

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 March 2011

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

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### **S/2205/10 - BOURN**

**Construction of solar energy farm to include the installation of solar panels, with on site plant and machinery, access tracks, security fencing, landscaping and associated works. - Land to East of Broadway, South of, Grange Farm Park, for Vogt Solar Limited**

**Recommendation: Delegated Approval**

**Date for Determination: 14 March 2011**

**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.**

**Members will visit the site on 2nd March 2011**

**The application is a Departure from the development plan**

### **Site and Proposal**

1. The application site is located to the eastern side of Broadway, the main route from the north of the village of Bourn. It is located outside of the designated Bourn village framework, which begins 1140m to the south. The designated Cambourne framework lies approximately 600m to the northwest, whilst the Highfields Caldecote framework is located approximately 1120m to the east. The site has an area of approximately 15.5 hectares excluding the access, which runs to the north, joining Broadway at the existing junction by Little Common Farm. The boundary with Bourn Conservation Area is located approximately 265m to the south of the site. The majority of the site is grade 3 agricultural land, although the western element is grade 2 land. The land lies within flood zone 1. There is a change in levels across the site, with the east boundary being approximately 5m lower than the west boundary. The land falls eastwards towards a valley between the site and the village of Highfields Caldecote.
2. The northern boundary of the site is an established tree belt, protected in its own right by a Tree Preservation Order. Directly to the north of this is an access road leading to business units at Grange Park. There is also a separate access serving a large business unit to the west of Grange Park. To the north of these is the Grange farmhouse, accessed separately from Broadway. Directly to the north of the farmhouse are agricultural buildings, of which one barn is grade II listed. There is a further tree belt to the north of Grange Farm. The eastern boundary of the site has a hedgerow, although it is

sporadic in places. Land further east is in agricultural use up to the village of Highfields Caldecote.

3. The southern boundary is a hedgerow and tree belt. Directly south of this is the farmhouse of Rockery Farm, which has a number of agricultural buildings to its west. Along Broadway, 40m to the south of the site are nine affordable dwellings, of which planning permission was recently granted for a further two dwellings and use of land between the dwelling and the solar farm site for designated open space. There is a sewage works located to the east of Rockery Farm. A Public Bridleway runs from Broadway eastwards towards Highfields Caldecote, running to the south of the sewage works.
4. The western boundary of the site is a hedgerow currently approximately 1.8m to 2m in height having recently been cut back. It is set on lower ground than the road, allowing users of the adjacent footpath to get views into the site. To the west side of Broadway opposite the application site are three two-storey residential properties and Broadway Barn, which has a business use. The surrounding land is in agricultural use.
5. The full application, received on the 13th 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 5MWp, which would generate enough clean energy to power approximately 1,200 homes. This requires 934 mounting frames, each of which would hold 24 solar panel modules, totalling 22,416 modules. The panels would be mounted at 30° from the ground to maximise solar gain, and would total 2.7m from the ground at the highest point. There would be a gap of approximately 6m between rows running east to west across the site. This would create 33 rows although only 16 would run across the whole site.
6. Five transformer and inverter cabinets are proposed across the site on concrete bases. The former would measure 2.2m by 3.2m with a height of 2.9m, whilst the latter would measure 7.5m by 3m with a height of 2.8m. A single grid connection cabinet is also proposed, to measure 2.4m by 3m with a height of 2.4m. This would be located towards the southwest corner of the site as the electricity would be exported by a new underground cable into an existing overhead line close to the southeast of the site, which in turn connects with the substation north of Caxton Road. A 2m high security fence is proposed around the whole site, with one strand of barbed wire proposed at the top to increase the fence to 2.1m in height. An access is required between the airfield and the northeast corner of the site, and a new access onto the Grange Park access track is proposed. Maintenance roads are proposed on the site. The intention is for the panels to be on site for a minimum 25 years after which the land would be restored to agricultural use.
7. The application is accompanied by a Planning Statement (including Sustainability and Health Impact details, a Design and Access Statement, a Phase I Habitat and Ecological Scoping Survey, a Construction Method Statement, a Flood Risk Assessment, a Noise and Vibration Assessment (as revised), a Statement of Community Involvement, and Assessment of Impact on Flying Operations at Bourn Airfield, A Historic Environment Assessment, and a Landscape and Visual Impact Assessment. A screening opinion was carried out and concluded the development was not Environmental Impact Assessment development.

