

ITEM 6

APPLICATION NO.	14/01826/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	31.07.2014
APPLICANT	SOLARCENTURY
SITE	Land West Of A3057 (Romsey Road), Lee Lane, Romsey, SO51 9LH, ROMSEY EXTRA
PROPOSAL	Erection of solar photovoltaic panels and associated works including inverter housing, access tracks, security fencing and cameras
AMENDMENTS	Additional information received 25 September 2014.
CASE OFFICER	Mrs Anna Duignan

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is presented to the Planning Control Committee (PCC) following the resolution of the Southern Area Planning Committee (SAPC) at its meeting on 9 December 2014 to delegate to the Head of Planning and Building for the grant of planning permission subject to conditions and notes and a legal agreement. This resolution is contrary to the relevant policies of the Test Valley Borough Local Plan and the recommendation of the Head of Planning and Building.
- 1.2 The **SAPC report** and **Update Paper** for the 9 December 2014 meeting are appended to this report as **Appendix A** and **Appendix B** respectively together with the drawings presented to SAPC.

2.0 PLANNING CONSIDERATIONS

- 2.1 Members of the SAPC gave consideration to a number of aspects in support of the proposal. In particular, SAPC were mindful of the contribution this renewable energy proposal would have in meeting energy needs and did not consider that the landscape impact of the development was sufficiently adverse to warrant a refusal.
- 2.2 The Area committee considered that the benefits of providing renewal energy outweighed any adverse impact to the landscape which would arise and Planning Practice Guidance for renewable and low carbon energy confirms the energy generating potential of a proposed solar development is a material consideration. At the meeting the applicant's agent explained that the source of energy would serve some 4,000 dwellings annually. This contribution however has to be considered with regard to the current direction of Government as detailed within the NPPF and the more recent Planning Practice Guidance (PPG) with a focus upon ensuring that the location for such development is appropriate, with weight to be given to environmental considerations such as landscape and visual impact (see para 5.0 on the

section headed 'Landscape' and paras. 8.10 – 8.15 of the SAPC agenda in Appendix A and para. 4.1 of the Update Paper in Appendix B). The site covers approximately 35.3ha of open arable agricultural land and it is considered that the introduction of the solar panels on two fields bound on all sides by a mix of highways and a railway line in this rural location would appear as incongruous development in this open countryside area, having a detrimental impact on landscape character and appearance of this part of the countryside.

2.3 The agricultural land classification assessment for this site is recorded as grade 2, 3a and 3b and an alternative site assessment has been completed over an area of 5km. Reference to this is provided in paras. 8.6 and 8.7 of SAPC agenda in Appendix A. Since the Area committee meeting the agent has advised that if the applicant were to extend the area of search to 10km, sites of more than 5km from the primary substation would be discounted as the applicant would not consider it viable to connect to this point any further away. The agent has added that as an indication, there are costs of c£100,000 per km of installing connection from the solar park to the substation. The connection is to be made via the highway, so connection is not a direct line from the solar site (so costs of connecting more than 5km away would exceed £500,000). The agent continues with the connection to the grid is one of the fundamental principles for site selection, as explained in the submitted report attached in support of the application. However, it is noted that no detailed financial figures have been submitted for the proposed solar farm other than the approximate figures of connection as stated above.

2.4 A lorry routing agreement has been required and has been completed as a unilateral agreement for the construction vehicles. Further assessment has been given to this aspect and as advised to the SAPC, the agreement is required to also address the lorry routing for the decommissioning of the site.

3.0 **CONCLUSION**

3.1 The proposed development would make a contribution towards the national requirements for providing renewable energy and provide biodiversity enhancements which are material considerations. The need for renewable energy however is not considered to outweigh the harm to the landscape with the type, scale and location of this development is found to adversely affect landscape character and visual amenity.

4.0 **RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE**

4.1 **Delegate to the Head of Planning and Building that subject to the completion of a satisfactory legal agreement to secure lorry routing for construction and decommissioning traffic then PERMISSION subject to appropriate and necessary conditions and notes.**

4.2 A list of suggested conditions is set out in **Appendix C**.

5.0 RECOMMENDATION OF HEAD OF PLANNING AND BUILDING

5.1 REFUSE FOR THE REASONS:

- 1. The proposed development, by reason of its size and scale would have an unacceptable impact upon the landscape character and the visual amenity of this location detrimental to the enjoyment of the countryside as experienced when in proximity to the site. The development conflicts with the Test Valley Borough Local Plan policies ESN32 (Renewable Energy Developments) and DES01 (Landscape Character).**
 - 2. Insufficient information has been submitted within the application to confidently conclude that the economic benefits of siting a renewable energy proposal on land deemed to be best and most versatile agricultural land quality are overriding to maintain the long term economic viability of the Broadlands Estate. The limitations of the site search to connect to a single primary substation also fail to demonstrate that alternative sites of poorer agricultural quality land could be used in preference to the application site for the siting of this large scale solar development. The development therefore does not accord with the National Planning Policy Framework (paragraph 112) and Planning Policy Guidance and policy SET08 of the Test Valley Borough Local Plan 2006.**
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APPENDIX A

Officer's Report to Southern Area Planning Committee – 9 December 2014

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AMENDMENTS	Additional information received 25 September 2014.
CASE OFFICER	Miss Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to the Southern Area Planning Committee (SAPC) in accordance with the Member Code of Conduct and on the grounds that the development will have a significant local impact.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site totals 35.5 hectares located within open countryside to the west of the A3057 Romsey Road. The site comprises two parcels land siting to the north and south of Lee Drove which extends in a westerly direction to connect the A3057 to Lee Lane. The site sits detached from any settlement and is not located on any land designated for its ecological, landscape or conservation value. It is however within the vicinity of Nightingale Wood which sits to the east of the A3057 which is designated as a Site of Importance of Nature Conservation (SINC) and also ancient semi-natural woodland. There are also a number of sites of historic interest in the wider locality comprising Broadlands and Embley Park to the north which are on the English Heritage Register of Parks and Gardens of Historic Interest (Grade II*) and Grove Place to the south, which is on the Hampshire register of Historic Parks and Gardens (the Local List).
- 2.2 The site has an open character defined by the relatively flat topography. Open views are available of the existing arable fields sitting beyond the boundary hedgerows, with these views available from all the adjacent highways and from a railway line which extends north-south through the site. There are no public rights of way footpaths in the local vicinity with the Test Way lying further to the west of the site.

3.0 **PROPOSAL**

3.1 Planning permission is sought for a ground mounted photovoltaic solar park providing an output up to 16 Megawatts on land extending northwards from both Coldharbour Lane and Lee Drove. The solar park comprises an installation of an unspecified number of photovoltaic solar panels across most of the 35.3ha site with land also given over for a new wildflower meadow ranging between 50-80m in depth.

