

Application Number 07/2016/0928/VAR

Address Land To Rear Of Carver Hey Farm and South Of
Lynwood
Moss Lane
Little Hoole

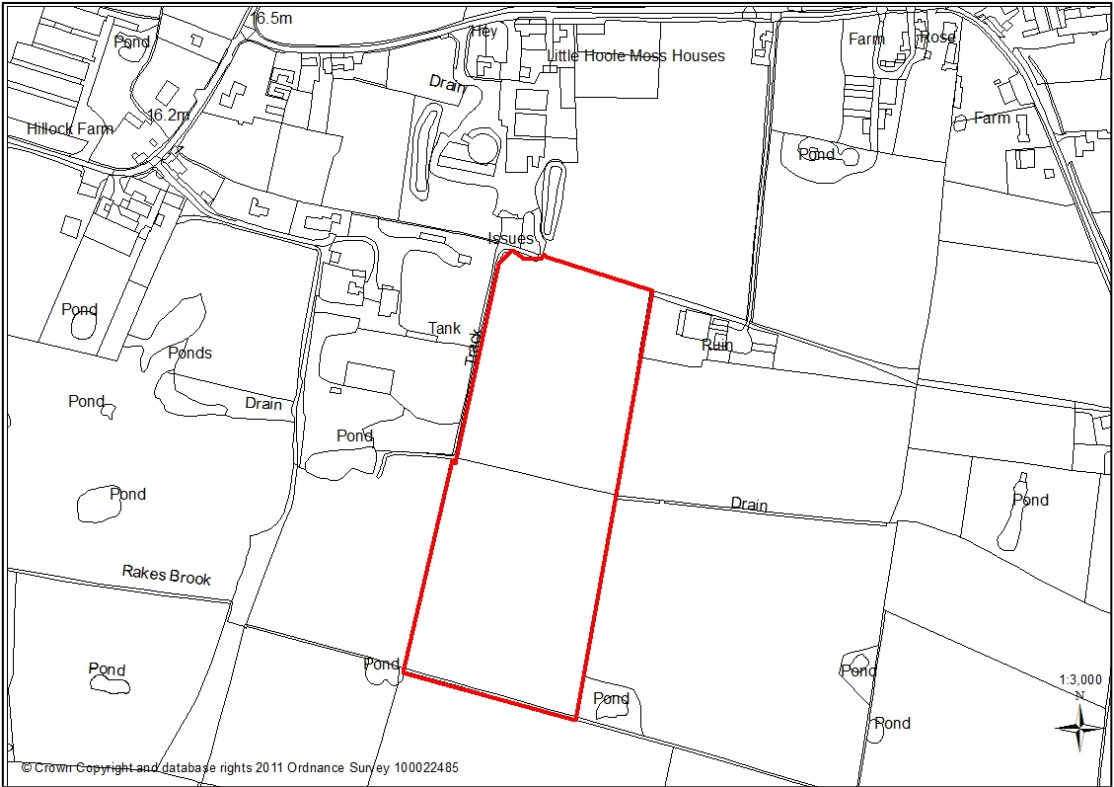
Applicant SPF Carver Hey Ltd

Agent Miss Lauren Williamson

Development Variation of condition No. 6 of planning approval
07/2015/1494/FUL - that the development be removed and
the land restored no later than 30 years and six months from
the date that the development first starts generating and/or
exporting electricity to the grid. All panels and supporting
infrastructure shall be removed from the site and the site
restored to its former condition within a timeframe to be
agreed in writing with the Local Planning Authority.

Officer Recommendation Approval with Conditions

Date application valid 18.10.2016
Target Determination Date 17.01.2017
Extension of Time N/A



1. REPORT SUMMARY

1.1 The application relates to a 4.6 hectare parcel of flat land, formed by two fields, to the rear of Carver Hey Farm together with a 0.03 hectare parcel of land to the south of Lynwood, both off Moss Lane, Little Hoole. The sites are currently open grass land and are within an area of land designated as Green Belt in the South Ribble Local Plan (2012-2026).

1.2 In December 2015 planning permission (07/2015/1494/FUL) was granted by the Planning Committee for the installation of solar park with associated two inverter buildings, security fencing and cameras at Carver Hey Farm together with erection of solar park substation and distribution network operator substation to the east of Moss Lane Little Hoole. To date the permission has not been implemented.

1.3 The benefits the scheme would bring includes the saving of 1,092 tonnes of carbon dioxide per annum from being released into the atmosphere and the provision of enough green electricity to provide power for 769 average sized homes.

1.4 The proposal seeks to vary condition 6 of planning permission 07/2015/1494/FUL to alter the trigger for the condition to the date that the solar array becomes operational and to extend to the duration of the consent from 25 years to 30 years and 6 months.

1.5 As the application is only for the variation of a condition, the principle of the development and any other matters not relevant to Condition 6 of planning approval 07/2015/1494/FUL, cannot be reconsidered.

