

P/15/0540/OA

MS L HANSLIP

WARSASH

AGENT: PAUL AIREY PLANNING
ASSOCIATES

INSTALLATION OF 2820 PHOTOVOLTAIC PANELS AND USE OF EXISTING OFFICE BUILDING FOR INSTALLATION OF INVERTER & CONTROL EQUIPMENT (OUTLINE APPLICATION)

EGMONT NURSERIES BROOK AVENUE WARSASH SOUTHAMPTON HAMPSHIRE
SO31 9HN

Report By

Richard Wright - direct dial 01329 824758

Site Description

The application site comprises an area of countryside around 1.9 hectares in size and located on the northern side of Brook Avenue, Warsash. Approximately 60% of the site is covered by derelict buildings, glasshouses and hard standing and was used up until the 1990s as a commercial nursery. A horse paddock forms a considerable portion of the site in its north-western corner. Adjacent to the northern site boundary is Holly Hill Woodland Park.

Residential properties fronting Brook Avenue lie close by as does the small housing development at Yorkdale (to the immediate west of the application site).

Description of Proposal

This application is presented in outline form with all matters reserved. Permission is sought for 2820 photovoltaic panels and the use of an existing office building to house associated inverter and control equipment. The scheme would create a 700 kW system capable of producing approximately 2.4 million kWh per year of electricity.

The proposed site plan shows an indicative layout of the solar panels. The plan shows a series of solar arrays arranged in an east west alignment and facing south. Because the application is in outline form exact details on the scale and appearance of the solar panels are yet to be provided. However the supporting statement submitted with the application suggests that it is likely that each solar array (a separate structure holding a group of solar panels) would cover an area of approximately 3.3 x 12.3 metres. The panels could be tilted at 15 degrees from the horizontal so that they had a maximum height of around 1.7 metres above ground level.

Between the solar panels and the northern site boundary a buffer of open space is proposed. Access to the site would continue to be provided via the hard surfaced driveway onto Brook Avenue.

The application is supported by Phase I and Phase II ecology studies, a site contamination report and a Glint & Glare Assessment.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

DSP56 - Renewable Energy
CS5 - Transport Strategy and Infrastructure
CS14 - Development Outside Settlements
CS16 - Natural Resources and Renewable Energy
CS17 - High Quality Design

Development Sites and Policies

DSP2 - Environmental Impact
DSP13 - Nature Conservation
DSP56 - Renewable Energy

Relevant Planning History

The following planning history is relevant:

<u>P/09/0126/FP</u>	ERECTION OF SINGLE STOREY REAR EXTENSION TO EXISTING OFFICE BUILDING TO PROVIDE WC FACILITIES
	PERMISSION 08/04/2009
<u>P/06/0982/CU</u>	Change of Use of Building to Office (Non Agricultural)
	PERMISSION 19/10/2006

Representations

Three letters have been received in objection to the application and raising the following planning considerations:

- Potential for glare to affect neighbouring properties
- Visual impact of solar panels
- Solar panels not in keeping with character of area
- Site is within the countryside and the proposal conflicts with Policies CS14 & DSP56
- Increase in traffic
- Wear and tear on Brook Avenue
- Effect on protected species
- Negative effect on Holly Hill
- This will change the site from green field to brown field enabling future residential development on original green space over time

Two other letters have been received with the following further comments:

- Concern over problems with increase in traffic and lack of space for vehicles to turn
- Reassurances needed that nearby residents would be screened from the panels by keeping established trees and planting hedging

One additional letter has also been received stating support for the proposal but requesting that attention should be given to reduce any risk of glare being an issue for residents.

Consultations

Director of Planning & Regulation (Environmental Health) -

The information provides a thorough consideration of the potential effects of Glint and Glare

from the proposed solar farm. The findings of the report are satisfactory to conclude that the proposed development will be unlikely to significantly affect the nearest properties. There are no objections to this proposal.

Director of Planning & Regulation (Trees) -

No objections subject to the submission of a tree protection method statement.

Director of Planning & Regulation (Ecology) -

Regarding decommissioning: The life of the solar farm is likely to be 25 years. It is therefore important that the decommissioning phase is properly dealt with, as the management of the site during its operational life would appear to provide benefits to biodiversity, and the decommissioning work would appear to have a high potential to impact on any important features that develop over this period. In particular, the site could well become a well-used and important resource for reptiles, and the decommissioning work would appear to have a high potential to affect reptiles that would be using the site at that time.

It is not possible to know what the legislative regime for protected species, or the conservation status would be in 25 years time, and therefore it is difficult to be able to provide or secure a detailed decommissioning programme to address potential nature conservation issues.

