

PLANNING APPLICATION REPORT

Case Officer: Matthew Jones

Parish: Buckland Monachorum **Ward:** Buckland Monachorum

Application No: 0958/16/FUL

Agent/Applicant:

Tamar Energy Community
Rock View
2 Devon Consols
Tavistock
PL19 8PB

Applicant:

Buckland Monachorum Parish Council
Gulls Cry
Courtenay Road
PL19 0EE

Site Address: Land West of Seaton Way, Crapstone, Yelverton, PL20 7UZ

Development: Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

Reason item is being put before Committee: The ward member has requested that this application be taken to Planning Committee due to concerns regarding the impact of the proposed development on the environment



Recommendation: Conditional approval

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted as part of the planning application, full details of a Landscape Plan shall have been first submitted to and approved in writing by Local Planning Authority. The Plan shall include:

- (a) the location, number, species, density, form and size of all proposed tree and hedge planting and approved means of enclosure;
- (b) the method of planting, establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting for a minimum period of 25 years;
- (c) a timetable for the implementation of the agreed Landscape and Ecological Enhancement Plan.

All elements of the approved Landscape Plan, including the approved timetable, shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity and local landscape character

4. Prior to the commencement of development, details of a scheme for the provision of surface water management shall have first been submitted to and agreed in writing by the Local Planning Authority. The details shall include:

- Details of the drainage during the installation of the array
- Details of the final drainage scheme
- A timetable for construction

The development shall take place strictly in accordance with these details and maintained in perpetuity thereafter unless the Local Planning Authority gives written permission to any variation.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control

5. Prior to the commencement of development, full details of the specification for insulation to the switch room shall be submitted to and agreed in writing by the Local Planning Authority. The insulation measures shall be installed in strict accordance with the approved details prior to the first use of the solar array hereby approved

Reason: To ensure that the development maintains an acceptable impact on the amenity of neighbouring dwellings.

6. No external artificial lighting shall be installed during the operation of the site as a solar PV facility without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

7. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted as part of the planning application, full details of an Ecological Enhancement Plan shall have been submitted to and approved in writing by Local Planning Authority. The EEP shall include:

- (a) arrangements for stripping, storage and re-use of top soil;
- (b) the location, number, species, density, form and size of the proposed wildflower meadow;
- (c) the method of planting, establishment, protection and maintenance of the meadow for a minimum period of 25 years;
- (d) a timetable for the implementation of the agreed EEP

All elements of the approved Ecological Enhancement Plan, including the approved timetable, shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity, wildlife and local landscape character

8. Prior to the commencement of development, details of the relocation and/or replacement of the goalposts shall first be submitted to and approved in writing by the Local Planning Authority. The goalposts shall be removed and replaced/relocated and the means of enclosure along the entirety of the east boundary of the site erected, prior to the first use of the solar array hereby approved.

Reason: To ensure that the solar array does not prejudice use of the adjacent public amenity land

9. When the land ceases to be used as a photovoltaic park for renewable power production or, at the end of the period of 25 years from the date of grid connection (such date to have been given to the Local Planning Authority within one month of grid connection), whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its previous state or as otherwise agreed, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority prior to the decommissioning works taking place. Such details shall include the time scale for decommissioning.

Should any of the individual solar panel(s) not commence exportation of electricity to the grid for a continuous period of 6 months from the date of first installation (such installation date having been notified in writing to the Local Planning Authority upon commencement of installation), or thereafter ceases to export electricity to the grid for a continuous period of 6 months, the solar panel(s) and the relevant associated infrastructure shall be removed from (that part of) the site and the land restored to its previous use all within three months from the cessation of that 6 months period, in accordance with a scheme of restoration that has been previously submitted to and approved in writing by the Local Planning Authority.

Reason: The application has been assessed in accordance with the details submitted by the applicants, taking into account the benefits of the production of renewable energy. At the end of the design life of the development the land should be restored in order to protect the visual amenity and character of the surrounding countryside.

10. Construction work and deliveries shall be restricted to Monday to Friday 8am until 6pm; Saturday 8am until 1pm. No work or deliveries shall take place outside of those hours. There shall be no work or deliveries on Sundays or Bank Holidays.

Reason: To ensure that the development maintains an acceptable impact on the amenity of neighbouring dwellings.

Key issues for consideration:

The main issues are the benefits of providing renewable energy, the visual impact of the proposal, any impact on the integrity of adjacent recreational uses, contaminated land and drainage.

Site Description:

The site is within the Crapstone Development Boundary and is not designated, within the Local Plan, as an important public open space.

The site is currently long grass and appears to be used informally for the keeping of horses. It is unlikely that it is currently used for community recreation. There is also a utilitarian structure probably associated with the former Royal Navy use of the land. Submitted plans show that a number of RN structures have been removed from the land.

There was an application for change of use to leisure in 1992 but it is not clear if the specific land within the site boundary was ever physically changed to achieve this, or, if it was, one could also speculate that its use as a paddock has subsequently changed the use of the land back to agriculture. In any case, the land is currently unkempt and not currently fit for purpose as a public amenity space.

The site is within the Tamar Valley Area of Outstanding Natural Beauty.

The Proposal:

Planning permission is sought for the development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each.

