
MAIN CASE

Proposal: Construction of solar energy farm, to include the installation of solar panels to generate up to 5MW of electricity, with on site equipment rooms and plant, access tracks, security fencing and cameras, education area, and other associated works.

Location: Land South Of Mingay Farm Twentypence Road Wilburton
Cambridgeshire

Applicant: Abbey Renewables Limited

Agent: Town Planning Services

Reference No: 10/00958/FUM

Case Officer: Penelope Mills

Parish: Wilburton
Ward: Stretham
Ward Councillor/s: Councillor John Seaman
Councillor Bill Hunt

Date Received: 22 November 2010 Expiry Date: 21 February 2011

[K252]

1.0 **EXECUTIVE SUMMARY**

1.1 The application seeks full planning permission for the construction of a solar energy capable of generating up to 5MW of electricity on land to the south of Mingay Farm, Wilburton.

1.2 This is a major application for a form of development that could be of wider public interest and as such it has been brought before the Planning Committee for determination.

1.3 The main issues for consideration are:

- The principle of development in the countryside and the policy issues surrounding renewable energy development;
- The Impact on Visual Amenity and the Character of the Countryside;
- The impact on Ecology and Biodiversity;
- The possible loss of Agricultural Land;
- Highways Issues; and,
- Flood Risk and Drainage Issues.

1.4 It is considered that a countryside location is appropriate for this proposal and that on balance there would be no significant adverse effects on visual amenity or the local landscape character. The development will make an important contribution to the reduction of carbon dioxide emissions and would raise no adverse effects on highway safety, ecology and protected species, flood risk or drainage. It would also result in significant biodiversity enhancements through a management regime that would encourage a wider range of flora and fauna to the site. The application is therefore recommended for approval.

2.0 **THE APPLICATION**

2.1 The application seeks planning approval for the construction of a solar energy farm generating up to 5MW of electricity.

2.2 The proposal involves the following elements:

- The installation of up to 57,120 Solar panels, each with a maximum height of 2.2 metres at the highest point, arranged in strings running east to west across the site, in a fixed position angled to the south. The panels would be mounted at around 0.8 metres from the ground at the lowest edge and would be fixed in place, tilted at around 25°.
- Prefabricated structures to house inverters and transformers and an equipment monitoring room;
- Secure fencing around the site
- Upgraded access to Twenty Pence Road and surfacing works to the Byway.

3.0 **THE APPLICANT'S CASE**

3.1 The applicants case has been put forward in the supporting Planning Statement, which can be found on the planning file and can also viewed online via public access <http://pa.eastcamb.gov.uk/online-applications>

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The application site comprises approximately 15 hectares of agricultural land to the south of Wilburton, close to the boundary of Haddenham Parish on land designated as Countryside in the East Cambridgeshire Core Strategy. The site is currently in arable production as part of a 300 hectare estate, managed and farmed by a local farm business. The site is accessed from the north via a track through an existing yard with agricultural buildings, which in turn is accessed from a Public Byway leading from Twenty Pence Road.

5.0 **PLANNING HISTORY**

5.1 No relevant planning history.

6.0 **REPLIES TO CONSULTATIONS**

6.1 **Ward Member**

Cllr Hunt - "I have studied this application and it is my intention to attend the Planning Meeting on 2nd February and speak as local member in support of this proposal. To provide enough electricity to supply a village the size of Haddenham from Solar energy has to be good news and I am also aware of other benefits that will flow to the Parish of Wilburton."

6.2 **Parish Council**

Haddenham – "the Parish Council would ask for confirmation that the route for the cabling to Aldreth sub-station will be via "green" pathways and not via Aldreth High Street."

Wilburton – No objections

6.3 **Neighbours**

Two nearby addresses notified and several site notices posted. No letters of representation received.

6.4 **Highways**

- A plan is required to show improved radii (10m –15m) and width (6m – 7.3 metres for the first 25m length) for the access where it joins Twenty Pence Road and the length over which a bound surface is proposed. The bound surface should be designed so that no surface water runs-off from the access on to Twenty Pence Road.
- Confirmation of the routing, parking, turning and unloading arrangements for construction vehicles.
- Suggested conditioned regarding: access width, access to County Council specification, arrangements for construction vehicles, access radii and surface water drainage

6.5 **Environment Agency**

No objection to the proposed development, but raised the following points for the applicant:

- Only clean, uncontaminated water may be discharged;
- No discharge of surface water contaminated with sediment;
- Should the need arise for the disposal of foul water of trade effluent the applicant should contact the Environment Agency;
- Planning approval would not cover any separate consent required by Environment Agency;
- Applicant should speak to Haddenham Level IDB.

