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<b>APPLICATION NO.</b>	21/01749/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	09.06.2021
<b>APPLICANT</b>	Low Carbon UK Solar Investment Company Ltd
<b>SITE</b>	Meadow Solar Farm , Land To The South East Of Perham Down , SP11 8PQ, <b>THRUXTON, SHIPTON BELLINGER, APPLESHAW, FYFIELD AND KIMPTON</b>
<b>PROPOSAL</b>	Construction and operation of a solar photovoltaic farm, battery storage and associated infrastructure, including inverters, batteries, substation compound, mast , security cameras, fencing, access tracks and landscaping
<b>AMENDMENTS</b>	Alternative site assessment – 28.06.2021 Amended Stone Curlew Survey, Cultural Heritage Assessment, Design and Access Statement and LVIA and additional covering letter - 18.08.2021 Amended and Additional Geophysical Report - 30.09.2021 Additional Transport Statement and Response to Highways – 05.10.2021 Swept Path Analysis – 05.11.2021 Amended Development Zone Plan, Location plan, Site Layout Plan – 05.11.2021 Amended Transport Statement – 08.11.2021 Additional Habitat Survey 10/12.11.2021
<b>CASE OFFICER</b>	Mrs Samantha Owen

Background paper (Local Government Act 1972 Section 100D)

[Link to Planning Application Documents](#)

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## 1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of a member.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located to the south of Perham Down and covers an area of 80 hectares across four distinct parcels. The site is currently under arable production. There are pockets of ancient woodland adjacent to the site and a footpath network that passes around and through the site. The site is bounded by a mix of hedges and some open boundaries. To the north of the site is the road between Great Shoddesden and Tidworth.

2.2 The site lies within a network of footpaths that link with Wiltshire's footpath network. A track known as Cow Lane which has public access across it divides the northern parcel of the site. Restricted Byway Kimpton 16 passes across the site in an east/west orientation. Public Footpath Kimpton 3 is located along the southern and part of the eastern boundary of the site.

2.3 Kimpton Conservation Area is located within a mile of the site to the east. There are no listed buildings within close proximity to the site with those located within the Kimpton Conservation Area being the nearest.

### 3.0 **PROPOSAL**

3.1 The application seeks full planning permission for a 75 hectare solar farm with an output of 49.9 megawatts that would power approximately 16,581 homes. The solar farm is proposed to be operational for 40 years.

3.2 The panels would be sited between 0.9m and 3m above the ground level. The racking would be positioned at an angle relative to the ground of 29.5 degrees with an anticipated gap of 3.2 metres between rows of the proposed panels.

3.3 The solar farm would also incorporate a number of ancillary structures as follows:

- 18 Inverters measuring 12.2 metres long, 3 metres deep and 2.9 metres high
- Switchgear/Control room measuring 12.5 metres long, 5.5 metres wide and 6 metres high
- Network Operator Control Room measuring 8 metres wide, 6 metres long and 4.1 metres high
- Customer Control Room measuring 10 metres long, 3 metres high and 4 metres wide.
- A Communications mast which would be of a lattice construction of 15-20 metres high.
- CCTV cameras to a height of approximately 2 metres at approximate intervals of 50 metres along the boundary line of the solar farm.
- The site has the capacity for 8 battery containers measuring 2.6m wide, 2.9 metres high and 12 metres long.

The substation would be 50 metres by 50 metres approximately with all structures constructed on a concrete base. Vehicle access to the substation would be from the road between Tidworth and Great Shoddesden to the north of the site, with an internal access track along the western boundary of the site. The whole site would be enclosed by a 2m high wooden post and metal wire deer fence.

### 4.0 **HISTORY**

4.1 21/00744/SCRN - Screening opinion under the Environment Impact Assessment Regulations 2017 - Proposed solar farm with battery storage and associated infrastructure – EIA not required.31.03.2021

## 5.0 **CONSULTATIONS**

### 5.1 **Natural England - No Objection**

NE recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan which should be agreed by the Council's Ecologist. NE have raised no objection to the Appropriate Assessment in respect of the Stone Curlews provided mitigation is secured.

NE have raised concerns about the use of Best and Most Versatile land to accommodate the solar array.

Recommend a Decommissioning Plan.

### 5.2 **HCC Local Lead Flood Authority (LLFA)**

- Applicants have submitted an FRA advising the site is in FZ1
- They have acknowledged that the site sits on chalk.
- No infiltration tests have been carried out on site
- Solar array is a low risk development
- The Applicant is proposing Swales along the sites boundary
- Sufficient storage capacity within proposed Swales to contain the 1:100+ climate change value
- Suggest Condition

### 5.3 **Archaeology - No Objection**

Condition to secure the Mitigation Strategy recommended.

### 5.4 **Landscape – Comment**

The amended landscaping scheme looks to increase many of the perimeter buffers as well as incorporating new woodland belts which helps to address many of the key concerns which were highlighted in the previous landscape response. Due to site constraints, it is not possible to address all aspects which were highlighted, in the cases where this wasn't possible, the application has provided reasonable justification.

Due to the size and scale of the proposals the development would never be able to be fully mitigated.

5.5 Planting details and a robust management plan will be required, these have been submitted but require some further work so a condition is recommended.

### 5.6 **Ecology – Comment**

RSPB has agreed mitigation measures to address impact on stone curlews with the applicant regarding this species. Skylark plots are also proposed. This will be agreed through a S106.