However I would advise that a condition be added to any planning permission regarding the habitat management plan should also secure the submission and approval of a detailed mitigation scheme prior to decommissioning taking place. This is likely to require inclusion of update survey work and a working method statement that includes details of how impacts identified through the update surveys would be addressed (avoided, mitigated and compensated as appropriate). It should also include measures to demonstrate that upon completion of the decommissioning, the site would have greater biodiversity value than the current condition.

Suggested conditions: habitat management plan, reptile mitigation strategy, Construction Environment Management Plan, scheme of lighting. Suggested informative note: birds nesting season.

Hampshire County Council (Minerals Safeguarding) -

In this instance, since the proposed site area covers an area of less than three hectares the potential loss of safeguarded mineral resources through sterilisation is minimal.

The submitted Planning, Design and Access Statement submitted alongside the application outlines through Para. 7.2 that the proposed development is likely to have a operational life of 25 years. Assuming that the installed apparatus associated with the development is there after disassembled and ground conditions returned to previous state, the proposal would not permanently sterilise potential viable resources for future use.

Hampshire County Council therefore have no objection to the proposal.

Planning Considerations - Key Issues

i) National planning policy on development for the provision of renewable energy

The National Planning Policy Framework (NPPF) provides the national guidance base for planning decision making. The framework sets out a presumption in favour of sustainable development which should be seen as a golden thread running through decision making. By their nature proposals for the production of renewable energy contribute towards this overall aim of sustainability.

One of the core planning principles set out in the framework is to:

"support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)" (paragraph 17 of the NPPF).

Expanding further from this point the framework states:

"To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources."

Paragraph 97 of the NPPF states that in order to increase the use and supply of renewable and low carbon energy, local planning authorities should consider identifying suitable areas for renewable and low carbon energy sources.

and,

"When determining planning applications, local planning authorities should:

not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas." (paragraph 98 of the National Planning Policy Framework).

It is very clear from the National Planning Policy Framework that the Government's position is that in principle there is strong support for renewable proposals of this type. It is also clear that Local Planning Authorities should not focus on matters such as the need for the renewable energy nor the efficiency of one type of energy over another, but rather, whether or not there are any harmful impacts arising from the development which cannot be mitigated against.

The Planning Practice Guidance government website provides more detailed guidance on development of renewable and low carbon energy generation. This guidance amongst other matters provides a list of particular planning considerations in relation to large ground mounted PV installations, including:

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that 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 and on neighbouring uses;
- 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;
- 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.

The guidance further suggests that important factors in considering sites can be the availability of grid connection and cumulative impact.

ii) Local planning policy

The whole of the planning application site is within an area defined as countryside on the adopted Proposals Map.

Policy CS14 (Development Outside Settlements) of the adopted Fareham Borough Core Strategy states:

"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure..."

Policy DSP56 of the adopted Fareham Borough Local Plan 2: Development Sites and Policies provides more specific advice and states:

"Proposals for renewable and low carbon energy development should ensure that there are no significant negative impacts upon:

- i. The character and sensitivity of the surrounding landscape and designated landscape features;
- ii. Designated and undesignated heritage assets;
- iii. Ecology, including the habitats or flight paths of birds and bats and designated biodiversity sites, species and ancient woodland (where appropriate);
- iv. The amenity (including air quality, waste and noise) of local residents and businesses;

and

v. Traffic arising from the maintenance of the development and/or, where appropriate, the transportation of fuel.

Proposals for solar or wind energy development should have due regard to the areas identified as being least constrained, as shown on the maps in Appendix H [of the Local Plan Part 2]. Proposals outside of these areas should be accompanied by suitable justification in order to demonstrate their suitability.

Solar energy developments that enable the continued agricultural use of the land during operation will be preferred."

iii) Principle of development

Having regard to the national planning policy position, Officers acknowledge that there is strong Government support for developments of this type. Similar local support in principle is also found in Policy DSP56 of the Local Plan Part 2.

The majority of the site lies within an "Areas of Least Constraint for Solar Energy" as identified in Appendix H of the Local Plan Part 2 with only the southern periphery being excluded due to its proximity to residential properties. This does not mean that the southernmost section of the site is not appropriate for this type of development but that its suitability for such proposals should be demonstrated to accord with Policy DSP56. The application is supported by various pieces of information, including a Glint and Glare Assessment, and the specific impacts arising from the development are discussed later in this report.

The site lies entirely outside of the defined boundary of the urban area. Whilst solar panels in themselves do not specifically require a countryside location, locating a site of sufficient scale within the urban area, will prove extremely difficult if not unlikely. Members will also be aware that even if such a site did exist within the urban area there would be strong competing interests for other forms of development such as residential and/ or employment development.

Officers do not believe an objection can be substantiated to the principle of such a development in the countryside and in principle therefore the proposed solar arrays are considered to be acceptable. The potential impacts arising from the proposal on this specific site are discussed in greater depth within the following report.

iv) Visual effect on character of the area

The application is presented in outline form and the applicant wishes for all other matters, including the scale and appearance of the solar panels, to be reserved for subsequent approval at a later date. Notwithstanding, Members must be satisfied that there would be a reasonable prospect of those details submitted as reserved matters being found acceptable.

