

PLANNING APPLICATION REPORT

Case Officer: Tom French

Parish: Jacobstowe **Ward:** Exbourne

Application No: 4058/16/FUL

Agent/Applicant:
Miss Claire Harness
Badger Farm,
Willowpit Lane
Hilton
Derby
DE65 5FN

Applicant:
Mr & Mrs Samuel
Risdon Farm
Okehampton
EX20 3AJ

Site Address: Risdon Farm, Devon, Okehampton, EX20 3AJ

Development: Installation of a 13.2kW ground mounted photovoltaic array

Reason item is being put before Committee: The applicant is a member of this authority.



Recommendation: Conditional approval

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. The additional planting shown on the approved plans shall be provided in the first available planting season following the Photo Voltaic panels hereby approved being installed. All elements of the approved Landscape Plan 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. 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.

Key issues for consideration:

The main issues are the benefits of providing renewable energy and the visual impact of the proposal.

Site Description:

The site consists of an agricultural holding, which extends to approximately 205 acres and is primarily used for dairy and free range egg production. An educational facility is also within the farm holding.

The Proposal:

The development proposed is the installation of a 13.2kW Ground Mounted Photovoltaic array at Risdon Farm.

The array would consist of 50 photovoltaic panels (PV's).

The farm and associated buildings would utilise the electricity generated by the PV's. Electricity not used on site would be exported to the National Grid, providing a wider community benefit.

The PV's would be laid 2PV's high, portrait format in 1 row orientated east to west, facing south. The PV's are installed with a 20mm spacing between each module to allow for expansion.

The PV's are set at an angle of 30 degrees. This orientation and pitch maximizes the electricity generated by the PV's.

The front edge would be fixed 1m from ground level.

Taking into account the 30 degree angle at which the PV's are laid, and the 1m from ground level, the top edge of the PV's would be 2.64m above ground level

Connection to the grid would be via underground cabling. The total length of the proposed cable would be approximately 30m. The trenching for the cable would be approximately 0.3m width, giving a total area of cable of 9m²

The total area covered by the PV's and associated infrastructure, would be 79.57m².

Consultations:

- County Highways Authority: No highways implications
- Environmental Health Section: None received
- Jacobstowe with Exbourne Parish Council: The Parish Council objects to this application because they feel it represents industrialisation of agricultural land.
- Landscape Officer: No objection on visual impact grounds, recommend some additional planting in existing hedgerows to mitigate views from nearby viewpoints.

Representations:

None received

Relevant Planning History

None relevant to this proposal

ANALYSIS

Principle of Development/Sustainability:

There is a strong presumption within planning policy at the national level and the local level for the support of renewable energy schemes, in addition the National Planning Policy Framework is supportive of development which promotes the diversification of agricultural and other land-based rural businesses.

The Framework also specifies that even small scale installations can make a valuable contribution to the provision of renewable energy. The proposal will support the current farming electricity usage, with any additional electricity exported to the National Grid, which provides a wider community benefit.

Design/Landscape:

Views are limited into the site, and from low sensitivity receptors ('A' road users) and the proposed development would not result in significant harm. The closest public viewpoints would occur from the A3072 to the north. The council's Landscape Officer has recommended that enhancing the planting in the existing hedge to the east of the proposed array would limit the views across to the PV's. The applicant has confirmed that the additional planting is acceptable and this has been conditioned to be provided.

Neighbour Amenity:

The nearest unrelated residential property to the proposed array is approximately 740 metres to the north of the proposed array. It is therefore considered that the proposal will not result in harm to the living conditions of the occupiers of any residential properties.

Highways/Access:

There is access from the public highway to the proposed site, the construction period for the development will be minimal and there are no highway safety issues arising from the proposal.

Other Matters:

The application has been submitted with a desktop ecological survey which concludes that there are no important bird areas, special areas of conservation and national nature reserves within a 2 km radius of the site. There is a Site of Special Scientific Interest (SSSI) 1.4km northwest of the application, it is considered that due to the distance from the site, the proposed PV's would not impact on this SSSI.

The proposed PV's do not result in additional surface water run-off and the site is large enough for the drainage to be accommodated onsite as is the current arrangement.

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 the scheme offers 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

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises (delete one list as applicable):

West Devon

- 2011 Core Strategy

- Proposals Map
- Settlement Maps
- 2005 Local Plan Review (as amended 2011)
- 2006 Reuse of Rural Buildings Supplementary Planning Document (SPD)
- 2007 Infrastructure and facilities to support new development Supplementary Planning Document (SPD)
- 2012 Affordable Housing Code of Practice
- 2013 South and South West of Tavistock Masterplan Supplementary Planning Document (SPD)
- 2013 Assessing the Impact of New Retail Development in West Devon Supplementary Planning Document (SPD)
- 2014 East of Okehampton Masterplan Supplementary Planning Document (SPD)

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation, with the pre-submission version formally approved by South Hams District Council, West Devon Borough Council and Plymouth City Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered to be consistent with the policies of the Framework, as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

Other material considerations include the policies of the Framework itself and guidance in National Planning Practice Guidance (NPPG).

West Devon Borough Council Core Strategy 2011

SP1 – Sustainable Development
 SP3 – Renewable Energy
 SP17 – Landscape Character
 SP24 – Sustainable Rural Communities

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

NE10 – Protection of the Countryside and Other Open Spaces
 BE13 – Landscaping and Boundary Treatment
 PS9 – Transmission and Distribution of Electricity

Joint Local Plan

SPT 1 – Delivering Sustainable Development
 SPT 11 – Strategic Approach to the Natural Environment
 TTV31 – Development in the Countryside
 DEV 15 – Supporting the rural economy
 DEV20 - Place shaping and the quality of the built environment

DEV24 - Landscape character
DEV35 – Renewable and low carbon energy

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.