3.2 The solar panels are to be mounted on ‘tables’ piled into the ground which are to be angled at 22 degrees giving a maximum height of 2.5m above ground level. The site will also see the installation of nine buildings across the total site area to provide inverter stations (x6), a plant building and a switch gear building. The range of structures to be installed vary in dimensions, comprising:

- *DNO Switchgear Room* – 3.5m by 4.2m rising to 4.1m in height positioned on a raised ground level and concrete plinth (totalling 0.75m) and a steel subframe of a further 0.23m;
- *Customer Switchgear Room* – 2.5m by 6.1m and rising to 3.5m in height and positioned upon a 0.5m concrete plinth;
- *Storage Container* – 2.7m by 3.2m and rising to 2.5m in height positioned upon a 0.10m concrete plinth;
- *Sub-station housing* – two units are required of differing dimensions. The smallest is 2.6m by 2.3m and rising to 3m high with the largest of 2.5m by 6.2m rising to 3.1m high. Both are to sit on concrete plinths of an unspecified height;
- *Mounted CCTV, wind sensor and Satellite dish* – total 4m in height.

3.3 It is proposed to access the site from Lee Drove for the purposes of construction with an alteration to the junction with Romsey Road (A3057) and then use of existing field accesses to serve the parcels of land. For maintenance, the site is to be accessed from Coldharbour Lane only with the creation of a 3.5m track extending north through the proposed wildflower meadow to serve this southern parcel only. The site is also to see the installation of a wind sensor pole, pole mounted CCTV (4m in height) and is to be enclosed by 2m high deer fencing around the periphery.

4.0 **HISTORY**

4.1 None relevant

5.0 **CONSULTATIONS (comments in summary)**

Landscape - Objection

- The site is found within the rural countryside on low-lying land to the east of the River Test between Romsey and Nursling and to the immediate east of the hamlet of Lee;
- The land is currently in agricultural use, with a small area currently pasture.

Existing landscape character

- The site is found in the Mixed Farmland and Woodland – Medium Scale landscape character and immediately adjacent to North Baddesley and Chilworth Woodland Mosaic landscape character area.

Existing Visual Amenity

- The site is found within a low point in the landscape and is surrounded by higher ground;
- There are clear views into the site from elevated points where Coldharbour Lane and Lee Drove cross the railway line, where large parts of the site are visible. There are other points along Lee Lane, Lee Drove, Coldharbour Lane and the busy A3057 where smaller sections of the site are visible through gaps in the existing hedgerow;
- Existing mature tree planting breaks up any potential long-distance wide vistas of the site from these points;
- There are views of the site from the railway line that cuts through the site;
- The main views are looking westwards over farmland but there are some views of the site also looking eastwards from the railway. Views are likely to be more extensive in the winter months.

Impact on landscape character

- Strong concerns regarding the impact the proposals will have on landscape character of the area;
- The introduction of alien structures in the landscape on a significant scale and a large scale change of use of the countryside will have an adverse impact on this area of open farmland;
- It is recognised there is some intrusion from pylons, the railway line and the A3057 to the east, the landscape is still dominated by low-lying agricultural fields, strong hedgerow networks and blocks of woodland contributing to the wider Test Valley rural character;
- The proposals seek to retain and enhance existing hedgerows along the periphery of the site and create a small area of wild flower meadow in the south of the site. The areas around the panels will be laid to pasture;
- This does not mitigate sufficiently against the harm to landscape character and the urbanisation of the site;
- This large scale adverse change will occur through the introduction of numerous solar panels, 9 new buildings (6 inverter stations, a plant building and a switch gear building) with 2m high fencing, 3.5m wide access tracks, a storage container, a wind sensor pole, CCTV and 2m high deer fencing around the periphery of the site;
- Agree with the submitted LVIA and the impact of the character of the site and the locality will be significantly moderate/major adverse;
- The growth of the perimeter hedgerows would begin to screen the intervisibility between the site and the wider landscape, but this would take at least 10 years to achieve;
- There are adverse impacts on landscape character which are unacceptable in landscape terms.

Impact on Visual Amenity

- The submitted LVIA is generally accurate but only carried out in June with no winter views recorded;
- The study therefore records the 'best scenario' situation;
- No photomontages have been submitted which would be expected in an application of this size;
- The LVIA shows that there are a number of locations where the solar panels will be visible;
- Dispute the fact that Lee Drove is infrequently used as it is in fact in regular use;
- It is likely that the proposals would still be visible after mitigation, particularly from the more elevated locations on the bridges and from the railway line;
- Views towards farmland and trees would be adversely changed to views of the panels, a plant building, a switch gear building, 6 central inverter stations with 2m high fencing, 3.5m wide access tracks, storage container, wind sensor pole, CCTV and 2m high deer fencing around the periphery of the site;
- The colour of the existing fields would visibly change after construction, from green/yellow or brown to varying shades of grey once the panels had been installed, depending on the colour of the sky reflected and where the panels are being viewed from;
- Agree with the assessment that views from Broadlands or Embley park would be unlikely due to the low-lying topography and surrounding woodlands and hedgerows;
- It is unlikely that the proposals would be visible from public footpaths including the Test Way to the west, or from Grove Place, due to existing dense tree cover and hedgerows and long distance from the site;
- Even with the mitigation, the proposals would still be very visible from a number of close-up locations until the planting matured after about 10 years;
- The proposals would have long-term adverse impact on visual amenity to the users of the various road and rail networks running through and surrounding the site and would be unacceptable in landscape terms

Trees – No objection

- Site comprises open agricultural land, fields boarded by mature hedging with scattered mature trees;
- Proposed panels and associated infrastructure shown to be clear and at appropriate relationships to the trees and hedges. The only exception is with respect to access;
- Concern re revisions to the Lee Drove/A3057 junction and access into the two parts of the site. Need for an Arboricultural report to confirm how this is to be achieved without impact to road frontage trees;
- Tree protection details - statement required to demonstrate how trees and hedgerows are to be protected against accidental damage during installation;
- Information sufficient to demonstrate how the connections from this installation to the wider grid are to be achieved without impact to trees.

Reading Agricultural Consultants

- The application is silent on agricultural land quality taking the argument that:
 - the use as a solar farm is temporary (i.e. not permanent and irreversible) and can remain in agricultural use of grazing;
 - that there will be benefits to the soil structure from taking it out of intensive arable use (similar to long term fallow);
 - that the land can be restored easily to its current arable use if required at the end of the life of the solar farm;
- There is substance to these arguments;
- The Planning & Environmental Report refers to the land being Grade 2, 3a and 3b Agricultural Land Classification land;
- Areas of Grade 3b land are predominately found adjacent to the rail line and western parts of the central and southern field;
- The soil type for the sites is typically coarse and fine loamy permeable soils mostly over river terrace gravels and, in ALC terms, likely to be limited mostly by droughtiness;
- It is a reasonable assumption that the site will be a mix of Grades 2, 3a and 3b and the proportion requires a detailed ALC survey.

Subsequent comment

- It looks like the ALC survey has been carried out to the correct methodology and is giving results that are consistent with neighbouring land.

Highways – no objection subject to conditions and a S106 to control lorry routing.

HCC Countryside Access

- No objection in respect of public rights of way.

Natural England

Designated sites

- The application is in close proximity to the River Test SSSI. The proposed development being carried out in accordance with the details of the application will not damage or destroy the interest features for which the site has been notified;
- The SSSI does not represent a constraint in determining the application.

