

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

**S/2198/10 - Chittering
Solar Farm for Abbey Renewables Ltd**

Recommendation: Delegated Approval

Date for Determination: 16th March 2011

Notes: This application has been reported to the Planning Committee for determination as a recommendation of approval would be contrary to the provisions of the approved Development Plan and would need to be referred to the Secretary of State.

DEPARTURE

Site and Proposal

1. The application site comprises approximately 17.8ha of flat and level agricultural land and is bounded by agricultural fields on all sides. The site is accessed via the A10, which is located 0.5km to the west, through School Lane and Chittering Drove. The site is outside (northeast) of the Chittering village development framework within the open fenland countryside within close proximity to the railway line, which runs north to south due east of the site. The wider area is characterised by flat agricultural fields that are layered through established field boundaries including trees and mature hedgerows. The closest properties to the site are located along Chittering Drove around 0.8km to the south west, or Chittering farm, around 0.6km to the north. These properties are well screened from the site by existing hedgerows and trees.
2. The full application, received on the 10th December 2010, seeks consent for a solar energy farm. This includes the installation of solar panels, with on site plant and machinery, access routes, security fencing and landscaping, and associated works. The proposal seeks to create a farm with an electrical output of up to 5MWp. The proposed solar farm would encompass approximately 17.6 hectares of the application site. It would comprise a rectangular shape, with the longest axis running east to west. The site is flat and open, as is much of the surrounding area.
3. The Solar Farm will consist of rows of solar panels mounted on a supporting frame, orientated so they face south to maximise the energy they receive from the sun. The technology used within modern photovoltaic panels is such that they will continue to generate electricity on cloudy and overcast days, although the maximum potential of the site will be achieved on sunny days. The frames supporting the panels are secured to the ground and kept stable with a piling spaced at 3.7 metre intervals. The piles require no concrete foundations with the sub structure being suitable to support the weight

(wind/snow load) of the panels. The site can be reverted back to its former use once the life span of the panels comes to an end.

4. The proposed solar panels would be located low to the ground at around 2.2 metres high at the maximum point at the top edge of the panel. The low profile of the scheme allows effective visual screening to be achieved by relatively low level hedgerow planting. Each of the solar panels would be 1 metre wide by 1.67 metres high. They would be mounted on frames at an angle, two panels high and 12 panels long. Each of these frames, or strings as they are known, will be 12 metres long.
5. The application is accompanied by a site location plan, master plan, solar panel cross sections and detailed plan, details of structures on site, construction detail plan, design and access statement, environmental management plan, environmental reports compendium including, landscape and visual assessment, ecological assessment, flood risk assessment, archaeological desk based assessment and an agricultural statement.

Planning History

6. None

Policies

7. **East of England Plan 2008: ENG1** Carbon Dioxide Emissions and Energy Performance and **ENG2** Renewable Energy Targets
8. **Local Development Framework Development Control Policies (LDF DCP) 2007:** **DP/1** Sustainable Development
DP2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Development
DP/7 Development Frameworks
NE/2 Renewable Energy
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/11 Flood Risk
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/2 Archaeological Sites
TR/1 Planning for More Sustainable Travel
9. **Trees and Development Sites SPD** – adopted January 2009
Biodiversity SPD – adopted July 2009
Landscape in New Developments SPD – adopted March 2010
District Design Guide SPD – adopted March 2010.
10. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

11. **Waterbeach Parish Council** – No comments have been received.
12. **Stretham Parish Council** - makes no recommendation, making the following comments:
 - Does the application benefit from a S106 legal agreement and if so will any payments be made to local Parish Councils;
 - What is the destination of electricity;
 - Is the site suitably accessed;
 - Will the proposal be considered cumulatively with other similar developments within the district;
 - There is a concern about glare from the panels to nearby rail and road links;
13. **East Cambridgeshire District Council** – No comments have been received.
14. **Council for the Protection of Rural England** - No comments have been received.
15. **East of England Regional Assembly** – No comments have been received.
16. **East of England Development Agency** – No comments have been received.
17. **The Council's Communities Team Leader** – Requests that the developer should supply and install a minimum 3kWp of roof mounted photovoltaic panels on an appropriately located, orientated and structurally sound elevation of a community building in the village.
18. **The Council's Acting Environmental Health Manager** – No comments have been received.
19. **Marshalls of Cambridge** – No comments have been received.
20. **Network Rail** – Raises no objections.
21. **Old Western Drainage Board** – Make no recommendation.
22. **The Local Highways Authority** – No comments have been received.
23. **The Council's Ecology Officer** – No comments have been received.
24. **The Environment Agency** – Raises no objection to the proposal subject to a condition requiring the implementation of development in accordance with the flood risk assessment submitted.
25. **Landscape and Tree Officer** – Raises no objection commenting that the landscape character assessment and landscape proposals are acceptable in principle. However, the exact specifications of planting and management will need to be addressed through the use of a pre-development condition.