## Planning History

8. There have been a number of planning applications made on and around the application site. Of interest to the determination of this planning application are the following:
9. **S/2198/10** – A planning application has been received for a similar solar farm on land at Radical Farm, Chittering Drove, Chittering.
10. **S/1151/10** – Planning permission was granted for two affordable dwellings and the use of land for outdoor playspace on land at Rockery Farm to the east of Broadway. Works have yet to commence.
11. **S/1004/09/F** – Planning permission was originally refused for an additional eight affordable dwellings at Rockery Farm. This was dismissed at appeal where the Inspector noted the dwellings would be an over dominant feature of the approach to the village.

## Policies

12. **National Planning Guidance:** Planning Policy Statement (PPS) 1: Delivering Sustainable Development, PPS Planning and Climate Change – Supplement to PPS1, PPS7: Sustainable Development in Rural Areas, PPS22: Renewable Energy & PPG24: Planning and Noise.
13. **Local Development Framework Development Control Policies (LDF DCP) 2007:** **DP/1** Sustainable Development, **DP/2** 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, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas & **TR/1** Planning for More Sustainable Travel.
14. **East of England Plan 2008:** **ENG1** Carbon Dioxide Emissions and Energy Performance and **ENG2** Renewable Energy Targets
15. **Development Affecting Conservation Areas SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Listed Buildings SPD** – adopted July 2009, **Landscape in New Developments SPD** – adopted March 2010 & **District Design Guide SPD** – adopted March 2010.
16. **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.
17. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

## Consultations

18. **Bourn Parish Council** recommends approval of the scheme. However, they note serious misgivings regarding lack of economic or social benefits to the local community, loss of valuable grade 3 agricultural land, and the potential damage to the character of the landscape. Given a lack of justification for any local benefits, the Parish Council's recommendation can only be made subject to increased screening to the eastern boundary, a management plan being made for the grassland to minimise run-off and improve biodiversity, permanent signage being provided to ensure construction traffic does not come through the village, and the site reverting back to agricultural when the use ceases.
19. **Caldecote Parish Council** makes no recommendation.
20. **Cambourne Parish Council** recommends approval and notes the cosmetic screening ensured it would not be visible from the Broadway and all renewables are welcome.
21. The **Council's Communities Team Leader** notes that the benefits to local residents are as yet unclear as noted during the pre-application exhibition. It is suggested 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. If a separate application is needed, this could be done by the Parish Council.
22. The **Council's Acting Environmental Health Manager** notes concerns regarding noise and disturbance from the equipment on site, and recommends a noise survey be carried out to identify predicted noise levels inside and outside of residential dwellings closest to the site. Following submission, it is confirmed the base line noise survey would appear satisfactory. A condition is recommended to ensure noise does not exceed the levels referred to in the survey at noise sensitive locations.
23. The **Local Highways Authority** notes the Method Statement relating to the construction phase represents a good starting point. Conditions are requested regarding further information regarding the Construction Method Statement, a routing agreement for traffic associated with the works, and ensuring Heavy Commercial vehicles only entering the site from the north. Informatives regarding damage to the highway and works to the public highway are requested.
24. The **Council's Landscape Officer** notes that landscape and visual impacts are probably greater than concluded within the submitted report, with impacts mainly between minor adverse to moderate adverse rather than minor adverse to negligible. The development would be the largest element in the local landscape. Some views from the properties along Broadway would be major adverse. It is considered further landscaping along the west boundary would be beneficial. It is suggested the panels are moved 7m further into the site to allow space for further screening. Changes to the hedgerow proposed for the east boundary are suggested, and further planting is suggested to the southeast corner of the site. Clarification regarding the future ecological management of the site is requested given some contradiction in the report.