Soils

- Natural England is a statutory consultee on development that will lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (Grade 1, 2, 3a) where this is not in accordance with an approved plan;
- This application is unlikely to lead to significant and irreversible long term loss of BMV land as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed with no permanent loss of agricultural land quality, provided the development is undertaken to high standards;

- Some components of the development (e.g. substation) may permanently affect agricultural land – this would be limited to small areas;
- In the short term, it is likely that there will be a loss of potential agricultural production over the whole development area;
- It is for the LPA to consider whether the proposals involve any smaller scale or temporary losses of BMV;
- LPAs are responsible for ensuring that they have sufficient information to apply the requirements of the NPPF (para 112) as the decision taker;
- Suggest conditions to secure agricultural land management and/or biodiversity enhancements during the lifetime of the development and to require the site to be decommissioned and restored to its former condition when planning permission expires.

Protected species

- Application has not been assessed for impacts on protected species.

Landscape

- The development relates to the New Forest National Park and its setting. Advise consultation with the National Park Authority.

Biodiversity enhancements

- Concur with the proposals within the Biodiversity Mitigation Plan for ecological habitat enhancements which provide opportunities to incorporate features into the design which are beneficial to wildlife. Measures should be secured.

New Forest National Park

No comments at time of reporting.

HCC Ecology

- The application includes a detailed Ecological Appraisal and a supporting biodiversity Management Plan (Avian Ecology, July 2014) that considers a range of ecological impacts and also provides potential biodiversity enhancement measures;
- The application will not affect any of the nearby statutory or non-statutory nature conservation sites;
- Great Crested Newts (GCN), dormice and bats are protected under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (as amended) (commonly referred to as the Habitats Regulations);
- Local Planning Authorities are required to engage with the Regulations planning permission should be granted (other concerns notwithstanding) unless:
 - a) the development is likely to result in a breach of the EU Directive that underpins the Regulations, and
 - b) is unlikely to be granted a European Protected Species (EPS) licence from Natural England to allow the development to proceed under a derogation from the law.

Great Crested Newts (GCN)

- There is a medium breeding population of GCN in a pond in Nightingale Wood to the east and approximately 370m from the site;
- The ecology appraisal concludes that given the excellent terrestrial habitat in the woodland around the pond, the lower-suitability habitat at the application site and the presence of the main road between the pond and the site, there is no reasonable likelihood of GCN being present and affected at the application site;
- The Natural England rapid risk assessment tool has been applied to this site. This identifies that for a site of this size more than 250m from a GCN pond, an offence is likely where the habitat is to be lost or damaged. Only a small part of the site is within 500m of the pond and whilst arable land can be used by newts, agree that it is suboptimal when compared to the extensive high quality woodland habitat around the pond;
- Consider that the development is unlikely to result in a breach of the Habitats Directive with respect to GCN.

Dormice

- There are no records of dormice in the vicinity, however there are areas nearby of woodland (including ancient woodland) and a network of nature and species rich hedges (including some within the site);
- The works will retain and protect the majority of the hedges as well as enhancing the site through hedge planting;
- In the long term, no concerns arise and would consider the development to benefit dormice if present in the area;
- There may be a concern over the need to create a small number of small gaps to install the fencing;
- The ecology report does include broad measures to demonstrate how a breach of the Directive would be unlikely. From looking at the plans, it appears that only two gaps will be needed, each 1m wide (so 2m in total);
- Guidance on dormouse EPS licencing from Natural England advises that it is not the size of the area, but the likelihood of offences being committed that determines whether a licence is required;
- Would not necessarily agree that the small scale of the works proposed to such hedges would always rule out the likelihood of an offence;
- If dormice were present in a landscape then there is a reasonable likelihood that severance of a hedge network and removal of small sections of the hedges could result in a breach of the Directive through damage / destruction of a breeding site or resting place, and potentially killing, injury or disturbance of individual dormice;
- Aware that there have been other dormouse surveys in the wider area (including in relation to the project that revealed the nearby GCN pond) and no dormice were found during those surveys;
- These surveys did not look at the application site and cannot be used to rule out the presence of dormice. They suggest that the likelihood of dormice being present and affected by the work is limited;
- Consider that the development is unlikely to result in a breach of the Habitats Directive with respect to dormice.

Bats

- The development will not result in the damage or destruction of any bat roosts, or the killing, injury or disturbance of any bats;
- Consider it unlikely that the development would result in a breach of the Habitats Directive with respect to bats;
- Given the nature of the existing habitat and that the boundary features are to be retained, consider that the development would not have any adverse impacts on bat foraging or commuting behaviour;
- Consider that the habitat enhancement measures would serve to enhance the foraging potential of the site for bats.

Reptiles

- There is some potential reptile habitat in narrow strips around field boundaries. The fence will be erected a short distance away from the existing boundaries so this activity would not appear to be likely to adversely affect reptiles;
- Ecological recommendations made in this respect are supported.

Birds

- Consider it unlikely that the development would significantly adversely affect any breeding bird assemblage;
- There is a reasonable amount of historic bird data for this area and there is no indication that the site is of particular importance for ground-nesting birds;
- The habitat enhancements would appear to be of benefit to birds.

Biodiversity Enhancements and Management

- The submitted Biodiversity Management Plan should be implemented and will serve to enhance the site as well as ensuring a sensible approach is taken regarding any habitat removal required to facilitate the development.

Design and Conservation - No objection

- There are numerous designated heritage assets (e.g. Toothill Fort (a SAM), Broadlands House (and historic gardens) and Grove Place (which are both Grade 1 listed buildings) as well as numerous Grade II listed properties and Romsey Town Conservation Area within 3km of the site;
- As a result of the topography of the site and surrounding land the solar arrays would be perhaps notable from along the highway adjacent to the application site;
- Elsewhere views would be generally be more restrictive aided by the intervening vegetation;
- It would appear the proposed solar farm would only be (in part) visible to a limited number of the close by listed buildings (of grade II status) with the greatest impact being potentially on the views from the grade II listed buildings of Lee Farm and these views would in the main be intermittent in nature;
- As far as it can be ascertained, the proposed solar farm would have no discernible visual impact on the setting of two Grade I listed buildings or the historic registered park at Broadlands, with limited visual harm to Lee Farm which would not be unduly harmful to the setting or significant of these buildings.

Archaeology – no objection

- Endorse the archaeological report. Think that the archaeological potential is higher than speculated, the absence of currently known crop marks does not rule out the possibility that sites exist and what are described as artefact scatters often prove to be associated with buried archaeological features;
- The mitigation is broadly supported;
- For the majority of installation, the panels are on mini piles spread across the site. The damage associated with this is of a low percentage/density and not really monitor-able;
- The cable trenches and access roads can be monitored and in view of the archaeological potential of the area, an archaeological watching brief on the relevant stages of ground works would be appropriate;
- Recommend an archaeological condition be attached to any permission to secure an archaeological watching brief during the relevant stages of ground works.

English Heritage

- The application should be determined in accordance with the national and local policy guidance and on the basis of specialist conservation advice.

Network Rail –

- No concerns or objections arising to the proposed development from a signal sighting perspective;
- The proposed location and type of fencing is acceptable for this development;
- Storm/surface water and effluent must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail;
- Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property;
- Suitable foul drainage must be provided separate from Network Rail's existing drainage.

National Grid

- No objection to the proposal which is in close proximity to a High Voltage Transmission Overhead Line.

Environment Agency – No objection.

Civil Aviation Authority – No comments at time of reporting.