6.6 **Environmental Health**

No comment or objection

6.7 **Green Infrastructure Officer**

- Overall I consider this project will not damage the ecological, physical or social landscape of the site. Alternatively, it will provide a new resource that links well

with a number of District and County targets concerning energy and sustainable development. The location and nature of the design would also minimise its impact of the local environment and could, if designed well, be a haven for wildlife.

- The site also has the potential to provide a long-term option for local energy production in East Cambridgeshire and could help to support a number of local projects and initiatives. The project though does need to be designed and constructed sensitively to lower any negative ecological impacts. From the plans submitted this seems to have been taken into account but caution in defining the finer details would be advisable.

6.8 **Cambridgeshire Archaeology**

- The Wilburton area has a high potential for the discovery of archaeological remains, which may be negatively affected by development. The area should be subject to an archaeological evaluation to provide a sufficient evidence base on which to present an informed decision to the planning authorities regarding the severity of construction impact on the archaeological resource.

6.9 **County Wildlife Trust**

- The proposal for the solar farm would be unlikely to have any negative effects on habitats and species on the main site, and we welcome the inclusion of some measures for ecological enhancements within the plans.
- The proposed route of the electricity cable runs through Fen Side Pollard Willows County Wildlife Site (CWS). This has the potential to have a negative impact on this CWS. However, should the proposal be given permission, if the installation of the cable follows the plans as given and runs down the middle of the access track, avoiding the pollard willows, and the adjacent ditch and hedges, we would be satisfied that negative impacts on the wildlife interest of the CWS could be avoided.

6.10 **Countryside Access Team**

No objection to the proposal, but raised the following points for the applicant:

- Access will be via Public Byway No. 10. The nearby farm track would have been preferred by this was rejected by Highways on safety grounds;
- The Byway must remain open for legitimate public users and unobstructed. Building materials must not be stored on it and contractors' vehicles must not be parked on it;
- No alteration to the surface of the Byway is permitted without the consent of the highway authority. We are expecting some work to be carried out to make the track suitable and it should then be restored to our satisfaction;
- The byway is subject to a seasonal Traffic Regulation Order to protect the surface from damage. The applicant may be provided with a key to access the byway when the barrier is locked.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

CS1 Spatial Strategy

- CS6 Environment
- EC5 Farm diversification
- S6 Transport impact
- EN1 Landscape and settlement character
- EN2 Design
- EN6 Biodiversity and geology
- EN4 Renewable energy
- EN7 Flood risk

7.2 **Regional Spatial Strategy – East of England Plan**

- SS1 Achieving Sustainable Development
- ENV3 Biodiversity and Earth Heritage
- ENV4 Agriculture, Land and Soils
- ENG1 CO2 emissions and energy performance

7.3 **National Planning Policy**

- PPS1 Delivering Sustainable Development
- PPS7 Sustainable Development in Rural Areas
- PPS9 Biodiversity and Geological Conservation
- PPS22 Renewable Energy

8.0 **PLANNING COMMENTS**

- 8.1 The application site is located outside the settlement of Wilburton on land designated as countryside in the East Cambridgeshire Core Strategy 2009. In such locations there is a strict control over new development, and it is generally restricted to that which is essential to the efficient operation of local agricultural, horticulture, outdoor recreation and limited other uses specified within the Core Strategy. In determining this application it is therefore necessary to consider whether the proposed development is acceptable, in principle, in a countryside location such as this.
- 8.2 In order to generate this level of energy, a solar farm requires a large expanse of land, which should be relatively level, and clear of obstructions that could introduce shadowing. Suitable sites of the required scale that are within settlement boundaries are limited, and would typically be better used for other types of development such as housing, or commercial/business use, where a close relationship to the existing settlement is important to encourage sustainable patterns of living and working and to reduce the need to travel by car. Following the construction phase, the amount of traffic generated by the solar farm would be minimal. As such, the fact that the site is in a relatively remote rural location would not result in any adverse issues of sustainability in terms of the number of vehicular movements.
- 8.3 Taking into account the nature of this type of renewable energy scheme, the size of land required for it to work efficiently and the limited number of vehicle movements it would generate, it is considered that the only sites that are likely to be appropriate will be in countryside locations and as such the location of this development could be acceptable.