1.6 The applicant has confirmed that the variation is required to secure the appropriate lease and financing for the project, without which the delivery of the installation will not be possible.

1.7 The approved planning application for the solar array installation included the bolstering of the existing mix of 2-3m high hedging and trees which enclose both fields of the application site. It is reasonable to conclude that the visual impact of the solar array installation would be at its least prominent towards the end of the permitted 25 year period as by that time the mitigation planting would be fully integrated within the existing hedging and trees.

1.8 The nearest neighbouring property is in excess of 100m and will not be unduly affected by the proposed variation of condition.

1.9 Natural England and the Environment Agency have raised no objections to the proposed variation of condition 6.

1.10 The proposed variation of condition 6 will not have a have a significant impact on the character and appearance of the area or the amenities of neighbouring properties. The proposed variation to condition 6 is considered to be acceptable. The application is therefore recommended for approval.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to a 4.6 hectare parcel of flat land, formed by two fields, to the rear of Carver Hey Farm together with a 0.03 hectare parcel of land to the south of Lynwood, both off Moss Lane, Little Hoole.

2.2 The larger of the two sites is located behind a cluster of buildings, used for a mixture of agricultural /commercial (B1 & B8) purposes that form Carver Hey Farm. A mix of hedging and trees, between 2m-3m high, enclose both fields. A Public Right of Way (Footpath 13) runs along the northern boundary of the site, continuing parallel for the full length of the site as Footpath 14 along the boundary of the adjacent field, 120m to the west.

2.3 The smaller of the sites fronts onto Moss Lane, 500m to the east of the larger site, on which a Local Electricity Distribution Network Operator substation is present.

2.4 The sites are currently open grass land and are within an area of land designated as Green Belt in the South Ribble Local Plan (2012-2026). The Landscape Strategy for Lancashire (2000) referred to in Policy 21 (Landscape Character Areas) of the Core Strategy

defines the northern section of the site within the Coastal Plain, Longton Bretherton and the southern section of the site within Mosslands, Hoole Farington.

3. SITE HISTORY

3.1 In December 2015 planning permission (07/2015/1494/FUL) was granted by the Planning Committee for the installation of solar park with associated two inverter buildings, security fencing and cameras at Carver Hey Farm together with erection of solar park substation and distribution network operator substation to the east of Moss Lane Little Hoole. To date the permission has not been implemented.

4. PROPOSAL

4.1 Condition 6 of the planning permission 07/2015/1494/FUL states:

“The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within six months of the last production of electricity from the solar array hereby approved, whichever is the sooner. All panels and supporting infrastructure shall be removed from the site and the site restored to its former condition within a timeframe to be agreed in writing with the Local Planning Authority.

REASON: In the interests of the visual amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026.”

4.2 The proposal is to vary condition 6 to alter the trigger for the condition to the date that the solar array becomes operational and to extend to the duration of the consent to 30 years and 6 months.

4.3 Condition 6 is proposed to read:

“The development hereby permitted shall be removed and the land restored to its former condition no later than 30 years and 6 months from the date that the development first starts generating and/or exporting electricity to the grid or within 6 months of the last production of electricity from the solar array hereby approved, whichever is sooner. All panels and supporting infrastructure shall be removed from the site and the site restored to its former condition within a timeframe to be agreed in writing with the Local Planning Authority.

REASON: In the interests of the visual amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026.”

4.4 The applicant has confirmed they require the variation of condition in order to secure the appropriate lease and financing for the project. The applicant has highlighted that such solar array installation have proven to be viable beyond the 25 year manufacturers standard warranty period and they are no longer restricted to a period of 25 years for the Feed in Tariff subsidy.

5. REPRESENTATIONS

5.1 As of the 29th November, 1 letter of objection has been received in relation to the proposal. A summary of the points raised follows:

- ☐ There is no sound reason to agree to the extension of time
- ☐ The reasonable time to apply for such an extension of time would be towards the end of the currently permitted 25 year period
- ☐ There may be many changes in technology and the landscape over the next 25 years

6 CONSULTATION REPLIES

Natural England have raised no objections to the proposal.

The **Environment Agency** have submitted no objections to the proposal.

7. MATERIAL CONSIDERATIONS

7.1 As the application is only for the variation of a condition on the previously approved planning application, the principle of the development and any other matters not relevant to Condition 6 of planning approval 07/2015/1494/FUL, cannot be reconsidered. The Local Planning Authority can only consider any impact relevant to the variation of Condition 6.

7.2 Principle of Extending the Duration of the Consent

7.2.1 A neighbour has argued that there is currently no sound reason to agree to such an extension of time and that the reasonable time to apply for such an extension of time would be towards the end of the currently permitted 25 year period. The applicant has however confirmed that the variation is required to secure the appropriate lease and financing for the project, without which the delivery of the installation will not be possible. The benefits the scheme would bring have been reiterated by the applicant, including the saving of 1,092 tonnes of carbon dioxide per annum from being released into the atmosphere and the provision of enough green electricity to provide power for 769 average sized homes.

