise. It is considered given that the distances involved from residential properties, the amenities of these properties will be safeguarded from any adverse 'break out' noise.

- 6.95 The panels themselves, being 2.5 metres in height, are not considered to be overbearing in relation to proximity from existing residential properties, and the use of the site would not result in unreasonable noise and disturbance. A condition requiring a construction management plan would control the impacts during the assembly of the site.
- 6.96 Furthermore, the solar panels are designed to absorb light rather than reflect light, and so although the surface is glass, it is not reflective in the same way as a mirror or window, and therefore the solar panels are not considered to adversely affect nearby residential amenity by way of adverse glint or glare.
- 6.97 There would be no external lighting of the site; again this could be secured by condition, so there would be no impact on the countryside or residential amenity in this respect.

Impact on Agricultural Land

- 6.98 Concern has been expressed that this development is reducing the land supply to meet the population's food needs.
- 6.99 The application is for a temporary period of 25 years. Planning conditions would secure this and the remediation of the site back to agricultural land once the use ceases. This would all be at the expense of the applicant. With regards to restoration of the site, the applicant would enter into a lease that requires them to remove all solar farm equipment installed to the reasonable satisfaction of the landlord, and the event of liquidation, the liquidators would be obliged to adhere to the same terms.
- 6.100 It is acknowledged that the site is currently in arable production, presumably sprayed with chemicals, and therefore it is very likely that following this period of 25 years, and given the potential for livestock grazing within the site to keep the natural grasses and wildflowers down, the quality of the soil is likely to improve, and therefore be beneficial for agricultural production.
- 6.101 Saved policy EN4 of the 2007 Local Plan states where development of agricultural land is unavoidable, areas of poorer quality agricultural land should be used in preference to that of higher quality agricultural land, except where other sustainability considerations suggest otherwise. Development will not be permitted on the best and most versatile (BMV) agricultural land (namely classified as grades 1, 2 or 3a) unless special justification can be shown. Although the Council is keen to discourage loss of best and most versatile agricultural land, it recognises the economic importance of farm diversification schemes. Although there is no specific policy which deals with this issue in the draft Local Plan, policy PLA10 'Renewable Energy Installations' has been amended to include the following:
- 6.102 Proposals for 'solar farms' will be permitted on low grade agricultural land other land with no agricultural function. The use of the best and most versatile agricultural land (grades 1, 2 and 3a) will be permitted where it can be demonstrated, with evidence, that lower quality land is not available or practical for this use and the benefits of the development outweigh any concerns over the loss of agricultural land.
- 6.103 This amendment to the policy has been requested by members of the Council. Given that the amended policy has received a number of representations following the public consultation through the Pre-Submission Focussed Changes Report (January 2014), and has not been through public examination, it is considered little weight can be given to this amended policy at this time.
- 6.104 The recent NPPG (March 2014) sets out particular planning considerations that relate to active solar technology, with the first factor for consideration being "encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided it is not of high environmental value". The first part of the second factor to consider is

“where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to highway quality land”.

- 6.105 The applicant has submitted with the application a Sequential Analysis Study (SAS) and Agricultural Land Classification Report (ALCR). The ALCR has identified that the application site is made up of Grade 2 (68%), Grade 3a (14%), and Grade 3b (18%). None of the site is shown to be within Grade 1.
- 6.106 Given the cancellation of the previous DCLG planning guidance on low carbon renewable energy schemes, with the recent NPPG – Renewable and Low Carbon Energy, a move towards a more robust justification for the use of agricultural land appears to have been promoted (although it is noted no reference to the need for a sequential test is outlined in the NPPF or NPPG). However, it is noted that the two factors above are two of nine factors to be taken into account by the LPA when assessing planning applications for large scale solar projects, and added to the balancing exercise.
- 6.107 With regards to this justification, the applicant has submitted a SAS. There is no guidance as to how to determine the scope of the assessment and so the search area for the assessment has been restricted to the administrative boundary of the Local Authority, given that it is this area to which the Local Plan applies, and as suggested by draft policy PLA10, the assessment of agricultural land should be within that area. It is considered to cast the net wider would be disproportionate to the development proposal, and constitute an unduly onerous requirement at a wider level.
- 6.108 In order to appropriately focus the search area, the applicant has looked at various factors which need consideration, including; landscape character areas and the ability of the landscape to absorb change; landscape designations and constraints; flood risk designations; availability and proximity of a suitable grid connection; proximity to urban areas; and local plan designations and allocations. As a result, a total of 53 potential alternative sites were identified as being (i) of the same or lower agricultural grading, (ii) subject to the same or fewer environmental constraints and (iii) are within 1.5km of the 33kV Grid (and therefore grid connection is viable). In addition brownfield sites and large-scale commercial roof-space has been assessed.
- 6.109 The SAS concludes that (i) the use of agricultural/Greenfield land is necessary in the absence of previously developed land and barriers to the deployment of large-scale commercial roof-space for solar development; (ii) there are no potential alternative sites of any poorer agricultural quality land and subject to any less environmental constraints than the site within the study area; and (iii) that the site will remain in agricultural use with the provision of sheep grazing under and between the rows of solar panels and that biodiversity improvements will be delivered as part of the proposed development.
- 6.110 Given the lack of guidance in producing a justification with regards to use of agricultural land, it is considered the submitted SAS is acceptable.
- 6.111 The solar farm proposal has been designed to allow the agricultural use of the site to continue, and therefore the land is not permanently lost from agriculture, and the land between and beneath the panels can be used for livestock grazing. It is understood the responsibility for future land management would be the farmer who retains ownership of the land itself, who will use the land to graze sheep. This use is practiced on other existing solar farms and does provide a continuing agricultural use and local employment, and maintains fertility of the land in the medium term. The use of a grazing sheep herd can control the height of newly planted grasses and wildflowers between and beneath the solar arrays, which in turn reduces the need for mechanical maintenance of the land such as cutting of the grass. This type of continued

agricultural use of the land can be secured by condition, through part of the landscape management strategy for the site.