6.0 **REPRESENTATIONS** Expired 03.10.2014

6.1 **Romsey Extra Parish Council – Support.**

6.2 **16 representations in support** from 63, 67 Malmesbury Road, 5 St Clements Close, Flat 5 St Clements House, 17, 28, 30, 33, 34, 54, 55, 56 Cherville Street, 74, 76 Greatbridge Road, 20 Lansdowne Close, 2 Lansdowne Gardens on the grounds of:

- A source of clean energy for around 4,000 average homes annually;
- A community benefit fund of up to £32,000 to support local good causes;
- The provision of habitat enhancement for the site including native hedgerow planting and the installation of bird boxes and beehives.

6.3 **2 representations of objection** from Banavie, Station Road, Nursling and Pillarbox Cottage, Toothill Road on the grounds of:

Character of the area

- Out of character with the area being close to a main road;
- No hedging/fencing will create an excruciating “eyesore” in a very rural area and so close to The Armada beacon warning chain;
- The design of a solar farm is anything but aesthetically pleasing;
- Site has been utilised for many years for agricultural purposes and would be another loss of agricultural land along with proposed developments in the immediate Romsey area.

Highways

- A major distraction to motorists using the A3057;
- Potential cause of traffic incidents of a serious nature;
- The bend that the entrance would be situated is on a blind bend, the road is used as a rat run. Vehicles using this is an accident waiting to happen;
- Living in Station Road, there is an increase in hours from Raymond Brown, National Grid and increase in rail traffic with bridge works completed.

Non-material planning considerations

- Loss of value to the family home;
- Setting a precedent for more applications;
- This land is also on Broadlands Estate with all of the proposed developments in the immediate Romsey area. It is not right that such scale of developments should be in the same hands;
- Broadlands House has lost too much of its historic interest and is barely open to the Public and no events in support of their own self-sufficiency.

7.0 **POLICY**

7.1 **Government Guidance** - National Planning Policy Framework (NPPF); National Policy Statement for Energy Infrastructure (NPS), Planning Practice Guidance (March 2014).

Test Valley Borough Local Plan (2006)(TVBLP) - SET03 (Development in the Countryside), SET08 (Farm Diversification), ENV01 (Biodiversity and Geological Conservation), ENV05 (Protected Species), ENV11 (Archaeology and Cultural Heritage), ENV17 (Setting of Conservation Areas, Listed Buildings, Archaeological Sites, and Historic Parks and Gardens), HAZ06 (Safeguarded Aerodromes and Technical Sites), ESN32 (Renewable Energy Developments), TRA05 (Safe Access), TRA06 (Safe Layouts), TRA09 (Impact on the Highway Network), DES01 (Landscape Character), DES03 (Transport Corridors), DES04 (Route Network), DES05 (Layout and Siting), DES06 (Scale, Height and Massing), DES07 (Appearance, Details and Materials), DES08 – Trees and Hedgerows, DES09 (Wildlife and Amenity Features), DES10 (New Landscaping), AME03 (Artificial Light Intrusion), AME04 (Noise).

Draft Revised Local Plan (2014) - On the 31 July 2014 the Council submitted the draft Revised Local Plan to the Secretary of State. The Revised Local Plan will now be subject to independent examination by a government appointed Planning Inspector. At present the document, its content and its evidence base represent a direction of travel for the Council. Following the guidance in para 216 of the NPPF the weight afforded to the content of the Revised Local Plan and the pertinent policies would need to be considered in the context of the stage in the process reached, the number and nature of the representations received, and the consistency with national guidance. It is not considered that the Revised Local Plan would have any significant bearing on the determination of this application.

Supplementary Planning Documents (SPD) – ‘Look at Romsey’ Design Statement.

Other Material Considerations

- The 2009 Renewable Energy Directive (2009/28/EC) – sets a target for the UK to achieve 15% of its energy consumption from renewable sources by 2020;
- Coalition Government’s Programme for Government (June 2010) – addressing climate change and maximising the exploitation of UK’s renewable energy resources;
- Coalition Government’s Programme for Government National Renewable Energy Action Plan (July 2010) - all about securing energy supplies;
- The International, European and UK Renewable Policy Frameworks – providing financial support for renewable including feed in tariffs, unblocking barriers to delivery and seeking to develop emerging technologies;
- UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (Oct 2013) – Department of Energy & Climate Change – established 4 guiding principles:
 - Support solar PV alongside other energy generation technologies in delivering carbon reductions, energy security and customer affordability;
 - To meet the UKs 15% renewable energy target from final consumption by 2020 and decarbonisation in longer term;
 - Ensure solar PV are appropriately sited, giving proper weight to environmental considerations; and,
 - Support for solar PV should assess and respond to the impacts of deployment on grid systems balancing, grid connectivity and financial incentives.
- Planning Guidance for the Development of large scale ground mounted solar PV systems;
- Planning Practice Guidance for Renewable and Low Carbon Energy – ref to BMV;
- Gregory Barker MP – Minister of State for Energy & Climate Change letter dated 1 November 2013 - Solar Energy
- Gregory Barker MP - Minister of State for Energy and Climate Change, letter dated 22 April 2014

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are the principle of development and the impact of the proposal upon:

- The landscape character and visual impact;
- Highway Safety;
- The Natural Environment;
- Heritage Assets (including archaeology);
- Flooding and Surface Water Runoff;
- Glint and Glare
- Residential Amenity;
- Community Involvement and Gain;
- Any other matters.

Principle of development

National commitment to renewable energy

8.2 Since 2004, UK domestic energy production has been outstripped by consumption making the UK a net energy importer. Concerns have therefore been nationally expressed over energy security and the vulnerability of energy supplies, including the effect on pricing, fuel poverty and climate change. In response, the Climate Change Act 2008 set an ambitious target of a 34% cut in greenhouse gas (GHG) emissions against a 1990 baseline by 2020, rising to an 80% reduction by 2050. These targets are the UK's contribution to a global GHG reduction confirmed as necessary to limit climate change, with encouragement specifically given to renewable/low carbon energy generation. More recently, the Government's Renewable Energy Strategy 2009 set out a scenario to meet a legally binding target to ensure that 15% of our energy comes from renewable sources by 2020 and suggests that 30% of our electricity should be renewably generated. Notably, the Minister of State for Energy and Climate Change, Gregg Barker, cited in a letter of 22 April 2014 that solar PV is 'one of the priority renewable energy technologies'.

Policy context

Test Valley Borough Local Plan (2006)

8.3 The site is located within the countryside where there is a general policy of restraint of development. Policy SET03 of the Borough Local Plan allows for development in the countryside provided that there is overriding need for the proposal in a countryside location or that the development is of a type appropriate to the countryside as set out in further Local Plan policies, this includes policy ESN32 (Renewable Energy Development). Policy ESN32 notes that proposals for renewable energy will be permitted provided that there is no detrimental impact on the landscape; the proposal does not adversely affect features or areas of ecological, historical or cultural interest; and measures are undertaken to minimise the impact of the development on local land use. The principle of this form of development in the countryside is therefore acceptable subject to compliance with the individual criteria and other relevant policies of the BLP as discussed below.