The site is partially covered with derelict glasshouses and other structures owing to its former use as a commercial nursery. These structures are proposed to be removed to make way for the new solar panels, which the applicant has indicated could potentially stand considerably lower at a maximum height of 1.7 metres. In comparison it is considered that the solar panels would enhance the character and appearance of the

surrounding area.

Not all of the site has previously been developed and the proposal involves the placement of solar arrays on land within the northern section of the site currently used as paddocks and fields. Nevertheless, the development is not considered harmful to the landscape character of the wider area due to the fact that there would be only limited views possible of these particular areas from outside of the site or publicly accessible vantage points. Existing hedgerows around the site are to remain and be enhanced where necessary to provide adequate screening. A 2.1 metre high wire mesh fence is also intended to be erected around the site for security purposes. Provided this is accompanied by suitable hedgerow planting this is not considered likely to be harmful to the appearance of the land as in time the new and existing planting would grow through the mesh to form a robust boundary which appears natural but has the benefit of the extra security provided by the fencing.

Subject to consideration of the appearance of the solar panels as a reserved matter, it is not expected that there would be any harmful effect on the character of the countryside and the development is found to be in accordance with those relevant parts of the local plan, including Policies CS14, CS17 and DSP56.

v) Ecology

The applicant has submitted Phase I and II ecology reports and the Council's Ecologist has provided comments on the proposal.

There are no anticipated impacts in relation to the adjacent Local Nature Reserve and Site of Importance for Nature Conservation (Ancient Woodland). The application proposes a 15 metre buffer between the solar panels and the site's northern boundary with these designated sites with the aim being to ensure that foraging and commuting bats are not impacted.

The Council's Ecologist has recommended that planning conditions be imposed to secure adequate reptile mitigation, a Construction Environment Management Plan to avoid impacts on badgers during construction and a scheme of lighting so as to minimise impacts in particular on bats. A further planning condition requiring details of a habitat management plan is also suggested in order to demonstrate how the site would be managed throughout the lifetime of the solar farm to ensure that when it is decommissioned the site would have greater biodiversity value than at present.

Subject to those conditions being imposed the proposal is considered to accord with Policies CS4 and DSP13 of the adopted Core Strategy and Local Plan Part 2 respectively.

vi) Living conditions of neighbours

Several nearby houses have gardens abutting the application site and lie in close proximity to the location of the proposed solar panels.

A Glint and Glare Assessment has been provided by the applicant to demonstrate that the impact of such from the solar panels would not be harmful to residents living close by.

The assessment concludes that it is expected there would be only a minor impact on residential amenity as a result of solar reflections experienced by seven nearby properties.

The Council's Environmental Health officers have responded to state that they are satisfied with the findings of the assessment and have no objections to the proposal. It is not considered therefore that glint or glare from the proposed panels would be materially harmful to the living conditions of residents living nearby to the site.

vii) Traffic

Only occasional visits to the site would be required to carry out maintenance to the solar panels. No staff are required to be on-site to operate the solar farm. The traffic movements to and from the site are therefore considered to be negligible and there would be no harm to the safety and operation of Brook Avenue.

viii) Other matters

In the event of planning permission being granted, concerns have previously been raised as to whether it would make it difficult for this Authority to resist other types of development on the application site.

At present the site would not fall into the definition of 'previously developed land' given in the National Planning Policy Framework (NPPF), which excludes land that has been occupied by agricultural buildings. The question has been raised over whether the proposal, if granted, would change this and lead to the whole of the area of the site covered by solar panels subsequently being classified as 'previously developed land'.

The applicant has stated that the life of the solar farm is likely to be 25 years. However the application does not seek a time limited permission and even if a planning condition was used to limit the period over which the land could be used in this way the applicant could seek further permission to extend this period in the future. The solar farm does have a degree of permanence over a lengthy period of time and if the development was carried out the site would arguably be defined as previously developed land.

Even if the site was considered to be previously developed land however, this would not override the countryside planning policy allocation which would continue to apply. Any alternative development at the site would need to be fully assessed against the countryside policies along with other relevant national and local planning policies in place at that time.

In light of this Officers do not believe that granting planning permission for the solar farm would undermine this Authority's planning position if other forms of development were proposed on this site. Likewise granting planning permission here would not set a precedent which would allow solar proposals within other countryside locations within the Borough. Any other schemes would need to be assessed on their individual merits having regard to any constraints on the sites on which they are proposed.

Officers do not believe an objection to the proposal could be sustained on the basis that it would be difficult in the future to prevent alternative development at the site.