25. **Natural England** notes that the nearby sites of Special Scientific Interest (SSSI) at Caldecote Meadows (1.3km to the east) and Hardwick Wood (2km to the east), and the County Wildlife sites at Bucket Hill (1.1km to the northeast) and Jason Farm Grassland (adjoining Hardwick Wood) would be affected by the proposed development. The proposal would modify the existing arable habitat used by a wide range of wildlife including the Grey Partridge and Skylark (both UK BAP priority species). The new planting is considered an ecological gain, and if approved, the scheme should contain a Biodiversity Management Plan to include details of habitat creation measures. Measures to reduce landscape impacts are also suggested.
26. The **Council's Ecology Officer** raises no objection to the proposal. The risk to various species is low, but future ecological monitoring of the site as highlighted in the report is encouraged. A landscape condition should be used to ensure potential biodiversity gain of grassland on site is achieved.
27. The **Environment Agency** notes the site lies within low risk category flood zone 1. There is no objection in principle to the proposal. An informative regarding any works to a watercourse is suggested.
28. The **County Archaeology Team** notes the site has a high archaeological potential, as it is located within an extensive landscape of medieval ridge and furrow and associated medieval features such as a droveway and field systems. Previously, an early Romano-British farmstead was discovered directly to the north. A condition regarding a programme of archaeological investigation is requested.
29. The **County Council Countryside Access Team** notes that no public rights of way would be affected by the proposal.
30. No comments have been received from the Trees Officer, the Ramblers Association, the East of England Regional Assembly, the East of England Development Agency and the Council for the Protection of Rural England. Comments have also not been received from Go-East, the Conservation Officer and Marshalls Airport. The consultation periods for these consultees has not yet expired at the time of writing.

### **Representations**

31. The occupiers of **6 and 7 Grange Park** note concerns regarding noise. They also sought information regarding construction timings and if consideration is made for the continuity of services such as phone lines if damage is done during construction.
32. The occupiers of **Park Farm** located on the western side of Broadway opposite the site object on a number of grounds. The site would be very visible from the dwelling and there are concerns the photomontages do not represent the true view from Broadway. Landscape impact is considered to be more severe than "minor adverse". The hedge is not considered to screen views from the road. The refusal of the scheme for affordable houses to the south is considered to set a precedent against such development. The site would be built on high quality agricultural land, which should be avoided for such development. The Feed-in Tariff was not supposed to promote such large schemes, and the government are concerned about numbers of farms.

There are also concerns about the lack of local knowledge of such a project, and the decommissioning when necessary.

33. Three separate letters have been received from **Cambridge Microfab Limited** located opposite the site. These letters object to the proposal on a number of grounds. The proposal is considered to cause a major change to the landscape (unlike the Landscape and Visual Impact Assessment) for a 25 year period, and would be on Greenfield land on one of the last green areas on the east of Broadway. The proposal is not considered to meet national and local policies given the location in the countryside. There are concerns given the distance to the Caxton Road substation that electricity would not be used by Bourn residents, and that 16% wastage would occur. The frontage hedge is not considered to be an adequate screen, especially given its location below road level. The proposal would be easily visible from ground floor level. The public consultation was considered inadequate, with the questionnaire giving leading questions. The refusal of the scheme for affordable houses to the south is considered to set a precedent against such development. The adjacent airfield is considered to be a more appropriate location. There are concerns regarding power interruptions and impacts upon facilities in the area. Finally, an alternative power source in the form of a wood or biomass burning power plant is considered more acceptable for the site.
34. The occupiers of **Broadway Farm** object to the proposal on grounds of the site being Greenfield land (unlike the adjacent airfield), the loss of rural outlook given the proximity to the road, and the loss of rurality in the area.
35. The occupiers of **158 Caxton End** object to the proposal given its proximity to neighbouring dwellings. The location is considered too central, and the development should be located away from dwellings and roads.
36. One letter of support has been received from the occupier of **3 Stagwell Road, Cambourne**. Initial concerns regarding pilot safety were answered and there are no objections. A further letter from **3 Devonshire Mews, Cambridge** expresses support for the scheme.