National Planning Policy Framework

- 8.4 The National Planning Policy Framework (NPPF) published following the adoption of the Local Plan has a role to play within the promotion of renewable energy. It places significant emphasis upon delivering sustainable development by supporting and securing appropriate renewable energy projects within its core principles. As such, the NPPF (para 98) advises that applications for renewable energy should be approved if impacts are, or can be, made acceptable unless material considerations indicate otherwise. This recognises the responsibility placed on all communities to contribute towards renewable energy production by setting out a strong strategic policy framework which supports renewable and low carbon development proposals. Since the publication of the NPPF, the Government direction on renewable energy, including solar farms, has received further examination at the national level. This examination is continued within the National Planning Practice Guidance (NPPG) and more recent Ministerial Statements which places weight upon how well a solar installation integrates into the landscape and topography, and also gives consideration to the quality of land upon which an installation sits.
- 8.5 The NPPF (paragraph 112) also stipulates that, amongst other things, that *'local planning authorities should take into account the economic and other benefits of the best and most versatile land'* (BMV) with paragraph 113 making it clear that LPAs should consider *'encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land'*. This paragraph continues by indicating that where a proposal involves greenfield land, it should be considered 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) whether the proposal allows for continued agricultural use where applicant and/or encourages biodiversity improvements around arrays.*

Land classification

- 8.6 The consideration of using low grade land is reiterated within the land quality UK Solar PV Strategy (2014) and a letter of 22 April 2014 from Greg Barker to Local Planning Authorities. The emphasis of Government is clear that the best and most versatile (BMV) agricultural land (i.e. grades 1 – 3a) should be avoided where reasonably possible and if BMV agricultural land is to be used, this should be the last resort and be robustly justified. In having regard to this issue, the proposed development has been accompanied by an Agricultural Land Classification assessment (ALC) which indicates that the site comprises Grade 2 (35%), Grade 3a (35%) and Grade 3b (30%) agricultural land. This is despite the ALC stating that the tenant farmers view the land as *'some of the poorest performing land within their stewardship'*. It is clear from the ALC that the site does contain BMV agricultural which will be temporarily lost from production for the 25 year lifespan of the project. At a site size of 35.5 hectares, this loss is also deemed to be *'significant'* to accord with the NPPF (para 112) and *'large scale'* to accord with the NPPG (para 113). The NPPF however does not draw any distinction between a temporary or permanent loss therefore further consideration is drawn to the implications of the policy context upon this proposal.

- 8.7 Paragraph 112 requires that account be taken of the economic and other benefits of the best and most versatile agricultural land. In response, the impact of this development (by removing 35ha of productive land) upon the economics of the overall farming enterprise has not been demonstrated. The application is stated to have come about following an approach from the Broadlands Estate to the applicant about ‘the feasibility and deliverability of potential renewable energy developments’. This part of the Estate was subsequently identified as ‘suitable and viable’ for such a project given the potential to connect to the local network. Supporting information also states that the landowner ‘views a solar park on the estate as a vital part of farm diversification’ to ‘help support the long term management of the Estate’. Whilst this may be so, no evidence has been submitted to justify that this development is required to assist in maintaining the long term economic viability of the Estate as required by criteria b to policy SET08 of the Local Plan.

Location

- 8.8 The policy context, in avoiding the loss of BMV, requires that it be demonstrated that the use of agricultural land is necessary and that poorer quality land has been used in preference to higher quality land. This implies a form of sequential test, although no guidance for undertaking such a test is provided within the NPPG. Despite the approach by the Estate to seek a renewable energy installation upon land in its ownership, the application was later supplemented by an assessment of available sites. This assessment states that this development would connect to the network via the Rownhams primary substation which presently has capacity to accept up to 16MW. It is also stated that the applicant would not progress a project with a grid connection distance of more than 5km from this primary substation because the costs involved ‘would be disproportionate to the size of the project and therefore be commercially unviable’. As such, only a 5km radius search was undertaken which demonstrated that no other site of poorer quality land was available or suitable for the proposed development. The absence of no other site is acknowledged, and given some weight in the planning balance despite the limitations of the site selection being limited in area and in the absence of evidence of other available opportunities for connection to the network.
- 8.9 Finally, the NPPG (para 13) gives consideration to whether a proposal is to allow for continued agricultural use and/or encourages biodiversity around the arrays. The application provides no definite commitment to grazing on the site as to encourage a continued agricultural use. It is however suggested that biodiversity improvements will be provided in and around the site through the creation of new hedgerows and the planting of new grassland which will be cut once or twice a year. This final requirement is therefore considered to be met.

Landscape and Visual Impact

Principle

- 8.10 The NPPF (para 17) recognises within its core planning principles the intrinsic character and beauty of the countryside, and seeks to protect and enhance valued landscapes. This is supported by the NPPG which makes it clear that the deployment of large scale solar farms can have a negative impact on the rural environment. Government guidance, Statements, Strategies and Letters as cited in section 7 all require the consideration of the landscape and visual impact of solar installations and whether any adverse impacts can be made acceptable. For instance, the most recent PPG acknowledges that '*the visual impact of a well-planned and well screened solar farm can be properly addressed within the landscape if planned sensitively*'.
- 8.11 Locally, policy ESN32(b) also requires consideration of the impact of renewable energy schemes on the immediate and wider landscape, with policy DES01 (Landscape Character) stipulating that the landscape and visual impact of a development should be without detriment to the landscape qualities and be in keeping with the character of an area. Policy DES01 additionally gives regard to the integration of a development within a landscape through provision of appropriate landscaping as provided for within policy DES10 (New Landscaping). Notably there is no national or local planning requirement for new solar installations to be completely screened from public view, asserting that it is acceptable for such development to be visible within the landscape.

Landscape character

- 8.12 The application site is located within the rural countryside on low-lying land to the east of the River Test between Romsey and Nursling and to the east of Lee. In accordance with the Test Valley Landscape Character Assessment, the site occupies the 'Mixed Farmland and Woodland' landscape character area where the predominant characteristics are the mixed agricultural uses, open views towards Romsey and scattered development interspersed with hedgerows of variable quality and continuation and areas of semi-natural woodland. Within this character area, there are built influences such as the overhead power infrastructure, highway network and railway line. The site additionally sits adjacent to the 'North Baddesley and Chilworth Woodland Mosaic' landscape character area which contains areas of suburban development and highway infrastructure with a framework of woodland cover, pockets of arable land with a poor fragmented hedgerow structure.
- 8.13 The planning application has been accompanied by a landscape assessment which considers the landscape to be 'unremarkable' being influenced by the land uses, landscape condition and the agricultural activities. This assessment considers the landscape to have a Medium to High Susceptibility to change with the implementation of the development bringing a 'Moderate/Major level of adverse effect on the landscape character'. This is however seen by the applicant to 'not alter the overall landscape framework' given the 'modest height of the panels'. The development also seeks to mitigate this landscape character impact by retaining current field shapes and proposing new or reinforced planted boundaries, with the Landscape Assessment also identifying that the structures on the land will not be entirely isolated from man-made influences in the wider landscape setting, such as the overhead pylons.