26. Landscape Design Officer – No comments have been received.

27. The County Archaeology Team – Recommend that a pre-development condition be attached to ensure that sufficient archaeological investigation is carried out to investigate whether or not the site contains Roman remains.

Representations

28. None have been received.

Planning Comments

29. The key issues to be considered for the determination of this application are the principle of development, the impact upon the surrounding countryside, the impact upon the amenity of the occupiers of the surrounding residential properties, the impact upon highway and public safety including air and rail, the loss of agricultural land, and ecology considerations.

The Principle of Development

30. In accordance with Policy DP/7 outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor-recreation and other uses, which need to be located in the countryside will be permitted. The proposed development does not adhere to the principle of this criterion and is therefore a departure from this policy. Notwithstanding the above, policies ENG1 and ENG2 of the East of England Plan 2008 identify a need to meet regional and national targets to reduce climate change emissions and the development of new facilities to provide energy from renewable sources. However, while the Plan remains part of the development plan, the Secretary of State's intention to revoke this is a material consideration to be taken into account. Nonetheless, Policy NE/2 states that the District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in Policies DP/1 to DP/3. The proposed development is considered to accord to Policy NE/2 as it would meet the following criteria:

- The proposal would be connected efficiently to the national grid infrastructure;
- The proposal and its ancillary facilities can be removed and reinstatement of the site, should the facilities cease to be operational;

31. South Cambridgeshire has greater levels of sunshine than the UK average and Policy NE/2 states that solar power can make a significant contribution to renewable energy generation. In light of this the District Council seeks to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area.

32. The Government aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, and to maintain reliable and competitive energy supplies. The development of renewable energy is considered to be an important part of meeting this aim and as such, there has been greater emphasis on 'positive planning', which facilitates renewable energy developments.

- 33.** One of the key principles of Planning Policy Statement 22: 'Renewable Energy' is that "renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily". It also states that "the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission." Members should also be aware that paragraph 20 of PPS Planning and Climate Change – Supplement to PPS1 regarding renewable energy generation, states "planning authorities should not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location". It also adds local planning authorities should "avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation".
- 34.** In light of the above it is considered that subject to the other material considerations discussed below the proposed development whilst departing from Policy DP/7 would not harm the principles of this policy.

Landscape Character

- 35.** The proposed solar farm would be enclosed by a security fence, which would be screened by hedgerows planted either side. Due to the flat landscape the proposal has been designed to be low level with boundary screening in order to mitigate the visual impact of the development. The boundary landscape would comprise native hedgerow mix, interspersed with selected trees in order to break up the linear profile of the boundaries. This would be coupled by additional tree planting around other field boundaries to the south, east and west of the site, which will overlay with the boundary planting to break up the profile of the site from longer distance views. The boundary to the railway line is to be planted with a thicker tree belt to screen passing trains.
- 36.** The application site is rectangular and utilises an existing arable field. Therefore the proposed development would not alter the shape of the landscape but simply result in built energy infrastructure upon it. There is a wide range of similar built form within the existing landscape including the railway line to the east and agricultural industrial buildings scattered around the fenland landscape. Nearby farmsteads include agricultural building, which dominate the landscape due to their high profile, whereas in comparison, the proposed solar arrays would have less of a profile due to their low level. The careful spacing, arrangement and orientation of the solar panels in strings along with the retention of boundary dykes would maintain the rectilinear field and the geometric drainage pattern identified as key characteristics of the landscape. The form and scale of the proposed development is considered to be consistent with the scale and form of the development infrastructure that already exists in the wider landscape around the site.
- 37.** The detail of the proposed security fence including its height, material and colour is to be agreed by way of a pre-development condition to ensure that the fence is not visually intrusive. The Councils landscape design architect is in general agreement with the landscape character assessment submitted

and supports the soft landscape proposals in principle, however, the detail required is sufficient for an indicative proposal only and therefore, a pre-development condition requiring a detailed planting methodology and management strategy will be required.

Ecology Considerations

38. The existing field is regularly ploughed and harvested, whereas following completion of the Solar Park it will be laid to grass with potential for a greater level of biodiversity and improved habitat around the panels. Given the sites current status it is considered that the development has the potential to provide biodiversity enhancement as arable fields provide little in terms of habitat provision. Notwithstanding this, the comments of the Councils ecology officer are required to consider whether or not a scheme of ecological enhancement or mitigation should be sought by way of condition. This information will be provided by way of an update or secured under delegated powers.

Impact upon the amenity of surrounding residential properties

39. The closest residential dwelling to the application site is approximately 800m to the southwest upon Chittering Drove. This property would not have a clear line of sight of the development due to the lay of the land and natural screening of trees and hedgerows. In the absence of the views of the acting environmental health manager it is considered that the development would have little impact upon the amenity of this property or indeed properties further afield. Nevertheless, the acting environmental health manager may request further conditions in relation to construction and assessment of the onsite plant in due course, whereby additional conditions may be requested by way of an update or secured under delegated powers.