### **Planning Comments**

37. 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 Conservation Area and nearby Listed Buildings, the impact upon the amenity of the occupiers of the adjacent residential properties and business units, the impact upon users of Bourn Airfield, the impact upon highway safety, the loss of agricultural land, and ecology considerations.

#### *The Principle of Development*

38. 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 with 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;

39. 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.
40. 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.
41. 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".
42. 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 should be actively encouraged.

### *The Impact upon the Surrounding Countryside*

43. The Landscape and Visual Impact Assessment concludes that the proposal would not have a materially significant adverse impact upon the landscape. The survey notes the scheme would have a minor adverse or negligible impact. The Council's Landscape Officer disagrees with this statement and concludes the impacts of the proposal would range from minor adverse to moderate adverse, given the size of the scheme and the regular uniform elements. It is noted that some views from the properties immediate adjacent the site would be major adverse. Views from Broadway for passers by are considered moderate adverse to minor adverse, particularly before mitigating planting is established. The view from the Bridleway is considered moderate adverse, with the view from Rockery Farm to the south minor adverse to moderate adverse if the hedge deteriorated. The view from the north is considered minor adverse. It is noted that residents of adjacent properties consider the impact to be worse.
44. The Landscape Officer does note that the proposed development could be accommodated within the landscape provided more extensive mitigation proposals are brought forward. These include the need for additional screening along the west boundary, which could be accommodated by shifting the westernmost panels approximately 7m into the site. Additional planting to the east, north and southeast boundaries are also proposed to screen the site further, with lower planting proposed to the north boundary given the existing tree belt. The proposed planting type would be in accordance with Cambridgeshire Landscape guidelines "Principles for Landscape Improvement in the Western Claylands Point 8 - Village Approaches".
45. A condition can be added to ensure that adequate landscaping is provided, including in the additional areas described by the Landscape Officer. I do not consider that the scheme would need to be shifted 7m further from the boundary. Beyond the existing fence, the site proposes a 3m wide field margin up to the fence. There would then be a 4m strip up to the access, with the panels 5m beyond this at their closest point. There would appear to be scope to plant between the existing hedge and fence, which would also screen this fence. Such planting would again be achieved through a landscaping condition.
46. Consultation responses from the occupiers of nearby properties have noted the recently refused planning application for an additional eight affordable dwellings at Rockery Farm (S/1004/09/F). This application was to be an extension to the existing exceptions site on Broadway, and was refused by the Council and dismissed at appeal. In dismissing the appeal, the Inspector notes the land adjoining the site is "dominated both physically and visually by the countryside". He concluded affordable units would appear very conspicuous and incongruous in the setting, and would create "an over dominant feature at the beginning of the approach to the village, a materially adverse impact upon the surrounding landscape and the further erosion of the predominantly rural character along Broadway and Alms Hill, and the contribution which this makes to the broader setting of the built up part of the village".
47. Whilst the Inspector's comments are noted, they related to the erection of affordable dwellings only. The comments regarding physical dominance



cannot be taken into account in this regard. The Inspector had noted the rural aspect of the site, and this is not in doubt. However, the proposal is something that is practically always going to be located in a rural area given their size.