- 8.4 In addition to the functional reasons why a countryside location might be acceptable for a development such as this, there is also significant policy weight to indicate that such proposals should be supported.
- 8.5 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.
- 8.6 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."
- 8.7 This National Policy stance is reflected in Core Strategy Policy EN4, which states that that renewable energy proposals will be supported wherever possible unless their wider environmental, social and economic benefits would be outweighed by adverse effects on the environment and amenity, key views, protected species and residential amenity.
- 8.8 The key issues for consideration in determining this application are:
- The Impact on Visual Amenity and the Character of the Countryside;
 - The impact on Ecology and Biodiversity;
 - The possible loss of Agricultural Land;
 - Highways Issues; and,
 - Flood Risk and Drainage Issues.

Provided that none of the above issues raise any adverse effects that could outweigh the significant benefits a renewable energy development of this scale would bring, the development should be supported

Visual Amenity and Character

- 8.9 The application site is located in the open countryside to the south of Wilburton and Haddenham. The surrounding land is mostly agricultural, predominantly arable, and is fairly flat, although the land begins to rise steadily to the north of the site and the Fen Side Byway to form a ridge upon which the villages of Haddenham and Wilburton are situated.
- 8.10 The site itself is partially enclosed by hedgerows, which vary in height between 1 and 3 metres, and contain a number of trees. In addition, just to the north of the site are the farm buildings of Mingay Farm and an outside storage area where straw bales are stacked. The existing degree of enclosure provided by the hedges together with the adjacent farm buildings, helps to minimise the visual impact of the development. The spacing between the panels allowing for significant areas of grass, the low height

and orientation of the panels, the matt finish of the panels and the neutral colours used, also helps to reduce the potential for adverse visual impact.

- 8.11 The applicant has submitted a Landscape and Visual Impact Assessment, which includes a selection of viewpoints, considered to be representative of the range of views and receptors around the site. The assessment identifies that whilst there would be some visual change at the local level, it would not necessarily be a harmful one, and the low profile of the panels and the height and colour of the associated fencing means that existing vegetation has the ability to screen and filter many potential views. The most significant effect was identified on the view from Fen Side, fairly close to the site. However, the ability to mitigate this, and the majority of the adverse effects, through additional planting within the existing site boundary hedgerows and through the implementation of new hedgerow, means that such effects would diminish over a relatively short time scale as the new planting begins to mature.
- 8.12 In terms of existing landscape elements such as the topography, trees and hedgerows it was found that as a result of the improved management and new planting, there could be a moderate beneficial effect. The development would also retain the key landscape characteristics such as boundary hedgerows and trees and the definition of the existing agricultural field in the landscape would be maintained.
- 8.13 On balance, whilst it would be visible from some points and would represent a new 'industrial' element in the landscape, it is considered that the development could be successfully assimilated into the surrounding landscape without any significant adverse effects on visual amenity or the character and setting of the area.

Ecology and Biodiversity

- 8.14 In order to assess whether the proposed development would have an adverse effect on any protected species or habitats the applicant has carried out an ecological assessment, which included a Phase 1 Habitat Survey of the site. This survey concluded that the site had an extremely low potential to support protected species, and as such, no further protected species surveys are considered to be necessary.
- 8.15 In terms of any protected sites, the closest nationally and internationally protected sites (Ouse Washes and Wicken Fen) are over 5km away and would not be adversely affected by the development. However, there are four County Wildlife Sites (CWS) in closer proximity to the application site, the closest of these being Fen Side Pollard Willows, approximately 650 metres west of the site. The application site, where the panels would be installed, is sufficiently distant from this site to ensure that they would not have any adverse effect.
- 8.16 The County Wildlife Trust has highlighted that the proposed route for the electricity cabling runs through the Fen Side Pollard Willows CWS, which is adjacent to the Byway. They have expressed concern that this could have a negative impact on the site, although this would be avoided if the installation of the cable follows the plans as given, and runs down the middle of the access track, avoiding the pollard willows and the adjacent ditch and hedges. The installation of the cable does not form part of the application, as EDF Energy, who as a statutory undertaker, can carry out such works as 'permitted development', would undertake this work. However, an informative

would be added to any consent highlighting the proximity of the CWS and the need for care to be taken when installing the cable.

- 8.17 The other possible impact identified in that survey is that on nesting birds both ground nesting and in boundary vegetation. Any impact on nesting birds could be avoided by ensuring that works were undertaken outside of the nesting season (March to August) or, if this is not possible, by carrying out a check immediately prior to works taking place to ensure that none are present.
- 8.18 In addition to ensuring that the proposal does not have any adverse effects, it is also important that the development takes the opportunities to enhance the biodiversity of the site. The Environmental Management Plan details the way in which the site would be managed to maximise biodiversity, citing grazing by livestock or game birds as potential ancillary uses that would assist in the maintenance of an area of species rich grassland, which would significantly enhance the biodiversity value of the site. The arrangement of panels within the site would also allow the hedgerows and field margins to flourish, which are a particularly suitable habitat for many birds that find a combination of nesting, roosting and feeding areas within them. Allowing the grass between the panels to grow longer during some periods of the year would also be beneficial to other types of animals such as amphibians and potentially reptiles.