The Ecologist also recommends Conditions re the following:

- Location of mammal gates
- Lighting
- Construction Traffic Management Plan (CEMP)
- Biodiversity Enhancement plan

### 5.7 **Royal Society for the Protection of Birds (RSPB)**

- RSPB guidance requires three years of targeted surveys to confirm habitats on site do/do not support stone curlew
- Only one year provided
- In lieu of three years' worth of survey RSPB have agreed a stone curlew plot in the vicinity of the solar farm to provide acceptable habitat
- On going maintenance needs to be secured

### 5.8 **Highways – No objection**

The following conditions are suggested;

Construction Environmental Management Plan

Access provision

Hard Surface Materials

Surface Water Details

### 5.9 **Design and Conservation – No objection**

Due to the topography of the area and the existing established tree belts and other vegetation, it is unlikely there will be direct views of the proposed solar farm from any of the designated heritage assets in the vicinity.

Glimpsed, distance views may be possible in some places but these should be unlikely to cause sufficient effect on the assets' settings that there would be harm to their significance.

The Heritage Assessment is light on photographs/ other pictorial evidence to demonstrate the settings of any assets. However as was advised in previous comments it seems unlikely that the solar farm would adversely affect the settings of any nearby assets.

### 5.10 **HCC Rights of Way – Comment**

Footpaths that are present are kept on their original routes. Support Andover Ramblers in seeking mitigation through a new route. Suggest conditions and informatives.

### 5.11 **Andover Ramblers – Comment**

- The Design and Access Statement mentions the Public Rights of Way but does not mention the Other Route with Public Access (Cow Lane).
- Plan confirms all routes will remain on current routes.
- It is important that there is an open space meadow buffer zone between the routes and the solar panels or any new fencing/hedging proposed.
- Any new hedging should be at least 5 metres either side of the path and any reduction should be approved on an individual basis.
- There will be significant loss of views especially from Restricted Byway 16
- Should be some recompense for this loss and the walk through a quasi-industrial landscape
- Andover Ramblers propose that an addition to the PROW network should be formally recognised to link Cow Lane and the restricted byway, this could be done without any serious impact to the solar array.

- Alternatively a new path along southern fence of the new sola array.

5.12 **Environmental Protection - No objection**

Conditions suggested in relation to Noise from external plant and Method of construction (dust and noise).

5.13 **MOD – No objection**

5.14 **Wiltshire County Council (Highways) – No objection** subject to securing the routing of construction traffic.

5.15 **Wiltshire County Council (Landscape) - No objection.**

Subject to a strong planting belt along part of the western boundary of the southern section.

5.16 **DEFRA – No response**

6.0 **REPRESENTATIONS** Expired 12.07.2021

6.1 **Kimpton Parish Council: Objection**

- Supportive of solar power
- Solar farm would be located in unspoilt area and should not be spoiled by a solar plant of such a large size
- Solar Farm will reduce areas for wildlife to roam.
- Solar farm will result in the loss of farmland – solar farms could be built on brownfield sites.
- Number of solar farms in area which will spoil area.
- 40 year life is stretching the envelope of plant and component as well as management experience.
- Enjoyment of using the footpath network will be reduced.

6.2 **Thrupton Parish Council: No objection**

6.3 **Shipton Bellinger Parish Council: No response**

6.4 **Fyfield Parish Council: No response**

6.5 **Appleshaw Parish Council: No response**

6.6 14 letters of representation: Manor Bridge Court, Tidworth; 27 Sheppard Street, Tidworth; Touch Down, Cow Lane, Kimpton; Barn House, Kimpton Lane, Kimpton; Kimpton Wood House, Down Road, Kimpton; 6 Deacon Road, Kimpton; 25 Fyfield Way, Perham Down; Ladysfield, Wiremead lane, E.Cholderton; Rosslyn Cottage, Biddesden Bottom Road, Redenham; The Pumphouse, 5 The green Kimpton; Kimpton Cottage, Kimpton; Unknown address, Cow Lane; Fleetwood, Cow Lane, Kimpton; Unknown address.

- Neutral on application
- Disappointed all construction traffic through Tidworth utilising Station Road which is a 20mph zone
- Could vehicles not use Somme Road using new link and improved A338
- Access to Cow Lane should be kept accessible through construction

- Development will change land use, no provisions to return the land to greenfield after 40 years making land vulnerable to other development.
- No indication of end of life considerations like battery spillage making it less likely that it will be returned to greenfield
- Language used in the application is vague
- Immature copse at top left of Cow lane this should be left out of solar array
- Wildlife should be allowed to move freely as it does at present.
- Area of stunning beauty that many people enjoy, numerous brownfield sites that could be used locally in Andover/Ludgershall
- Screening should be at least 3 metres in height
- Views from local footpaths will be ruined
- Developers have indicated that they will mitigate impact by planting, bee hives, sheep etc., appears they acknowledge proposal is not in keeping with area.
- Solar panels along A303 have less of a visual impact.
- Why can panels not be placed in already industrial area or on roofs.
- Must be another place solar panels can be erected without absorbing farm land
- Will impact views from my property (Kimpton Wood House)
- Solar Farm will be visible from Warren Hill and will be a blot on the landscape, hardly a legacy to pass to future generations

Thruxton Aerodrome – No objection

## 7.0 **POLICY**

### 7.1 Government Guidance

Climate Change Act 2008, National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), National Policy Statement for Energy Infrastructure (NPS).