*The Impact upon the Conservation Area and Nearby Listed Buildings*

48. Members should note the formal comments from the Conservation officer has yet to be received. However, talks have taken place during the determination of the application. The application is located approximately 265m to the north of the designated Bourn Conservation Area. Between the Conservation Area and the application site are a number of dwellings on both sides of the road. The affordable housing development south of the site is located 38m from the site. There is also some vegetation along this road. When viewed from the north of the Bourn Conservation Area, there would be very limited views of the development, given the screening provided by the existing planting and dwellings. Any views would be of the top of the panels, but it is not considered that the development would harm the setting of the Conservation Area.
49. There are Listed Buildings in the vicinity of the site. The closest is the grade II listed barn to the north of the farmhouse at Grange Farm, set back from the Broadway. This building is located approximately 265m from the northern boundary of the site. This boundary consists of a tree belt that provides a good screen. There is also some further planting to the south of the farmhouse. Given the distance and the screening from both the boundary planting and the farmhouse itself, the development should not harm the setting of this listed barn. This viewpoint agrees with the Landscape and Visual Impact Assessment submitted by the applicant which states the impact from the south would be negligible. To the south of the site, the closest Listed Building is Town End Farmhouse, located approximately 450m from the site at its closest point. This property is grade II listed. Between it and the development are a number of outbuildings and screening belts, the most significant is along The Drift. This building would not be viewed in relation with the Listed Building and its setting would not be compromised. There are further Listed Buildings at Crow End Farmhouse and its associated barn (both grade II listed), which are also set back from the road. These are further from the site and screened by further planting. There would be no harm to the setting of these properties.
50. Great Common Farmhouse located to the north of the site to the western side of Broadway is grade II listed. It is located close to the entrance for construction vehicles to the site. However, this entrance is existing, and although the intensity of its use will increase during construction, this would not harm the setting of the Listed Building. It is located approximately 1000m from the site. The eastern side of Broadway at this point has significant planting screening the airfield. There would be no views of the development from this dwelling, and its setting would not be compromised as a result of the development.
51. During a meeting regarding the site, the Conservation Officer noted that the grade II listed buildings of Clare Farmhouse and its barn on Main Street, Highfields Caldecote are not mentioned by the applicant. The land east of the site drops into a valley between the site and the village of Highfields Caldecote. There are potential long range views from the listed buildings towards the site given the dip in the land. However, these views would be at a

distance of approximately 1300m. Whilst the solar panels may be visible, I do not consider that any serious harm would be caused to the setting of these Listed Buildings given the distance. Also, there is planting around Clare Farm that would screen these views.

*Impact upon the Amenity of the Occupiers of the Adjacent Residential and Business Units*

52. There are a small number of residential dwellings and business locations around the site. There are three residential properties located on the western side of Broadway directly opposite the site. These are Broadway Farmhouse, Park Farm and Winthrop, whilst there is also the business unit at Broadway Barn (home of Cambridge Microfab Limited). Occupiers of all of these dwellings and units have commented on the scheme, although the comments from Winthrop have yet to be read due to a corrupted file.
53. All three residential units are two-storey, with numerous openings at ground and first floor levels in the front elevations. The outlook from the ground floor windows is currently at the boundary hedge, which does allow some views through given its recent cutting. The hedge is also deciduous and therefore would create further views through in winter months. The first floor openings would allow views over the hedgerow, which is approximately 20m from the frontages of the dwellings, and into the field beyond. The solar panels closest the road are within 20m, making a distance of 40m between the dwellings and panels. The development would therefore clearly be visible from these windows. Guidelines for Landscape and Visual Impact Assessment states when considering views from windows, views from rooms normally occupied during daylight hours and generally deemed more important than those used for sleeping, from which only occasional views may be obtained.
54. There is no denying the outlook from these windows would change substantially as a result of the development. The retention of a private view is not a material planning consideration, and the impact upon the landscape is noted above. Given the height of the proposals at 2.7m to the nearest point, I do not consider that the panels would appear overbearing when viewed from the dwellings and business unit. The land does fall away from the road and therefore the eastern section of the site would not be so visible from these views. Whilst there would be a serious change to the outlook from these dwellings and business unit, I do not consider that any harm caused is serious enough to warrant a reason for refusal in its own right. Any approval would require a landscape scheme, and this may allow the potential for further planting along the western boundary of the site to further screen views. It is noted that additional planting would reduce further resident's outlook, but this may be more appropriate in this instance. Further planting would also further screen the proposed boundary fence.
55. To the north of the field, beyond the boundary tree belt is the large unit of Acoustical Control Engineers Ltd. The building itself is located approximately 70m from the northern boundary. Further east is the five business units that form Grange Park. These are located nearer at 40m from the site. The development is well screened from these units by the tree belt on the northern boundary. Both units have their parking areas closer to the development. There are likely to be some views into the site, and visitors would be aware of the project. However, I do not consider that any serious harm would result to the occupiers of these premises.