Conclusion

The proposed solar farm would not be expected to materially harm the character or appearance of the area, would not result in unacceptable levels of traffic and would have no material adverse impacts on protected species or habitats. The minor impacts on the living conditions of residents nearby described by the submitted Glint and Glare Assessment are not considered to be significant enough to outweigh the positive contribution the scheme

would make towards the provision of renewable energy.

The proposal is considered to accord with the strategic aims of the National Planning Policy Framework in regards to the enabling of development for providing renewable energy and the relevant policies contained within the adopted Fareham Borough Local Plan, including Policies CS4, CS5, CS14, CS16 & CS17 of the adopted Core Strategy and DSP2, DSP13 & DSP56 of the Local Plan Part 2.

Recommendation

Subject to planning conditions to be presented in a written update to Members prior to the committee meeting:

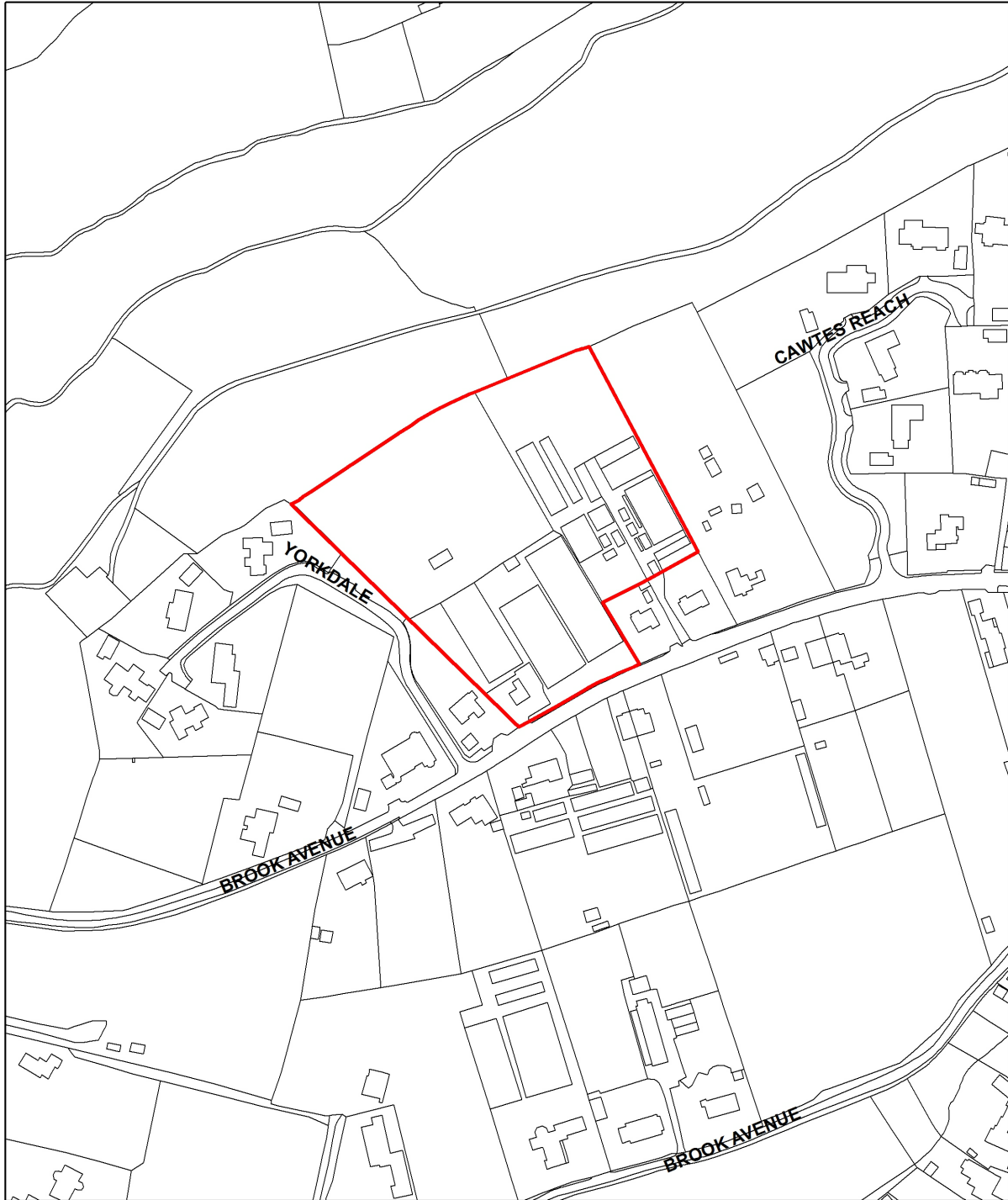
GRANT OUTLINE PERMISSION

Background Papers

P/15/0540/OA

FAREHAM

BOROUGH COUNCIL



Egmont Nurseries
Scale 1:2500

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2015