### 7.2 Test Valley Borough Revised Local Plan (2016)(TVBRLP)

SD1 – Presumption in favour of Sustainable Development

E1 – High Quality Development in the Borough

E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

E5 – Biodiversity

E7 – Water Management

E8 – Pollution

E9 - Heritage

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standards

### 7.3 Supplementary Planning Documents (SPD)

Test Valley Renewable and Low Carbon Energy Study

## 8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of Development
- Use of agricultural land
- Landscape and Visual Impacts
- Highway Impacts and Access
- Biodiversity
- Heritage
- Surface Water Run Off
- Residential Amenity
- Glint and Glare
- Construction Issues
- Other Matters

### 8.2 **Principle of Development.**

Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The TVBRLP was adopted in January 2016. There are no specific policies within the plan relating to renewable energy.

Policy SD1 of the TVBRLP has a presumption in favour of sustainable development. It states that where there are no policies relevant to the application the Council will grant planning permission unless material considerations indicate otherwise – taking into account whether;

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole or;
- b) Specific policies within that Framework indicate that development should be restricted.

8.3 The site is located within the countryside as defined by Policy COM2 of the TVBRLP where development is allowed if it is appropriate within the countryside as set out in relevant policies or it is essential for it to be located within the countryside. The relevant policies set out in policy COM2 do not cover the creation of solar farms. Consideration therefore needs to be given to whether it is essential for the proposal to be located in the countryside and whether there are any relevant material considerations.

8.4 The National Policy Statement for Energy (EN-1) sets out how the Government is going to reduce its carbon emissions by 2050 as at present the UK is heavily reliant on fossil fuels, which has an impact on global climate. To keep rising global temperatures to below 2 degrees there needs to be a move away from the use of fossil fuels. As part of its strategy the Government has set out its need for new low carbon energy infrastructure to contribute towards climate change mitigation.

8.5 The NPPF (2021) states in paragraph 158 that when determining planning applications for renewable and low carbon development local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognises that even small-scale projects provide a valuable contribution and that the application should be approved if its impacts are or can be made acceptable.

#### 8.6 Site Selection

The proposal is for a non-subsidised solar farm covering 80 hectares. Sourcing viable sites is dependent on a number of factors including connection to grid and the Planning Statement provides information on other sites that were considered. With regard to installations on existing buildings the applicant's Alternative Sites Assessment advises that there are no roofs of comparable size and utilising multiple roofs is not comparable or realistic when considered relative to a ground mounted solar array. Third party suggestions of utilising land adjacent to the A303 is noted but unless that comes forward as an alternative and available site consideration needs to be given to the proposal as submitted.

8.7 There is no guidance on what should constitute a search area. The search area has therefore been dictated by the need to connect to the grid. A 132kv overhead line runs across the site which the proposed development would connect into. This stretch of overhead line has the necessary capacity and infrastructure to accommodate the construction of the solar PV farm of the proposed size. It is considered that connection to this overhead power line could theoretically occur within 1km of it and as such the search area has been restricted to a 1km corridor on either side of this identified stretch of line. All land that had been allocated for renewable projects or land that had been allocated for employment within these areas were considered. A search on the Estates Gazette database was also undertaken and looking at both Wiltshire and Test Valley brownfield land registers. No alternative sites were identified.

#### 8.8 **Use of agricultural land.**

Agricultural Land is classified into 5 grades. Grade 1 is best quality and Grade 5 is the poorest quality. The NPPF defines the Best and Most Versatile agricultural land as being those in Grades 1, 2 and 3a and that LPA's should recognise the economic benefits of this land and steer significant development towards poorer quality land.

8.9 The Agricultural Land Classification Report (ALCR) advises that the site has Grades 3a and 3b across it. The proposed development is a temporary and reversible use of the land with no permanent loss of agricultural land. The National Planning Practice Guidance (NPPG) on Renewable and Low Carbon Energy advises that where possible solar farms should be located on previously developed land. Where a proposal involves greenfield land consideration should be given to "Whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity

improvements around arrays.” An Agricultural Quality Survey (AQS) has been submitted with the application and this indicates that the solar array would be constructed on Grades 3a and 3b which falls under the category of Best and Most Versatile Land. Information has been submitted within the AQS which details the nature of the soil. The agricultural land is stony and this can be an impediment to cultivation and result in greater wear and tear on machinery. The land the subject of the application was concluded in the AQS as being restricted to late spring and autumn crops. A number of biodiversity enhancements are proposed as part of the application and would be secured via condition.

8.10 Alternative sites were considered but many were constrained by connectivity to the grid, proximity to heritage assets, better grade agricultural land (Grades 1 and 2) and landscape designations (North Wessex Downs AONB). Accordingly, the 40 year/temporary loss of the ability to farm the land for arable purposes is considered acceptable.

8.11 The proposed solar farm would be 75 hectares of land currently in arable production. Consideration has been given to alternative sites within the area but none of these are large enough for a viable commercial solar farm and lack a viable connection to the grid. Utilising rooftops of existing buildings is also problematic due to the extent of land needed and ownership, deliverability and maintenance constraints. The agricultural land that is being utilised by the solar farms is a mix of Grade 3a and 3b and would be temporarily taken out of agricultural use to facilitate the provision of renewable energy. It is considered that it has been shown that to create a viable solar farm it is essential for it to be located within the countryside and as such accords with Policy COM2 of the TVBRLP.