- 8.14 The impact of the development upon the landscape character has however been deemed by the Landscape Officer to bring about a wholesale change in the local landscape character. The arrays would extend to 2.5m at their highest point with supporting infrastructure extending to 4m. The development would be visible at close range from a variety of public vantage points and whilst it is accepted that new planting will grow as to mitigate the development, this will take time. During this time, the parallel arrays would be clearly seen as a further man-made intrusion into the rural landscape compounded by the supporting infrastructure and 2m high fencing. It is therefore considered that this development would appear as a utilitarian and unsympathetic intrusion to the agricultural terrain that provides a rural buffer on the approach to and from Romsey. As such, the development would be contrary to the landscape qualities and local character of the area and not accord with criterion a) and b) of policy DES01. Whilst mitigation measures have been proposed, these are insufficient to account for the scale of the site, with the development not successfully integrated into the local environment contrary also to criteria c) of policy DES01.

Visual amenity

- 8.15 The supporting Landscape Assessment continues by assessing the impact of the development from a number of public viewpoints to include public highways and the railway line. The site is positioned within a low point in the landscape and has clear views into the site from elevated positions, such as where Lee Drove and Coldharbour Lane cross the railway line, from points in Lee Lane and along the A3057 where there are large gaps in the boundary hedgerows. These views are principally close up given that existing mature tree planting breaks up any potential long-distance wide vistas of the site and will still be achieved even during seasons where vegetation is at its most effective. Even with the mitigation, the proposals would still be very visible from a number of close-up locations until the planting matured after about 10 years. The proposals would therefore have long-term adverse impact on visual amenity to the users of the various road and rail networks running through and surrounding the site and would be unacceptable in landscape terms. The development is therefore deemed to have an adverse impact on visual amenity within the vicinity of the site and remains a detraction from the rural character of the area. The detrimental harm identified is contrary to policies ESN32, DES01 and DES10 of the Local Plan.

Highway Safety

- 8.16 The Local Plan contains a number of policies (TRA) that address issues of traffic and land use, examining aspects of highway safety, parking provision, access and site layouts and the impact on the highway network. The principle highway impacts relating to the development are from the construction period which is anticipated to last approximately 10-12 weeks with access required for the delivery of the equipment together with vehicle movements related to contractors.
- 8.17 The application details the intention to ensure that HGV vehicles approaching and leaving the site from the A27 using Lee Drove to access the two parcels with the widening of existing accesses into the respective fields.

Using Lee Drove also requires an alteration to its junction with the A3057 which has been met with no objection from the Highways Officer, together with no objection to the use of Lee Drove subject to the completion of a legal agreement to secure a lorry routing agreement and the off site works could have been secured by a Grampian condition. With these measures secured in conjunction with appropriate planning conditions, the development is deemed acceptable against the TRA policies of the BLP, but no such agreement has been completed. .

Natural Environment

Biodiversity

- 8.18 Local Plan policies ENV01 and ENV05 seek to ensure that adverse harm does not arise upon biodiversity interests and protected species respectively with criteria b to policy ESN32 also ensuring that the proposal does not adversely affect features or areas of ecological interest. These policies place a responsibility upon the applicant to demonstrate that any protected species have been accounted for within the submission and to provide long term enhancements for biodiversity. Although the site is not located within any area designated for its ecological interest, the site has potential to accommodate protected species and is supported by a Phase 1 habitat survey. This survey work considers that the development is not likely to give rise to adverse impacts on protected species subject to appropriate mitigation measures, appropriate site operation (e.g. timing) and biodiversity enhancements. No objection has been raised from the HCC Ecologist or Natural England as to the impact of the development upon protected species or sites designated for their ecological interest respectively. Furthermore no objection has been received to the potential for any impact upon the River Test from the possible influence of solar panels upon the lifecycles of water borne invertebrate fauna.
- 8.19 The replacement of land in arable cultivation with grassland and wildflower meadows has great potential to bring ecological /biodiversity benefits. Further planting is proposed to the field margins strengthening foraging opportunities and habitat diversification with improved connectivity providing greater opportunities for colonisation by a range of flora and fauna. It is anticipated that a species assemblage will develop offering a substantially greater diversity than the current site has to offer. All in all, the enhanced planting and the anticipated ecological gains shall bring about more lasting benefits beyond the lifespan of the solar installation. The development is therefore considered to accord with policies ENV01, ENV05 or ESN32 (b) of the Local Plan.

Trees

- 8.20 Policy DES08 seeks to ensure that development proposals have due regard to trees ensuring that specimens with amenity value are retained in perpetuity. There are numbers of existing trees to the site boundaries which form an integral part of the landscape character of the area and have public amenity value. In response, the Planning and Environmental Report states that 'no hedgerows or trees would be removed'. This view has been shared by the Arboricultural Officer in so far as the relationship between the proposed panels and associated infrastructure but not with respect to the site access.

Notably the proposal will require modification to the junction of Lee Lane/A3057 at which sits a mature tree prominent in public view. No information has been submitted to demonstrate that this tree will not be harmed during the works to the entrance of Lee Drove which has been raised as a concern. On the grounds that the Officer has responded with no objection, these details could have been secured by condition. The proposal is therefore deemed to accord with policy DES08 of the TVBLP.

Impact upon Heritage Assets (including Archaeology)

- 8.21 Section 66(1) of the Planning (Listed Buildings and Conservations Areas) Act 1990 places a statutory duty to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. It is also important to establish whether any harm to the significance of a heritage asset derived from the impacts to its setting amounts to “substantial harm” for the purposes of the NPPF (para 133). Locally Policy ESN17 of the Local Plan accords with these requirements with further regard given to features of historic or cultural interest within criteria b of policy ESN32.
- 8.22 There are a wide number of heritage assets within the vicinity of the site ranging from the estates of Broadlands, Embley Park and Grove Place through to other listed buildings and ancient structures (e.g. Toothill hillfort). Careful consideration has been given to the potential for intervisibility between the heritage assets and the solar installation, and any substantial harm arising upon the setting of such heritage assets during the 25 year lifespan of the installation. This has required consultation with both the Design and Conservation Officer and English Heritage with both consultees responding with no objection. With either little or no intervisibility, or any distant views not considered to amount to “substantial” harm upon the setting of these heritage assets when seen against the backcloth of the landscape, the development is considered to be acceptable against the requirements of the NPPF and policy ENV17 of the BLP.
- 8.23 With regard to archaeological interests, the accompanying Planning and Environmental Report suggests that there are no known archaeological features on the site. The application has been subject of consultation with the HCC Archaeologist who suggests that the archaeological potential of the site is higher than speculated, however supports the provision of an archaeological watching brief during the undertaking of groundworks that could potentially impact upon unknown buried archaeological remains. Given that agricultural ploughing operations would have potentially impacted much more severely in terms of the level and extent of ground disturbance, the archaeological potential of the site could have been addressed through a planning condition as advised by the HCC Archaeologist.

Flooding and Surface Water Run-Off

- 8.24 The application site lies outside of any area determined by the Environment Agency to be at risk from flooding, siting within Flood Zone 1 where the flood risk is less than 1 in 1000 years. Furthermore, the Environment Agency has been consulted on the application and has raised no objection to the development on flood risk grounds, whether from fluvial, ground or surface water sources.
- 8.25 Given the size of the site, the application has been accompanied by a Flood Risk Assessment which incorporates a drainage strategy based on SUDs principles to manage runoff from the site generated by new impermeable surfaces, from directed rainfall draining from the panels and from the impact of large vehicles being present on site during construction. The system to be installed will provide swales running parallel to site contours and then distribute flows, create storage and attenuate runoff to a level below that currently existing on the land. The application states that this system is likely to remain in private ownership and the responsibility of the site operators to maintain. Once installed, the site will additionally benefit from the absence of heavy agricultural machinery compacting the land in conjunction with new vegetation that is expected to improve water attenuation in order to further limit flows across the site. Had the proposal been deemed acceptable in other respects, a planning condition could have been imposed requiring the implementation of the submitted scheme. The proposal accords with policy HAZ02 (Flooding).