56. To the south of the site is the farmhouse at Rockery Farm. It is the dwelling located closest to the site at 9m. The solar panels are set to begin 30m in from the southern boundary, again providing 40m between the dwelling and the panels. The southern boundary is existing hedging, which does thicken and increase in height by the farmhouse. The applicant has not indicated any plans to strengthen the planting in this area as it would be directly south of the panels. The property has windows in its facing elevation, and would again have good views of the site. However, I again do not consider that any serious harm would result to the occupiers of this dwelling.
57. The above comments are all made without consideration of noise generated from the site and particularly the transformers and inverters. A noise survey was submitted by the applicant. Members will be updated on the comments of the Acting Environmental Health Manager in this respect.

*Impact upon Users of Bourn Airfield*

58. The applicant has provided an assessment of the impact of flying operations at Bourn Airfield, located to the northeast of the application site. It concludes that solar photovoltaic panels are designed to absorb rather than reflect light, and reflected light (2%) would be significantly less than sun glare than from direct sunlight.
59. A consultation letter was sent to the Flying School on 7th January, and no response was made. Consultations have also been sent to Cambridge Airport and the Civil Aviation Authority. Members will be updated on any comments received. There are examples of panels located adjacent to airfields, such as in Saarbrücken in Germany which suggest that there should be no objection in principle.

*Impact upon Highway Safety*

60. The application is supported by a Construction Method Statement that provides details of the anticipated construction programme for the solar farm. Construction is expected to last 16 weeks. The predicted number of Heavy Commercial Vehicles (HCV's) expected to visit the site during this time period is 93, totalling 186 HCV traffic movements. An expected 34 HCV movements are expected in the peak week (construction week 8). A mobile crane would also be needed to transfer the inverters from the lorry to the site. There would be between 40 and 70 staff on site during construction, who would arrive at the site on their own accord.
61. The comments from the Local Highways Authority are noted. The Construction Method Statement is a good basis for analysis, although additional information is required to ensure no harm is caused to the public highway. The Local Highways Authority has confirmed that this can be achieved through a planning condition. A further condition requiring details of the routing of all traffic associated with the works can be added to any approval, and this can incorporate requirements for HCV's to enter and exit the site from/to the north only.
62. The application does show an access way cutting through the tree belt to the north of the site, allowing access into the site from the Grange Farm access road. This access onto Broadway has not been assessed regarding its

capacity for HCV's, and therefore it shall only be used for smaller maintenance vehicles rather than construction vehicles. Larger vehicles are likely to block Broadway when turning in and out of the site. The applicant has stated that parking for workers during the construction phase would be available on the site, likely to be in the southeast corner. This has not been shown in plan form, and a condition can ensure a designated parking area is used to ensure no parking takes place along Broadway.

#### *Loss of Agricultural Land*

63. 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 majority of the site is grade 3 (good to moderate quality) agricultural land, although the westernmost section approximately 90m from Broadway is grade 2 (very good quality) land. Grade 3 land is described as "land with moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield. Where more demanding crops are grown yields are generally lower or more variable than on land in grades 1 and 2", whereas grade 2 land is "land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1" (<http://www.defra.gov.uk/foodfarm/landmanage/land-use/documents/alc-guidelines-1988.pdf>).
64. 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.
65. 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, after which the land can be restored back to agricultural. 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 2 and 3 agricultural land.

#### *Ecology Considerations*

66. The application is supported by a Phase I Habitat and Ecological Scoping Survey, which drew a number of conclusions following an investigation of the site. The field margins, hedgerows and lowland deciduous woodland are

considered priority habitat, and care should be taken to ensure minimum impact to these areas. It is recommended the land be kept under arable management to keep the site clear of vegetation and thus supporting breeding birds. The solar panels may deter some bird species using the site, although only a small number of ground nesting birds would use the site, so any loss is not considered significant. There is a badger sett adjacent the site boundary, and works within 20m should be carried out under ecological supervision and use light machinery only.