#### 8.12 **Landscape and Visual Impacts**

Policy E2 of the TVBRLP requires development to protect, conserve and enhance the landscape of the Borough. The NPPG on Renewable and Low Carbon Energy recognises that *“The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively”*. Concern has been expressed by third parties regarding the visual impact of the proposed solar farm. A Landscape Visual Impact Assessment (LVIA) has been submitted as part of the application and this has assessed the impact of the proposed solar farm from numerous viewpoints. The Landscape Officer agrees that the LVIA provides an accurate assessment of the local and wider landscape character.

8.13 The area of the application is not subject to any landscape designations. It is characterised by gently undulating farmland with copses of trees set within it. Apart from pylons which cross the area there are few man-made structures visible. It is accepted that it is not possible to fully screen the solar array from higher ground that surrounds the site or from the footpath network that crosses the site. Instead, consideration has been given to breaking up the view of the

solar array, substation and other supporting structures where possible in longer distance views and when passing in close proximity to the array screening in the form of planting blocks and hedges would be used. The Landscape Officer is supportive of this approach.

- 8.14 It is considered that there are two views that are more contentious than others these are Viewpoint 7 which looks across the array from Pickford Hill and Viewpoint 5 which passes in close proximity to the solar array and substation. An amended LVIA was submitted on the 18<sup>th</sup> August 2021. Viewpoint 7 is from Pickford Hill which is elevated in relation to surrounding land, it would not be possible to mitigate this view in its entirety even after 40 years. The hedges within this view and between Parcels 4 and 5 have been reinforced and whilst this would have little impact on screening from Viewpoint 7, it would help contain the development and when viewed with the wider landscape would help maintain the existing field layout. From this viewpoint the proposed solar array would always be apparent and it is acknowledged that there would be harm caused by its presence in the wider landscape.
- 8.15 Viewpoint 5 would also be afforded views of the solar array, this viewpoint is along Kimpton 3 Footpath looking northwards across the southern section of Parcel 5. There is a section of Kimpton 3 Footpath of approximately 450 metres that would have clear views towards the southern section of Parcel 5. The solar array would be set back from the footpath but would be on land that rises south to north. Significant block woodland planting is proposed alongside the footpath where there are currently clear views and this would start to have an impact from year 1 with the view being partially screened and completely screened by year 15.
- 8.16 Parcel 5 would also be the location of the substation in the south-western corner and the location of the 15-20 metre mast. The substation would be a square compound area located in the south western corner of Parcel 5. A communications mast is proposed adjacent to the substation area. This would measure 1.2m on all elevations and a height of 15-20 metres. This proposed structure is of a lattice construction and would be seen in context with the proposed substation and connection to overhead power line. Kimpton 3 Footpath would be to the south and would largely be screened from the substation by existing trees, although at 15-20 metres the mast would be more visible. There is also a path to the west of the substation and this is located within Wiltshire, this is not however a formal public footpath. The substation would be visible from this path for a distance of approximately 100 metres.
- 8.17 The substation does represent a change in the landscape at this point from open fields to an enclosed densely developed area, notwithstanding this it would be encountered only from the immediate Kimpton 3 Footpath and the proposed and existing planting along this path would screen the majority of the substation from this path over time. The substation would also only be encountered for a short period when walking this path and it is considered that whilst a change has occurred in the landscape that is harmful this will be sufficiently mitigated.

8.18 The proposed solar array would represent a change to the wider landscape but it is considered that the proposed mitigation would mitigate the visual impact from the majority of the viewpoints and where this is not entirely possible due to the change in land levels the screening proposed would soften the views of the proposal to an acceptable extent thereby reducing its impact within the wider landscape. Long term management and maintenance arrangements for the proposed landscaping would be secure via condition. The Landscape Officer has raised no objection. It is accepted that the solar array will have a less positive impact on the landscape in its first 5-10 years as the mitigation planting matures but it is considered that over time the impact will lessen. The exception being views across the solar array from Pickford Hill, it is unlikely that these views will be completely mitigated across the life of the solar array and this will be harmful and would not positively integrate into the landscape character and would not accord with Policy E2.

#### 8.19 Highway Impacts and Access

Policy T1 of the TVBRLP requires development to not have an adverse impact on the function, character and safety of and accessibility to the local and strategic highway network or the rights of way network. The application was submitted with a Transport Statement which details how traffic would be managed.

8.20 Concern has been expressed by third parties on the construction phase of the solar farm. Their concern has been about accessing the site from the west and through Tidworth along roads that are within a 20mph zone. This concern was also expressed by Wiltshire County Council. An amended Transport Statement was submitted on the 5<sup>th</sup> of October 2021 which changed the construction route as it passed through Tidworth, effectively taking it away from the 20mph zone. Wiltshire County Council raised no objection to the revised route.

#### 8.21 Access

Vehicle access to the site would be obtained from the road to the north. During construction a temporary internal road would be constructed along part of the eastern boundary to allow large lorries required during the construction period to be able to egress and access the highway network safely. There would be an area within the site that would allow for lorries to pass and set down their loads. Operational traffic would have a slightly different route, whilst the same access to the highway would be used the internal operational access road would then travel west to the boundary of the site and then south towards the substation. Offset routes to access all parcels would lead off from this route.