Glint and Glare

- 8.26 The NPPG advises that any application for large scale solar arrays gives consideration to the potential for excessive reflection, glint or glare adding to the sensitivity of such installations within the landscape and the potential impact on aircraft safety. It is understood that aircraft pilots will observe glint from a number of sources from time to time, but that it will generally have little effect unless the aircraft is flying towards the source of glint (which requires a continuously descending flight profile). Glint is described as being a very short lived transient event and is likely to happen when an aircraft approaches to land with a glint source near to a runway. The site, being to the south of Test Valley, has Southampton Airport in closest proximity however notwithstanding this, the applicant states that it was not felt necessary to submit any technical glint and glare assessment. A consultation has however been submitted to Civil Aviation Authority and any response received before the committee meeting shall be provided within an Update Paper to Committee.
- 8.27 Glint maybe produced as a direct reflection of the sun in the surface of the PV solar panel to cause viewer distraction. Glare however is a continuous source of brightness as a reflection of the bright sky around the sun, rather than a direct reflection of the sun. For any given location, these effects are likely to occur only for periods of the year when the sun is at a particular angle. To minimise this impact, solar PV crystalline panels are specifically designed and coated with anti-reflective surfaces to ensure the panels have a very low reflectively level. To give off excessive reflection would severely reduce their efficiency and value. It is also understood that solar panels, over time,

also gather dust which will not be completely washed away by rain thereby leading to a more diffuse reflection of sunlight. The panels are therefore understood to be less reflective than surfaces such as water, snow, glass buildings or car parks, being designed to capture as much sunlight as possible to convert to electricity and not lose it through reflection. In the absence of any landscape objection, this information needs to be considered against any response received from the aircraft industry.

Residential Amenity

- 8.28 Policies AME01 (Amenity and Privacy) and AME02 (Sunlight and Daylight) consider the effect of development upon neighbouring residential amenities, addressing aspects of privacy and private open space and daylight/sunlight respectively. The policy also considers any harm arising from dominance or overbearing development and the effect this can have on the outlook from a property. This development is not a type which is to give rise to any loss of privacy or loss of sunlight or daylight to any residential property. Concern has been raised regarding the impact upon views from individual properties, albeit this not being a material planning consideration. Notably, the closest properties to this site in Lee Lane and at Toothill are positioned approximately 80m from the site boundaries and benefit from some visual separation. It is not considered that the development gives rise to adverse harm to private residential amenity and accords with policies AME01 and AME02 of the TVBLP.

Noise

- 8.29 The AME policies continue with policy AME04 (Noise and Vibration) which considers the effect of noise and vibration from nearby land uses and the effect of these upon the amenity of occupants. In this respect, it is possible that some noise and disruption could occur during construction (and decommissioning stages) which is predicted to last 10-12 weeks. This impact could be ameliorated through the agreement of a Construction Method Statement secured as a pre-commencement condition to detail how and when the site shall be developed, with similar details to cover the decommissioning process.
- 8.30 Once operational, the photovoltaic panels do not give rise to any significant noise issues. It is possible however that low levels of noise could be generated from cooling fans within the six inverter stations that operate at times when electricity is being generated (e.g. sunlight hours). Cumulatively, there is potential for such sound to be audible beyond the site boundary and by residential properties that sit in close proximity should it extend above the existing background noise, which includes noise from the local highway network. It would therefore be necessary to ensure that any accumulated airborne noise transmitted from the site does not adversely erode the tranquillity of the immediate environs which could be addressed through the submission of an acoustic report secured by a condition to ensure that the development would not create any substantive noise related nuisance in accordance with policy AME04.

Land Contamination

- 8.31 Matters of land contamination have been raised to other such applications within Test Valley with no objection received to this issue from Environment Protection and the Environment Agency. In this respect it is understood that solar PV panels are designed to resist natural forces (e.g. hail, sun) to minimise any degradation that could give rise to land contamination. Furthermore, any ongoing inspection or maintenance of the site would identify any failing units as damaged units do not produce energy. It is therefore not considered that any refusal could be substantiated on contamination grounds with the proposal according with policy HAZ04 (Land Contamination) of the TVBLP.

Security

- 8.32 Solar farm sites are understood to attract low levels of criminal activity with the only elements attractive for theft comprising the copper cabling which is buried underground. Notwithstanding this, the site is to be fully enclosed with deer fencing to deter unauthorised access and criminal activity. Security CCTV cameras are to additionally be installed, mounted on 4m high poles with infra-red built in sensors linked to an alarm system with remote monitoring.

Community Involvement and Gain

- 8.33 This development is recognised as a renewable energy installation although it does not establish any direct community/local end-user benefits since the generated electricity would be fed directly into the National Grid. The representations submitted additionally make reference to a 'community benefit fund' and cite a sum of money which is not reflected within the submission itself. In any event, such a 'community benefit fund' has not been sought by the LPA against the tests of CIL and is therefore not a material planning consideration. As such, any agreement reached between the developer and the local community must and will remain separate to the assessment of this planning application and have no involvement from the Local Planning Authority.

9.0 CONCLUSION

- 9.1 One of the Core Principles of the NPPF is to support the transition to a low carbon future and encourage the use of renewable resources by the development of renewable energy. The proposed development would help towards this national requirement whilst also providing a diversification of income to the Estate although the weight afforded to the economic benefits are diminished in the absence of evidence that such benefits outweigh the loss of BMV agricultural land. On this basis, it is considered that insufficient evidence has been submitted to demonstrate that the development accords with the required tests of the NPPF. Furthermore, the development has been found to be harmful to the character and appearance of the area and the visual amenity attributed to this landscape character conflicting with policies DES01, DES10 and ESN32 of the Local Plan.

10.0 **RECOMMENDATION**

REFUSE for the reasons:

1. The proposed development, by reason of its size and scale would have an unacceptable impact upon the landscape character and the visual amenity of this location detrimental to the enjoyment of the countryside as experienced when in proximity to the site. The development conflicts with the Test Valley Borough Local Plan policies ESN32 (Renewable Energy Developments) and DES01 (Landscape Character).
2. Insufficient information has been submitted within the application to confidently conclude that the economic benefits of siting a renewable energy proposal on land deemed to be best and most versatile agricultural land quality are overriding to maintain the long term economic viability of the Broadlands Estate. The limitations of the site search to connect to a single primary substation also fail to demonstrate that alternative sites of poorer agricultural quality land could be used in preference to the application site for the siting of this large scale solar development. The development therefore does not accord with the National Planning Policy Framework (paragraph 112) and Planning Policy Guidance and policy SET08 of the Test Valley Borough Local Plan 2006.
3. In the absence of a completed legal agreement to secure a lorry routing agreement to ensure that construction traffic utilises the most appropriate and shortest link to the motorway network, the proposed development is contrary to policies TRA 01 and TRA 09 of the Test Valley Borough Local Plan (2006).