- 6.112 The agricultural grade of the land is 2 and 3a/3b (Grade 1 being excellent and 3a being good). National policy does require the use of the best agricultural land to be considered as a last option, but this relates more to the permanent loss of agricultural land by, for example, developing it for housing or industry. Paragraph 112 of the NPPF states LPAs should take into account the economic and other benefits of the best and most versatile agricultural land, and where significant development of agricultural land is demonstrated to be necessary, LPAs should seek to use areas of poorer quality land in preference to that of a higher quality. As the development proposed is a temporary, reversible use of the land which would not result in the permanent loss of good quality agricultural land, it is considered to have less significance, as significant development of agricultural land will not occur, and the land will not be permanently unavailable for agricultural use.
- 6.113 It is therefore considered that the proposal has shown that the use of agricultural land is necessary (in the Tendring district – especially given the pressures on brownfield sites for the development of housing/employment), and poorer quality land has been used in preference to higher quality land (i.e. Grade 1 land has not been used), and the proposal would result in the continued use of the site for agricultural production (sheep grazing) and biodiversity improvements have been identified and could be conditioned, and therefore the proposed development would not be contrary to published Government guidance.

Impact on Flood Risk

- 6.114 The site falls within Flood Zone 1, and is therefore not considered to be at risk of flooding. However the proposed scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. As a result the applicant has been a Flood Risk Assessment.
- 6.115 The FRA has been reviewed by the Environment Agency. They state that the installation of the solar farm would increase the percentage of impermeable surface area by less than 1%, and therefore the site remains effectively Greenfield (i.e. water would still be able to drain into the ground and hard standing is minimal).
- 6.116 The EA conclude that for the proposed development to meet the requirements of the NPPF, the development will need to follow the measures as detailed in the submitted FRA and are secured by way of a planning condition. The conclusion is that as these matters can be secured by planning condition, the development would have no adverse impact in terms of flood risk.

Other Issues

- 6.117 It is generally accepted that glare from a solar PV array of this nature does not pose a risk from ground level. In December 2010 the Civil Aviation Authority (CAA) provided interim guidance on the impact of solar PV on aviation. This document recognised that "the key safety issue regarding solar PV is perceived to be the potential for reflection to cause glare, dazzling pilots or leading them to confuse reflections with aeronautical lights". Numerous international airports have installed solar PV, including Gatwick, Munich, Prescott, Arizona and San Francisco, highlighting that glare is not considered enough of a risk to preclude installation. The application site is more than 40 miles away from the nearest major airport (Stansted) and the site is not on available published flight paths. It is acknowledged that Clacton Air Field is approx. 8.3 miles due south of the application site (as the crow flies), and Great Oakley Airfield is approx. 2.3 miles due east (as the crow flies), however it is considered that the risk to aviation in this case is negligible.

Crime and Disorder

- 6.118 Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues. The site would be secured by perimeter fencing and CCTV cameras will be positioned around the perimeter.

Biodiversity and Protected Species

- 6.119 In assessing this application due regard has been given to the provisions of the Natural Environment and Rural Communities Act, 2006, in so far as it is applicable to the proposal and the provisions of Conservation of Habitats and Species Regulations, 2010 in relation to protected species.
- 6.120 Statement required by Article 31 of The Town and Country Planning (Development Management Procedure) Order 2010 (as amended)
- 6.121 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case minor amendments were allowed to the site layout to relocate site equipment and access tracks.

Conclusion

- 6.122 The assessment of a renewable energy proposal requires the impacts to be considered in the context of the in principle policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation. The starting point in the assessment, as outlined in paragraph 98 of the NPPF, is when determining planning applications, LPA's should approve the application if its impacts are (or can be made) acceptable, however weight should be given to advice published in the NPPG 'Renewable and Low Carbon Energy', and the UK Solar PV Strategy Part 2: Delivering a Brighter Future (DECC), and that views of the local communities should be listened to.
- 6.123 In this case, there is no adverse impact on heritage assets, ecology, residential amenity, highway safety or flood risk. There is also the opportunity to improve biodiversity. Weighed against this is the potential for the loss of grade 2/3 agricultural land for arable production for a period of 25 years.
- 6.124 The landscape impact is considered to be relatively local, contained mainly to the B1352 and those footpaths to the east of the site. This impact however is considered to be harmful. The mitigation would soften the impact but would not eliminate it. However, the adverse impact would not be a wider impact, for example those travelling along the Wix Road to the south of the site and those travelling through the main Bradfield village to the west of the site would not perceive the presence of the site. An appeal decision in Northamptonshire by the Secretary of State concluded that a localised impact, although harmful, was not sufficient to outweigh the in principle support for renewable energy.
- 6.125 The localised impact on the area is not considered to be sufficient to recommend refusal especially given the lack of harm in other respects and the benefits to biodiversity and the long term benefits to the landscape when the site is decommissioned by the planting mitigation retained. Therefore, although Officers have found harm to the countryside, and this harm is contrary to Saved Policies QL9, QL11 and EN1 of the 2007 Local Plan, and Policies SD9 and PLA5 of the draft Local Plan, the localised extent of harm does not outweigh the national benefits derived from providing renewable energy.

Background Papers

None.