8.22 Hampshire County Council as Highways Authority have raised no objection to the management of traffic through both the construction phase and the operational phase, subject to condition in respect of the submission of a Construction Method Statement.

### 8.23 Public Rights of Way (PRoW)

The site has a number of rights of way that either cross the site or follow the boundary of the site. At present these rights of way pass through an arable landscape, with some open views across the site and surrounding countryside.

8.24 Hampshire County Council (HCC) has produced Countryside Access Plans (CAP) where HCC sets out how it will manage and improve the Public Right of Way (PRoW) network. The main issues identified within the CAP relate to the connectivity and condition of the existing access network. This development proposes to accommodate the footpaths on their existing routes and would not disrupt the connectivity of the PRoW network

8.25 To mitigate the impact of the solar panels additional planting is proposed to create 'green corridors' alongside the rights of way. Andover Ramblers have requested that instead of planting adjacent to the route that a 5 metre buffer is allowed either side of the route before planting. Whilst this is noted HCC RoW who maintain the footpath network have acknowledged that there are sufficient 'green corridors' to screen the development. The Andover Ramblers have also requested an additional footpath route be created to mitigate the change to the existing footpath network. HCC PRoW have supported this request. The route suggested by Andover Ramblers would result in a new path from Kimpton FP16 to the track known as Cow Lane or an alternative route that would transition along the southern fence of the solar farm.

8.26 It is acknowledged that the proposed solar farm would have an impact on the character of the rights of way network in the area. The policy test for T1 is whether it would have an adverse impact on function, safety and character of and accessibility to the local rights of way network. The Andover Ramblers believe that the change from an arable field to a solar farm would result in the creation of a quasi-industrial landscape. The majority of the footpath route around and through the site would only encounter the solar farm along one side of the footpath apart from a stretch of some 30 metres of the restricted byway where walkers would be passing through the middle of the solar farm with panels on both sides. Other than this section walkers would have one side overlooking open countryside allowing open views where possible or glimpsed views through vegetation. The creation of green corridors and additional buffer planting where the footpaths or restricted byways encounter the solar farm is not considered to be out of character with the wider footpath network which is a mix of enclosed walking routes with occasional longer views. It is not considered that there is an adverse impact on the PRoW network that justifies the suggested mitigation of a new route by the Andover Ramblers. The current walking routes would be available on their existing line following construction of the solar farm and the proposed planting mitigation would result in the solar farm over time being screened from walkers utilising the PRoW network in the area. It is considered that the proposed development would accord with Policy T1 of the Revised Local Plan.

## 8.27 **Biodiversity**

Policy E5 of the RLP states:

Development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted.

Development that is likely to result in a significant effect, either alone or in combination, on an international or European nature conservation designation, or a site proposed for such designation, will need to satisfy the requirements of the Habitat Regulations.

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or geological conservation interests, either directly or indirectly, will not be permitted unless;

- a) The need for, and benefits of, the development in the proposed location outweighs the adverse effect of the relevant biodiversity interest
- b) It can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and
- c) Measures can be provided that would avoid, mitigate against, or as a last resort, compensate for the adverse effects likely to result from the development.

Paragraphs 8.4, 8.5, 8.6 and 8.7 above consider the need for alternative energy sources to reach Government targets to reduce carbon emissions by 2050, they also outline the alternative sites assessment and it is considered that the application accords with criterion (a) and (b) above. Below sets out in more detail the proposed mitigation.

8.28 The proposed Landscape and Biodiversity Strategy proposes additional planting in the form of hedgerows and woodland planting which would create improvements to the connectivity between existing habitats.

## 8.29 Ancient Woodland

Upper Newtown Copse is an ancient woodland and is adjacent to the proposed access track and concern was expressed by the Ecologist about maintaining a suitable buffer between this track and the woodland to protect it from soil compaction and root damage and indirect impacts from lighting, noise and recreational activity. Guidance from Natural England outlines that a 15m buffer between development and ancient woodlands is required and that is largely to reduce the impact of the issues above. Notwithstanding this the only part of the development within the 15m buffer area is the access track and this would be used infrequently, the Ecologist has raised no objection to the use of the track through the operational phase of the development proposed. The Ecologist is suggesting mitigation measures through the construction phase and this would be secured via condition through the submission of a Construction Environmental Management Plan.

8.30 Bats

It has been confirmed within the submitted Ecological Assessment that there is no roosting potential for bats within the trees proposed to be removed to accommodate the development. No artificial lighting is proposed at night and this would be secured through a condition.

8.31 Hares and other mammals

Mammal gates are proposed approximately every 50 metres to ensure mammals are able to access the site. The movement of mammals across the site can change over time and the Ecologist has advised that it may be more appropriate to submit a more detailed location plan for these through a pre commencement condition. A condition in this respect has therefore been recommended.

8.32 Dormouse

There is the potential for Dormice to be present in the area. No woodland or boundary hedgerows suitable for dormice would be directly impacted by the proposed development. Indirect impacts of the development are proposed to be dealt with through the use of protective fencing and a CEMP.

8.33 Badgers

There is evidence of a badger sett on the boundary of the site and this would require a 30 metre buffer zone to be incorporated into any layout and this has been achieved. Mammal gates would also help badgers and these are discussed above and a condition in this respect has been recommended.