Impact upon Highway & Public Safety

40. The development would be accessed via the A10 through School Land and Chittering Drove within the hamlet of Chittering. The road conditions in this area are suitable for the construction of the development. However, a small section of track will require upgrading within close proximity to the site. This access route is already used by a number of local residents, agricultural and delivery vehicles and machinery.
41. As standard practice upon similar sites the solar panels and supporting frames will be delivered to the site by a standard HGV articulated lorry, the type that already use the byway to collect crops from the farm. Each vehicle would be able to carry around 560 solar panels, resulting in around 40 lorry loads to supply the required 21,700 panels. The developer anticipates that the construction phase of the scheme would take approximately 20 weeks, with piling and frames being installed first and then panels being delivered to the site at a rate of around one lorry load per day during the panel installation phase.
42. Following construction, future maintenance of the site will be carried out using standard cars or light vans unless a major failure occurs with a larger piece of equipment. Certainly traffic to the site following the completion of the construction will be very low and on an intermittent basis.

43. In light of the above it is considered necessary to condition a methodology statement for the construction phase to ensure that the Local Highway Authority is satisfied with the impact upon the highway network. In the absence of comments from the Local Highway Authority further information will be provided by way of an update.

Loss of Agricultural Land

44. Agricultural land is classified into five grades numbered 1-5, where grade 1 is excellent quality agricultural land, and grade 5 is very poor quality agricultural land. The site comprises grade 1 (excellent) agricultural land. Grade 1 land is described as Land with no or very minor limitations to agricultural use. A very wide range of agricultural and horticultural crops can be grown and commonly includes top fruit, soft fruit, salad crops and winter-harvested vegetables. Yields are high and less variable than on land of lower quality. (<http://www.defra.gov.uk/foodfarm/landmanage/land-use/documents/alc-guidelines-1988.pdf>).
45. Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that the presence of the best and versatile agricultural land should be taken into account alongside other sustainability considerations. It does add that significant development of agricultural land should seek to use areas of poorer quality land. Policy NE/17 of the LDF DCP 2007 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless (criterion b) sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
46. The proposal would require a lot of works to the land. The frames for the photovoltaic panels would need to be pinned into the ground, the transformer and inverter units would be set on concrete bases, and there would be a need for trenches to be built underground for cables to run. There would be disruption to the soil during the use. However, it is considered a temporary use, albeit for potentially 25 years, where the land can be restored back to agricultural in the long term. The development would not therefore be "irreversible" as noted in the policy. Whilst there would be disruption to the land, it could be reverted back to agricultural following the removal of the development. Although the siting of such development on poorer quality agricultural land would be preferred, I do not consider the development would cause any long-term loss of grade 1 agricultural land.

Flood Risk

47. The flood risk assessment submitted with this application concludes that the risk of flooding is low, due to the provision of the managed defences, and recommended construction measures that would help to guard against the damage caused by flooding, should the worst case scenario occur. These measures include raising wiring within the inverter rooms.
48. Rainwater runoff from the panels, inverter housings and access roads will soak into the ground in-between and around the panels, and would not increase run off rates beyond that of the current agricultural use.

Other Matters

49. The comments from the Council's New Communities Team Leader are noted. This would involve correspondence between the applicant and Parish Council to locate a community building that would be suitable for photovoltaic panels to be added to the roof. The applicant would fund such provision and is has commented that discussions with the Parish Council have taken place in relation to the provision of solar panels upon public buildings.
50. Notwithstanding the above there are practical concerns as to how this would be achieved in this instance, in terms of securing such provision through planning permission. The community building would be located outside of the application site, and it would be difficult to tie the two, especially as this current application is registered and to be determined. There are also no guarantees that the new application for works to the community building would be supported. The application followed pre-application advice, and this proposal was not discussed with the applicant at this stage. It is considered unreasonable to insist the applicant make such a commitment at this stage in the determination. Therefore it is considered that the community provision offered would need to be a matter between the Waterbeach Parish Council and the applicant separate from the determination of this planning application.
51. Planning for Renewable Energy, a Companion Guide for Planning Policy Statement 22 (Renewable Energy) does note that there would be direct economic benefit for such proposals from the creation of jobs for the installation and maintenance of solar panels.
52. In light of the above the comments from Stretham Parish Council are noted, however, the scheme will not provide any commuted off-site payments toward community benefit.

Conclusion

53. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Decision

54. Approve under delegated powers.

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents:**

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

3. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

4. **The development, hereby permitted, shall not be occupied until all identified flood alleviation and protection measures have been completed in accordance with the approved scheme.**

(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

5. **No development shall commence until a methodology statement of the construction of the development, hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

6. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details and shall thereafter be retained.**

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Informatives

The granting of planning permission does not constitute a permission or license to carry out any works within, or disturbance of, or interference with, the public highway,

and that a separate permission must be sought from the Local Highways Authority for such works.

Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.