Notes to applicant:

1. Regarding reason no 3 above, the submission of the Construction Traffic Management Plan is acknowledged but there is an inconsistency between the wording of paragraph 3.12 and the plan shown in Fig.2.
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APPENDIX B

Officer's Update Report to Southern Area Planning Committee – 9 December 2014

APPLICATION NO.	14/01826/FULLS
SITE	Land West Of A3057 (Romsey Road), Lee Lane, Romsey, SO51 9LH, ROMSEY EXTRA
COMMITTEE DATE	9 December 2014
ITEM NO.	9
PAGE NO.	56 - 92

1.0 PLANNING HISTORY

- 1.1 14/01228/SCRS - Screening opinion - EIA not required – 16 June 2014.

2.0 REPRESENTATIONS

- 2.1 Letter of support from Malthouse Cottages, Lee Lane:

Despite concerns over the impact on the character of the area, energy is needed and reliance should not be other parts of the country or other countries to produce it. Land is to be returned to agriculture. However, would not support land to be regarded as previously developed land in the future and used for residential or employment.

Hedgerow planting and maintenance should be implemented at the beginning for landscape and visual barrier. Some hedges are trimmed quite low and existing hedges should be managed to reach 2.5m as for the new hedging.

Bird nesting takes place before March so maintenance should take account of nesting in early February. Hedgehog escapes should be fitted to pits as well as for badgers.

- 2.2 31 additional letters of support received from the agent on the same grounds as other letters of support as given in the agenda, from:

12, 13, 18, 30, 41, 49, 58, 35 (2 letters from same property) Mountbatten Avenue; 7, 20, 42, 48 Duttons Road; Flat 28, 28A, 28F Station Road; 46, 70 Knatchbull Close; 2 Island Cottage; 18 (2 letters from same property), 43, 45 Alma Road; 6 Fleming Place; 2, 7, 10, 13, 23 Mitchells Close; 35 Tadburn Green and 18 Malmesbury Road.

- 2.3 One letter of objection from Banavie, Station Road does not refer to this particular application and points mentioned regarding the concerns regarding the position of the access, the increase of traffic in Lee Lane and precedent that may be set should be disregarded in the consideration of this application.

3.0 **ADDITIONAL INFORMATION**

3.1 **Letter from agent** regarding the officer's report and reasons for refusal.

3.2 Reason 1

Comments have been provided in response to the Landscape objection. Not all policies are included in the reasons for refusal, only DES 01. Landscape and visual effects of development are open to interpretation and the agent's landscape comments have demonstrated that the application is not contrary to policy DES 01.

3.3 Reason 2

This reason is at variance with the Council's approach to another solar application at Cowdown Lane, Goodworth Clatford that involved 31.5ha of grades 2 and 3A agricultural land and the temporary loss of land was 'considered acceptable'. This site at Grove Solar Farm is 35.3ha of which 25.9ha are grades 2 and 3A., less than at Cowdown and the sequential approach was not subject to the same approach to its analysis and conclusion by the Council.

This application's agricultural land and alternative site assessment included the land quality and alternatives within 5km of the proposed grid connection. 46 sites were considered, of which the application site formed 3 of the parcels identified across 4 local planning authorities and no lesser land quality sites were identified. The Estate was the primary driver for the site selection and Broadlands Estate will appear at committee to address the issue of the long term economic viability of the enterprise.

3.4 Reason 3

A unilateral undertaking is being completed to secure a lorry routing agreement and a revised plan to show the route is being submitted. It is considered that the highway matters can be dealt with by condition and the undertaking.

3.5 **A response to the Landscape Officer's objection** has been provided and is summarised below.

Change to the landscape should be channelled in a managed direction and the landscape value of the site and locality was assessed as being 'Medium' and there are no statutory (AONB) or non-statutory (local landscape) designations within the Zone of Primary Visibility (ZPV).

The assessment was made to allow for the worst case scenarios, such as in winter months, but recorded views of that period were not possible in relation to the submission timing of the application.

Moderate/major adverse effects are 'borderline significant'. Only major adverse effects or greater are considered 'significant'. As the landscape improvements establish, the balance of adverse effects diminish. Details can be agreed as a reserved matter to ensure that this period of establishment is minimised.

The moderate/major adverse effects are very limited in area with very restricted zones of visibility. There are no significant adverse effects on landscape character outwith the restricted zones.

‘Urbanisation’, as used by the Landscape consultee gives the impression of a proposed permanent change and total land use change. The development, albeit present for a long duration, is not permanent and the panels will co-exist with agricultural fields. The land will return arable to pasture. Minimal reduction is proposed for the existing landscape elements and would relate to enhancements to existing hedgerows by new planting.

Views are extremely limited and there is an absence of significant adverse visual effects. The visual assessment acknowledges the adverse effects on visual amenity and uses methods of assessments to determine the ‘significance of adverse effects’ based on sensitivity, expectations of viewers and the scale, magnitude, duration of view and the nature of effects experienced. These visual effects are limited to a small number of locations from close range only, reducing over the growing season. .

Policy DES 02 is not related to the proposal as it written in relation to settlement character. The relevant policies are DES 01 and DES10.

DES 10 - No significant loss of landscape elements or character and the development is not permanent. Adverse effects would be ‘borderline significant’ and reduce over time. The development would integrate into the local environment and would comply with policy DES 10.

DES 01 – can be developed without detriment to the distinctive landscape qualities, the visual impact of the development is in keeping with the local character, proposals are sufficient to enable the development to integrate successfully into the local environment and it would not detract from the local landscape by the inclusion of unnatural landscape features. Therefore the development complies with policy DES 01.

4.0 **CONSULTATIONS**

4.1 The Landscape Officer has confirmed that the previous landscape comments as reported in the agenda are not changed having considered the Landscape Consultant’s response and maintains that the development remains to be considered contrary to policies DES 01 and 10. It is accepted that policy DES 02 is not relevant.

5.0 **PLANNING CONSIDERATIONS**

The landscape considerations have been given in the report and the response received has not effected a change in the approach of an objection for reasons of the impact of the development in this location. Views of the site are easily gained in the locality and the proposed planting would not be sufficient to outweigh the terms of that objection for the harm to the landscape character and appearance of the area. Hence the proposed development is contrary to policies ESN 32, DES 01 and DES 10 regarding the landscape issues.

5.1 The solar farm application at Cowdown made an alternative study area of 10k, rather than the 5km for this application. Previously developed land was considered but found to be unviable in terms of securing provision on numerous separate roof tops and to meet the necessary size of site and development. Some of the land in the search was grades 4 and 5 and mostly grade 3. The land selected was identified to be the least productive of the estate, being of grades 2 (4ha), 3a (27.5ha) and 3b (32ha/ 50% of the area). The submitted assessment for the Grove Solar Park for an alternative site was limited in its extent and as explained the Estate was the driver for the site selection.

5.2 The unilateral agreement has been completed to secure lorry routing but it is noted that it is for the period of construction and not for the decommissioning stage.

6.0 **AMENDED RECOMMENDATION**

Amendment to the wording of reason no. 1 to include policy DES 10.