8.34 Skylarks

Three skylark breeding territories have been identified and these would require mitigation. Alternative skylark plots just outside the site boundary are being secured through a S106.

8.35 Stone Curlews

Stone Curlews are one of the rarest ground nesting birds in the UK and are protected under Schedule 1 of the Wildlife and Countryside Act 1981. It is an offence to intentionally or recklessly disturb birds and their young on or near an active nest and also to disturb a breeding attempt. Stone Curlews are a migratory species and breed in limited areas within the UK. Salisbury Plain is a known area where they do breed and the application site is on the edge of the Plain. Salisbury Plain has a Special Protection Area (SPA) where stone curlews are a notable species and this is located 4km to the west of the site.

8.36 The application is submitted with Ecological Surveys and Stone Curlew Mitigation Strategy. The site was surveyed between April and August 2021 and concluded that there were no nesting birds within the site. There has been a siting of a pair of stone curlews on off-site land during the survey period. In conjunction with the RSPB the applicant has agreed to provide a Stone Curlew nesting plot on offsite land adjacent to the proposed solar array. This will conform to RSPB standards in how to create a plot of this nature and will be secured through a S106. The S106 to secure the skylark plots and stone curlew plots is currently in progress.

8.37 It is considered that the mitigation proposed and conditions recommended would mitigate against the adverse effects likely to result from the development and accord with Policy E5.

**8.38 Heritage Issues**

Policy E9 of the TVBRLP requires development that affects a heritage asset to make a positive contribution to sustaining or enhancing the significance of the heritage asset. Designated heritage assets impacted by the application include listed buildings, a conservation area and archaeology. The proposed solar farm is to the west of the village of Kimpton and is outside of the Conservation Area. Due to the topography of the land there would be no views of the solar farm from the Conservation Area which is over a kilometre away and it is not considered that with the distances involved that there would be any detrimental impact on the setting of the Conservation Area at Kimpton.

8.39 Kimpton has a number of listed buildings within it. It is considered that as with the Conservation Area, due to the topography and the landscape features there would be no views of the solar farm from any of the listed buildings within the village resulting in no change in terms of their setting. The Conservation Officer has raised no objection.

**8.40 Archaeology**

The application has been submitted with a Cultural Heritage Assessment (CHA). The CHA identifies three specific areas of archaeological sensitivity. Area 1 and Area 2 have identified Iron Age and Romano-British remains. Area 3 was not available for surveying. A Mitigation Strategy has been submitted which advises that work within the sensitive areas would follow a separate methodology. Within these sensitive areas measures would include no dig surface mounting of solar panels, laying access track on the surface, suspending cabling where possible and limiting cable troughs to 0.15m in depth. The County Archaeologist has advised that they raise no objection to this approach and as such archaeological issues would not present an overriding concern.

8.41 It is considered that the development accords with Policy E9 of the TVBRLP.

**8.42 Surface Water Run Off**

The site is located within an area of low flood risk however as the site is greater than 1 hectare in size the NPPF advises that a Flood Risk Assessment should be submitted and this has been provided. Solar installations generally do not significantly increase impermeable surfaces as there is little hardstanding involved other than for the bases of buildings. The solar panels do however prevent rain from falling directly onto the ground and concentrate rainwater to the ground in front of each table of panels. This can have minor implications for soil compaction, surface water run-off and flood risk. The Flood Risk Assessment submitted concludes that there would be some additional run off from the site due to the supporting structures. This would be managed by the use of Swales which would have a greater volume of storage than the 1 in 100 year storm event and an allowance for climate change. The LLFA have suggested a Condition. It is considered that the development would not increase the risk of flooding on or off-site and accords with Policy E7 of the TVBRLP and the NPPF.

#### 8.43 **Residential Amenity**

The nearest residential dwellings to the solar array are those that are located at the western end of Downs Road, Kimpton. There is a cluster of three dwellings Kimpton Down Farm, Lyndale and Kimpton Wood House. The latter two dwellings share a boundary with the fields to the west. The field to the west immediately adjacent to these dwellings would not be utilised by the proposed solar array. The solar array would be located to the north west and south west of these dwellings. Due to the topography and woodland there would be no views of the solar array to the north west which would be over 400 metres away from the closest property. The solar array to the south west would be located in a field that would initially be partially visible to the occupiers of these dwellings as the hedge between the undeveloped parcel and the solar array parcel is in places relatively open.

#### 8.44 Kimpton Wood House

The closest dwelling to the array would be Kimpton Wood House; the field that the solar array would occupy would be over 190 metres at its closest to Kimpton Wood House and would be screened from the solar array by existing woodland. With the existing screening and the separation distances any change in outlook from this property would not be detrimental. A woodland area to the south of this property and along the boundary between the fields immediately adjacent to these dwellings and the field containing the solar array is proposed as mitigation. Over time this would screen longer distance views of the solar array. At present no details of the number, density and size of this woodland planting has been provided but this would be secured through condition.

8.45 It is considered that with the proposed distances between the properties and the solar array and the long term mitigation proposed the development accords with policies LHW4 and E8 of the Test Valley Borough Revised Local Plan.