Agricultural Land

- 8.19 The application site comprises land in arable production as part of a 300 hectare estate, managed and farmed by a local farm business. The National Agricultural Land Classification Map shows the area as comprising a mix of Grade 1, 2 and 3. However, the maps are not sufficiently detailed to allow a field-by-field assessment, and that could only be achieved through detailed Agricultural Land Classification Survey.
- 8.20 Planning Policy Statement 7(PPS7) (paragraph 28) states that “ the presence of best and most versatile land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) should be taken into account alongside other sustainability considerations....when determining planning applications.” However, the applicant has asserted that the proposed development does not result in the irreversible development of agricultural land and as such, there is no need to apply the tests set out in PPS7.
- 8.21 The development is primarily considered not to be irreversible as, should they no longer be required, the panels could be removed and land returned fully to agriculture with relative ease. The installation of the panels would also have no adverse effect on the soil quality and potential future agricultural use of the land. Furthermore, due to the spacing between the panels, the land would still have some productive use, either as a hay crop or alternatively as grazing for livestock or game birds.
- 8.22 The development of the site would not have an adverse effect on the functioning of the rest of the agricultural estate and it could be argued that the proposal actually represents a form of farm diversification, as the higher returns from the use of this site would make a positive contribution to sustaining the agricultural business as a whole.

Flood Risk and Drainage

- 8.23 The application site is not within a Flood Zone and the development would not increase the likelihood of flooding either on the site or on adjacent land. Neither the Environment Agency nor the Internal Drainage Board have objected to the proposal nor have they suggested conditions to be attached to any consent. The proposal is therefore considered to be acceptable in terms of drainage and flood risk.

Highways

- 8.24 Two access options were considered by the applicant: the Public Byway, Fenside Drove and a private farm track that runs parallel to the Byway to the north. Whilst the Countryside Access Team preferred the farm track option, this was rejected on highway safety grounds as the junction arrangement and visibility splays were insufficient. The proposed access via Fen Side Drove and then along a private farm track leading south from the Byway to the application site has a much wider junction mouth and is capable of meeting highway safety requirements.
- 8.25 The first part of Fen Side Drove, which connects to a separate farm track leading to Mingay Farm and the application site, is already used by farm vehicles accessing the farm buildings and nearby fields. The applicant proposes to upgrade this section of Byway and track by installing a hard compacted surface. The details of the surfacing could be controlled by condition, as could the restoration of the surface after the construction phase.
- 8.26 The character of the Byway changes approximately 500 metres from Twenty Pence Road. At this point the Byway has a grass surface and is enclosed with vegetation on either side. This part of the Byway is subject to usage restrictions and it is important that its character is not adversely affected by the proposed development and its associated traffic, particularly during the construction phase. Given that the route to the application site turns on to a private farm track before this point and the detail of any proposed surfacing and restoration would be controlled by condition, it is considered that there would be no adverse impact on the special character of the Byway.
- 8.27 In terms of amount and type of traffic generated by the proposal, the vast majority of vehicular movements would be during the construction phase, which is anticipated to last approximately 20 weeks. The solar panels would be delivered on HGVs capable of carrying 560 panels each, giving a total of 40 lorry loads at a rate of approximately one per day during the panel installation phase. Construction work and ongoing maintenance would be carried out by cars or light vans and would be on a low, intermittent basis.
- 8.28 The Highways Development Control Officer has confirmed that the proposals are acceptable and it is considered that the development would not have an adverse impact on highway safety. Following the more intensive construction phase of the development the scale and nature of the traffic generated by the ongoing operation of the site is also considered to be acceptable in this rural location.

Other Issues

- 8.29 Given that the development would have no discernable impact on local infrastructure, there is no requirement for developer contributions as part of this application. Any undertakings chosen to make with local organisations are therefore separate to this planning application.
- 8.30 Due to an element of uncertainty over the potential supplier of the panels, the applicant has requested a degree of flexibility in terms of the number and layout of the panels within the application site. It is considered that this can be dealt with by way of a condition, stipulating certain parameters for the development in terms of panel height and minimum distances between the panels. The parameters set out in the condition will provide sufficient flexibility for the applicant, whilst ensuring that the degree of change is such that the material impact of the development would not alter.