67. The comments from Natural England and the Council's Ecology Officer are noted. Whilst the Scoping Survey does provide information about potential impacts upon the site, a condition seeking a Biodiversity Management Plan is suggested, and can be justified in order to ensure the minimal risks and habitat to be created are done to an agreed plan. This Plan can also ensure that care is taken for works in the proximity to the badger sett. A condition should also be added to confirm the management of the land following erection of the panels. The Ecology Officer notes that future ecological monitoring of the site regarding noise should take place. A planning condition is not considered necessary for this issue, although it should be encouraged through an informative and could produce information to aid future solar farm applications.

#### *Other Matters*

68. The comments from the Council's New Communities Team Leader are noted. This would involve consultation between the applicant and Parish Council to locate a community building that would be suitable for photovoltaic panels to be added to the roof. This would be funded by the applicant to create a community benefit for the village as a result of the proposal, with the works to be potentially completed alongside the Broadway development.
69. Whilst the principle behind this idea is appreciated, there are practicality concerns as to how this would be achieved in this instance. 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. In line with advice in Circular 05/2005, the suggestion cannot be made a requirement of permission being granted and cannot therefore be a material consideration in the consideration of the application. 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. Critically and in line with the advice in Circular 05/2005, the suggestion cannot be made a requirement or permission being granted and cannot therefore be a material consideration in the determination of the application. The applicant states there would be social benefits from community pride, educational opportunities and longer-term health and quality of life benefits.
70. 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.

71. The comments from the County Archaeology Team are noted, and a condition can be added to any consent.

#### *Conclusion*

72. The application needs to balance the benefits of the creation of a renewable energy project against the harm that it would create to the countryside and the residential amenity of the occupiers of the adjacent dwellings. It is my view that the balance lies in favour of the approval subject to safeguarding conditions set out below.

#### **Decision/Recommendation**

73. Delegated approval, subject to comments from the Conservation Officer, Go-East, the Civil Aviation Authority and Marshalls Airport. If approved, conditions would be required regarding the start time for implementation, the plans to be approved, the construction phase method statement and routing arrangements, parking for workers during construction, a Biodiversity Enhancement Plan, a detailed landscape plan and implementation condition, archaeological investigation, noise levels, management of the land during use, and decommissioning and land restoration details.

#### **Informatives**

Given the level of proposed Heavy Commercial Vehicles (HCV) using the Broadway, the Local Highways Authority would require that a condition survey be undertaken with a representative of the Local Highways Authority and that any damage caused by the increased HCV traffic will be repaired at the developer's expense.

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.

Paragraphs 4.41 and 5.11 of the Phase I Habitat and Ecological Scoping Survey suggest post-development monitoring of the site is carried out to determine whether the presence of noise sources on site affects bird foraging or nesting behaviour. Such monitoring is to be encouraged, with the results made available to the Council.

**Background Papers: the following background papers were used in the preparation of this report:**

- **Planning Policy Statement (PPS) 1: Delivering Sustainable Development, PPS Planning and Climate Change – Supplement to**

**PPS1, PPS7: Sustainable Development in Rural Areas, PPS22:  
Renewable Energy & PPG24: Planning and Noise**

- **Local Development Framework Development Control Policies 2007.**
- **East of England Plan 2008**
- **Development Affecting Conservation Areas SPD – adopted January 2009, Trees and Development Sites SPD – adopted January 2009, Biodiversity SPD – adopted July 2009, Listed Buildings SPD – adopted July 2009, Landscape in New Developments SPD – adopted March 2010 & District Design Guide SPD – adopted March 2010.**
- **Circular 11/95 – The Use of Conditions in Planning Permissions**
- **Circular 05/2005 - Planning Obligations**
- **Planning Ref Files: S/2205/10, S/2198/10, S/1151/10 and S/1004/09/F**

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