#### 8.46 **Glint and Glare**

Policy E8 of the RLP requires development to not result in pollution which would cause unacceptable risks to amongst other things general amenity. The Planning Practice Guidance for Renewable and Low Carbon Energy does require an assessment of glint and glare for solar arrays. Glint may be produced as a direct reflection of the sun in the surface of the PV solar panel (or frame) so as 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. The panels are constructed of materials that are designed to be anti-reflective as their purpose is to take in light, not reflect it. Frames are often finished in matt finish to reduce potential for reflection. This is confirmed in paragraph 6.18 of the Planning Statement accompanying the application.

8.47 The road to the north of the proposed solar farm would have glimpsed views of the solar array, although at this point the solar panels would be facing away from the road meaning glint and glare if it occurred would not be an issue.

8.48 The only other place glint and glare could be encountered is from the public footpath network. Due to the proposed screening and in some cases distance from the network any glint and glare would not be considered significant or detrimental in amenity terms.

8.49 The potential for glint and glare can also impact aircraft. The MOD were consulted on this application and have raised no objection on safeguarding issues.

8.50 It is considered that the proposed solar farm would not give rise to unacceptable impacts from glint and glare and would accord with Policy E8 of the Revised local Plan

#### 8.51 **Other Issues**

Concern has been expressed by third parties that following 40 years use as a solar farm the land would be 'brownfield' and would be developed. A condition is recommended to applications of this nature requiring the land to be returned to its former condition no later than 40 years from the first export date or within six months from when the array does not generate electricity for 12 consecutive months. This condition requires the land to be returned to its former state and does not create 'brownfield' land.

### 9.0 **CONCLUSION**

#### 9.1 Planning Balance

The impact of the solar farm on the highway network, biodiversity, heritage and residential amenity are considered acceptable and accord with the relevant policies of the TVBRLP.

9.2 It is accepted that the solar farm would have a harmful impact on the wider landscape which is popular with local walkers and in turn this would impact upon the walkers experience as they utilise the local footpath network. Longer distance views of the solar array would be harmful and they would not be mitigated during the 40 year life of the solar array. However this is balanced against the proposal having a maximum capacity of 49.9mw which in turn would power 16,581 homes. This would contribute to energy security and reducing the potential impacts of climate change. This development would make a significant and valuable contribution to meeting national targets for renewable energy

9.3 It is considered that the benefits of the proposed development outweigh the harm caused by the proposed solar array and as such it is recommended that the application be supported.

### 10.0 **RECOMMENDATION**

**Delegate to the Head of Planning and Building that subject to satisfactory prior conclusion of a S106 agreement to secure 6 skylark plots on offsite land and a 2ha stone curlew plot on offsite land, then PERMISSION subject to:**

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission. This permission shall be for a period of 40 years from the date that the development is first connected to the grid (the "First Export Date"). Two weeks' notice of this first connection shall be given to the Local Planning Authority in writing. The development shall be removed and the land restored to its former condition (with the exception of the features to be approved through the submission of a Biodiversity Management and Enhancement Plan pursuant to condition 6 of this permission) no later than the date 40 years from the First Export Date or within six months of the development failing to generate electricity for 12 consecutive months, whichever occurs first. All structures and materials, and any associated goods and chattels shall be removed from the site and the land shall be restored to its former condition in accordance with a scheme of decommissioning work and land restoration that shall have first been submitted to and approved in writing by the Local Planning Authority.**

**Reason: In order that the land is restored to its original condition following the expiry of the period of time whereby electricity is likely to be generated by the proposed development and for which a countryside location has been shown to be essentially required, in accordance with policies COM2 and E2 of the Test Valley Borough Revised Local Plan 2016.**

2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans;  
SD-01; SD-02; SD-04; SD-06: SD-07; SD-08; SD-16;SD-17; SD-20;SD24; SD27; DS-26; LCS060 REV06; DZ 01 REV12; LCS060 SP-01 REV09; LCS060 PLE-01 REV20.**

**Reason: For the avoidance of doubt and in the interests of proper planning**

3. **No development shall start on site until the access, including the footway and/or verge crossing, shall be constructed and provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.**

**Reason: To provide satisfactory access and in the interests of highway safety.**

4. **No development shall start on site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:**

- (a) **The provision of long term facilities for contractor parking;**
- (b) **The arrangements for deliveries associated with all construction works;**
- (c) **Methods and phasing of construction works;**
- (d) **Access and egress for plant and machinery;**
- (e) **Protection of pedestrian routes and public Rights of Way during construction;**

- (f) Location of temporary site buildings, compounds, construction material and plant storage areas;
- (g) Traffic routing and construction work shall only take place in accordance with the approved method statement;
- (h) Measures to control dust, noise and avoidance of light nuisance.

The Construction Method Statement shall be implemented as approved for the duration of the construction works.

Reason: In the interest of the amenities of the local area and in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

5. Prior to commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP), incorporating measures to avoid impacts on the adjacent designated sites, habitats and species shall be submitted to and approved in writing by the Local Planning Authority. This must include all requirements outlined within the report titled 'Meadow Solar Farm Ecological Assessment' undertaken by Landscape Science Consultancy Ltd., August 2021. Development shall subsequently proceed in accordance with any such approved details for the duration of the construction works.

Reason: To protect notable locally designated sites, habitats and species in accordance with Policy E5 of the Test Valley Revised Local Plan 2016.