The panels are to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

Consultations:

- County Highways Authority

No objection

- Tamar Valley AONB

No objection

- The National Trust

No objection subject to condition requiring reinforcement of boundary treatments

Representations

21 letters of representation have been received at the time of writing this report, 19 objecting to the scheme, one not committing either way and one letter in support. Concerns raised within the submitted letters of objection are summarised as follows:

- The site notices have not been posted properly
- The applicant has circulated a misleading letter, and has not costed the community properly
- The keeping of horses is more financially viable
- The land is contaminated
- Could cause a safety hazard to the children
- The site is within the AONB
- Will be unsightly causing industrialisation of village
- Will affect private views and property values
- Will be visible from PRowS, particularly during winter months
- Will prevent and prejudice recreational use of land
- Has an ecological survey taken place?
- Will increase drainage issues
- The land should be used as a BMX circuit

Comments made in support of the proposal are as follows:

- Will generate equivalent energy to power 25 homes
- The community will benefit financially
- A fence will protect the children
- A wildflower meadow could be planted
- The site will not be visible from the wider AONB

Relevant Planning History

RN/3/32/1099/1997/98 – Royal Navy Storage Facility– Renewal of change of use to sport and leisure
– Conditional approval

Analysis

Principle of Development

The site is within the Development Boundary for the village.

There is a strong presumption within planning policy at the national level and the local level for the support of renewable energy schemes, particularly those which are community led, as is the case here. The Framework also specifies that even small scale installations can make a valuable contribution to the provision of renewable energy.

Effect on recreational land

The comments made regarding the loss of recreational land are noted. However, the site is currently formed of what appears to be land informally used for the keeping of horses or otherwise left as scrub land. The grass is long and dense and precludes any sustained recreational use. Therefore, the proposal will not lead to the loss of currently useable public recreational land.

Even if the land was considered to be contributing to recreational facilities for the village, its loss would not be so significant as to warrant an objection; the remaining recreational land is considered to be appropriate in size to serve the community.

Officers would also question the appropriateness of using this land for recreation, owing to its current state and land contamination issues which have been raised by some third parties.

It is important, however, that the existing, adjacent recreational use is protected. This can be achieved by the imposition of a planning condition requiring additional detail regarding the specification for the means of enclosure, to ensure errant footballs will not commonly fly onto the site, and to prevent encroachment onto the site by a child or any third party who may wish to retrieve a football.

Visual impact within the AONB

The proposed array is on land which is very well screened from wider view. If glimpsed through the not insignificant trees and vegetation surrounding the site, the panels will appear immediately within the setting of the modern housing estate around Seaton Way.

However, third parties are correct to raise views from the nearby PRow as a potential issue during the winter months, and therefore it is considered reasonable to impose a condition requiring a landscape plan showing the augmentation of existing boundary treatments, where necessary, prior to the commencement of development.

Although it will be visible in its immediate context, this is in an area which is very contained and is overtly domestic, with the housing, football field and play park, and also includes a utilitarian building which is a remnant of the heavily developed former use of the site as a storage facility for the Royal Navy.

Overall, the placement of panels onto this land will not harm the character and appearance of the Tamar Valley AONB. The AONB unit is not objecting to this proposal, nor are the Council's landscape officers.

Neighbour Impact

Due to the orientation of the panels southwards and the distance from neighbouring dwellings the proposal is not considered to render a harmful impact on residential amenity. In addition, the switch room will be located within an existing building which can be insulated to prevent unacceptable noise, and this can be secured through condition. No external lighting is proposed, and a condition is reasonably imposed restricting any in the future, unless otherwise agreed in writing.

Land contamination and drainage

This is an appropriate style of development for land with contamination issues, as the panels are simply pinned to the land with minimal intrusion, and the use prohibits a more sensitive land use, such as residential or recreational.

The panels will minimally increase the speed of surface water runoff. However, the surrounding land is within the control of the applicant and a proportionately sized SuDS can be easily achieved, and the specification for the controlling of surface water runoff can be secured by way of planning condition.

Ecology

The application is accompanied by a wildlife trigger table which is considered by officers to be proportionate to the scale and impact of the development. The panels are simply pinned to the land and do not themselves present any significant threat to ecology, certainly no greater than simply clearing or mowing the land, which can be carried out without planning consent.

In addition, the submission suggests the planting of a wildflower meadow which will mimic or better the ecological contribution of the current long grass, and this detail can be secured through planning condition.

Other matters

The Local Planning Authority has correctly and fully discharged its obligation to advertise the application to the public and statutory consultees.

The consistency or completeness of any consultation exercise separately undertaken by the applicant is not a matter for the Local Planning Authority.

The potential effect of this scheme on private views and property values is not a material planning consideration.

Highways infrastructure is adequate to construct and to serve the development. The highways officer is not objecting.

Conclusion

This is, relatively speaking, an extremely small solar installation proposed in a discreet and well-chosen location where it will have a neutral impact on the landscape and wider AONB designation. Concerns regarding other issues, such as drainage, can be satisfactorily resolved by way of planning condition.

Overall, the very small scale environmental harm associated with the visual impact of the proposal within its immediate context is outweighed by the social, economic and environmental benefit of its associated renewable energy production.

This application is therefore recommended for approval subject to appropriate conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

West Devon Borough Council Core Strategy 2011

SP1 – Sustainable Development
SP3 – Renewable Energy
SP4 – Infrastructure Provision
SP5 – Spatial Strategy
SP13 – Community Services and Facilities
SP17 – Landscape Character
SP18 – The Heritage and Historical Character of West Devon
SP19 – Biodiversity
SP20 – Promoting High Quality Design
SP21 – Flooding
SP24 – Sustainable Rural Communities

West Devon Borough Council Local Plan Review 2005(as amended 2011)

NE10 – Protection of the Countryside and Other Open Spaces
BE1 – Conservation Areas
BE2 – Conservation Areas
BE3 – Listed Buildings
BE4 – Features and Artefacts of Local Importance
BE5 – Important Open Space within Settlements
BE13 – Landscaping and Boundary Treatment

BE19 – Development on Contaminated Land
H26 – Open Space Provision in New Residential Developments
PS2 – Sustainable Urban Drainage Systems
PS9 – Transmission and Distribution of Electricity

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.