Summary

- 8.31 A renewable energy development of this scale will make an important contribution to the Government's aim of reducing carbon dioxide emissions, and Local and National Policy are therefore generally supportive of such schemes. It is considered that a countryside location is appropriate for this proposal and that on balance there would be no significant adverse effects on visual amenity or local landscape character. The development has no adverse effect on the local environment and it would result in significant biodiversity enhancements, through a management regime that would encourage a wider range of flora and fauna to the site. The proposal would also have no adverse effects on highway safety, flood risk or drainage. The application is therefore recommended for approval.

9.0 **RECOMMENDATION: APPROVE**

- 1 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 1 REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 2 Prior to the commencement of development detailed specification of the solar panels to be used, their number and positioning within the site shall be submitted to the local planning authority and agreed in writing. The specification shall conform to the following parameters:
- Maximum panel height from ground level - 2.2m
Minimum distance between rows (measured panel to panel) - 5.4 metres
Minimum distance between piles (measured pile to pile) - 8.3m
- 2 REASON: The proposed development has been deemed to be acceptable against the parameters set out above. To ensure that the development does not introduce any additional adverse effects in terms of its visual or ecological impact in accordance with policies EN1 and EN6 of the Cambridgeshire Core Strategy 2009.

- 3 Prior to the commencement of development full details of the boundary treatment shall be submitted to the local planning authority and agreed in writing. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order amending, revoking or re-enacting that Order) no any additional boundary treatments shall be erected on the site without the prior written agreement of the local planning authority.
- 3 REASON: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 4 Prior to the commencement of the development full details of the equipment building, including details of the proposed colour finish, shall be submitted to the local planning authority and agreed in writing. The building shall not exceed 3.6m in height, or 12m in length or 4 metres in width.
- 4 REASON: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 5 Notwithstanding the approved plans, prior to the commencement of development details of the siting, number and colour finish of the prefabricated cabins shall be submitted to the local planning authority and agreed in writing.
- 5 REASON: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 6 No development shall begin until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The archaeological work shall be carried out in accordance with the approved details.
- 6 REASON: To ensure that any archaeological remains are suitably recorded in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.
- 7 No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans; a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and an implementation programme. The details shall also indicate all existing trees and hedgerows on the land and details of those to be retained. The works shall be carried out in accordance with the approved details in accordance with a programme agreed with the Local Planning Authority.
- 7 REASON: To assimilate the development into its surroundings, in accordance with policy EN1 of the East Cambridgeshire Core Strategy 2009.
- 8 Prior to the commencement of development:

- Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.
- The vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification
- The junction of the access with the highway carriageway shall be laid out with a 10m radius on the north side with the same tangent point as the existing access and a 15m radius on the south side.
- The access shall be upgraded to a minimum width of 6m, for a minimum distance of 25m measured from the near edge of the highway carriageway.
- Details of the drainage measures to ensure that surface water does not run-off onto the adjacent public highway, shall be submitted for the written approval of the local planning authority. Once agreed the scheme shall be constructed and completed in accordance with agreed details prior to any other work commencing on site.

- 8 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 9 The site shall be managed in accordance with the details set out in the approved Environmental Management Plan. Any alternative management regime shall be submitted to the local planning authority and agreed in writing prior to its implementation.
- 9 REASON: To ensure the development is carried out and managed in a manner that is ecologically sound and promotes biodiversity in accordance with policy EN6 of the Cambridgeshire Core Strategy 2009.
- 10 No lights shall be erected within the site without the prior written agreement of the local planning authority.
- 10 REASON: To safeguard the character and appearance of the countryside, in accordance with policies CS1, EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 11 Prior to the commencement of development, details of the proposed surfacing of the Byway and any restoration work following the construction phase, shall be submitted to the local planning authority and agreed in writing. All work shall be completed in accordance with the approved details.
- 11 REASON: To ensure appropriate treatment of the Byway surface in accordance with policies EN1 and EN2 of the Cambridgeshire Core Strategy 2009.
- 12 Should the solar panels not be used for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition before in

accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

- 12 REASON: To prevent the retention of development in the countryside that is not being used for its intended purpose in accordance with policy CS1 and EN1 of the Cambridgeshire Core Strategy 2009.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Case File	Penelope Mills Room No. 011 The Grange Ely	Penelope Mills Planning Officer 01353 665555 penny.mills@eastcambs.gov.uk
Cambridgeshire Core Strategy	www.eastcambs.gov.uk	
National Policy Statements	www.communities.gov.uk	