6. Prior to the commencement of the development hereby permitted, a Biodiversity Management and Enhancement Plan for created and retained habitats on site must be submitted to and approved in writing by the Local Planning Authority. This must include all requirements outlined within the report titled 'Meadow Solar Farm Ecological Assessment' undertaken by Landscape Science Consultancy Ltd, August 2021. The development shall proceed in accordance with any such approved details, with mitigation and enhancement features being maintained in perpetuity. Photographic evidence of habitats created on site should be submitted to the Local Planning Authority within 6 months of completion.

Reason: To ensure the favourable conservation status of protected species and habitats, and enhance the biodiversity of the site in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.

7. Prior to commencement of the development hereby permitted, the results of the updated badger surveys of the site (to be carried out by a qualified ecologist), along with details of any necessary resulting mitigation, including specification and location of mammal gates, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter any agreed mitigation shall be implemented in accordance with the approved details.

Reason: To ensure the favourable conservation status of protected species in accordance with the NPPF and Policy E5 of the Test Valley Revised Local Plan 2016.

- 8. No development shall start on site until details of a scheme to prevent surface water from the site discharging on to the adjacent highway have been submitted to and approved in writing by the Planning Authority. The development works shall be carried out in accordance with the approved details before any part of the development is occupied and shall be retained thereafter.  
Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**
- 9. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: PFA Consulting May 2021 has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:**
- **A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.**
  - **Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed and demonstrating the 1m unsaturated zone.**
  - **Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.**
  - **Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.**
  - **Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.**
  - **Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.**
- Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.**
- 10. The construction route to build the solar array shall be in accordance with the amended Transport Statement submitted on the 5<sup>th</sup> of October 2021.  
Reason: In the interest of the amenities of the local area and in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**
- 11. The proposed hard surfaces shall either be made of porous materials or provision shall be made to direct run-off water from the hard surfaces to a permeable or porous surface within the site. These surfaces shall be retained and maintained for the lifetime of the development.**

**Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the highway in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**

- 12. Prior to the installation of any external fixed plant or mechanical equipment, an assessment of noise from the operation of the plant or equipment shall be undertaken using the procedures within British Standard BS4142:2014+A1:2019 and a report detailing the results and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. Any fixed plant, mechanical equipment and associated noise attenuation measures approved pursuant to this condition shall be installed and operated in accordance with the approved details and thereafter permanently retained in that condition.**

**Reason: In the interest of the amenities in the local area in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016**

- 13. The development shall be carried out in accordance with the details, mitigation and maintenance as set out in the Flood Risk and Assessment received 9<sup>th</sup> June 2021.**

**Reason: To ensure adequate drainage of the site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.**

- 14. The development shall be carried out in accordance with the Archaeological Mitigation Strategy, Written Scheme of Investigation dated September 2021.**

**Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9**

- 15. The development shall be carried out in accordance with the Stone Curlew Mitigation Strategy dated November 2021 and updated April 2022.**

**Reason: To protect stone curlews in accordance with Policy E5 of the Test Valley Revised Local Plan 2016.**

- 16. Prior to the erection of any solar panels on the site a landscaping scheme in accordance with the approved Landscape and Biodiversity Strategy 02.06.2021 shall first been submitted to and approved in writing by the Local Planning Authority.**

**The scheme shall include:**

- a) Details of the location, number, size and density of plants for all new hedgerows (including specimen trees where proposed) ;**
- b) Details of the location, number, size and density of plants to be used in the infilling of gaps within the existing hedgerows;**
- c) Details of location, number, size and density of plants for all new woodland planting;**
- d) Details of the proposed establishment of the calcareous wildflower swards located under the solar panels;**
- e) Details of the location, number, size and density of plants to be used in the proposed habitat buffer**
- f) Details of the location, number, size and density of plants to be used in the woodland edge planting areas**
- g) Details of any gates proposed**

**All landscaping shall be implemented in accordance with the approved details and shall be completed before the installation is first connected to the grid.**

**Reason: To improve the appearance of the site and enhance the character of the development, and to assist in the development successfully integrating with the landscape, in the interest of visual amenity, and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.**

- 17. Prior to the erection of any solar panels on the site a schedule of landscape maintenance and subsequent landscape management for a period of 40 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include:**
- a) details of agricultural use of the land and associated management practices;**
  - b) details of how the success or failure of the initial landscape planting and associated land-management regime is to be monitored and reported to the Local Planning Authority annually for the first 5 years after planting and thereafter on a 5 year basis;**
  - c) details of the means by which any failures in landscape planting are to be identified and reasonably remedied over the 40 year life of the development hereby permitted;**
  - d) details of responsibilities for maintenance and management of landscaping.**

**Development shall be carried out in accordance with the approved details.**

**Reason: To improve the appearance of the site and enhance the character of the development, and to assist in the development successfully integrating with the landscape, in the interest of visual amenity, and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.**

- 18. Prior to any lighting being installed details of the location, height and lux levels will be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with any approved details.**

**Reason: To retain control over lighting levels within the area to protect existing bat populations within the area in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.**

**Notes to applicant:**

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

- 2. Nothing connected with the development or its future use should have any adverse effect on the rights of way which must remain available for public use at all times.**
  - 3. There must be no surface alterations to the Public Rights of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 of the Highways Act 1980.**
  - 4. No builders or contractors vehicles, machinery, materials, fencing, spoil or anything associated with the works should be left on or near the public Rights of Way so as to obstruct, hinder or provide a hazard to users.**
  - 5. All vehicles accessing the site over a Public Right of Way should give way to the public at all times.**
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