7.2.2 It has been argued by a neighbour that there is uncertainty over changes in renewable technology and the landscape over the next 25 years which cannot be considered. However the solar array equipment for a scheme of this scale requires a significant amount of investment. It takes many years of receiving income from electricity generation before such an installation becomes profitable. The length of the duration of the consent plays an important part in helping to secure the required finances. To simply dismiss current renewable technology on the basis of future technology being more efficient would the Government being unable to meet its commitment to ensure that 15% of our energy coming from renewable sources by 2020 (The UK Renewable Energy Strategy 2009).

7.3 Character and Appearance

7.3.1 The approved planning application for the solar array installation included the bolstering of the existing mix of 2-3m high hedging and trees which enclose both fields of the application site, the details of which were secured by way of a condition (Condition 5). It is therefore reasonable to conclude that the visual impact of the solar array installation would be at its least prominent towards the end of the permitted 25 year period, beyond which the extension of time is being sought, as by that time the mitigation planting would be fully integrated within the existing hedging and trees.

7.4 Relationship to Neighbours

7.4.1 The nearest neighbouring property (Kinnoull, Moss Lane) is in excess of 100m to the west of the site with significant intervening vegetation in between. As the approved development would not have an undue impact on the amenities of neighbouring properties, the proposed extension of the duration of the consent will also not have an undue impact on the amenities of neighbouring properties.

8. CONCLUSION

8.1 The proposed variation of condition 6 will not have a have a significant impact on the character and appearance of the area or the amenities of neighbouring properties. No objections have been received from Natural England or the Environment Agency. Without the proposed variation it is likely that the project, which will export 2.5MWP of electricity under peak operating conditions to the grid, will not be possible. The proposed variation to condition 6 is considered to be acceptable. The application is therefore recommended for approval.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years from the date of the decision of planning application reference no. 07/2015/1494/FUL (i.e. the 15th December 2018).
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. That no work shall be commenced until satisfactory details of the materials and finished colour from which the solar panels and supporting framework are to be constructed have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026 before works commence on site.
3. Notwithstanding the submitted fence details, no works shall be undertaken until details, including the colour and finish, of the security fencing at 2.4m in height have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026 before works commence on site.
4. The supporting frames to the solar array shall be anchored into the ground, not concreted into the ground, in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority prior to any work being undertaken.
REASON: In the interests of sustainable construction and to accord with Part 10 of the NPPF.
5. Prior to the commencement of development a landscaping scheme, including the bolstering of hedgerows and the sowing of shade resistant wildflower seeds between rows of solar panels, shall be submitted to and be approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 5837, 2005 with any stock complying with the specification of BS 3936 (Part 1) 1992 in the first planting and seeding seasons following the commencement of the development or such extension of this time as may be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In order to satisfy the Local Planning Authority that the final details of the landscaping scheme are acceptable before work commences on site, in the interests of the amenity and appearance of the area in accordance with Policies 17 and 22 of the Core Strategy.
6. The development hereby permitted shall be removed and the land restored to its former condition no later than 30 years and 6 months from the date that the development first starts generating and/or exporting electricity to the grid or within 6

months of the last production of electricity from the solar array hereby approved, whichever is sooner. All panels and supporting infrastructure shall be removed from the site and the site restored to its former condition within a timeframe to be agreed in writing with the Local Planning Authority.

REASON: In the interests of the visual amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026.

7. The development hereby approved shall proceed in full accordance with the recommendations in the submitted ecology report (ref. LE13012 005) unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect habitats of wildlife in accordance with Policy G16 in the South Ribble Local Plan 2012-2026.

8. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

REASON: In the interests of the visual amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 (a) in the South Ribble Local Plan 2012-2026.

9. Prior to the commencement of development a site/vegetation maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The site shall then be maintained in accordance with the agreed details for the duration of the period that the solar array is present on the site.

REASON: In order to satisfy the Local Planning Authority that the final details of the site/vegetation maintenance plan are acceptable before work commences on site, in the interests of the amenity and appearance of the area in accordance with Policies 17 and 22 of the Core Strategy.

10. No development shall take place, including any further works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the proposed suitable times construction works shall take place
- (ii) wheel washing/road sweeping measures
- (iii) the parking of vehicles of site operative and visitors
- (iv) loading and unloading of plant and materials
- (v) storage of plant and materials used in constructing the development
- (vi) the location of the site compound
- (vii) measures to control the emission of noise during construction
- (viii) measures to control the emission of dust and dirt during construction
- (ix) details of external lighting to be used during the construction
- (x) a scheme for the recycling/disposing of waste resulting from construction works

REASON: In order to satisfy the Local Planning Authority that the final details of the Construction Method Statement are acceptable before work commences on site, to safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy

11. During the construction phase a 5m construction buffer zone shall be implemented from the hedgerows and trees associated with the drainage ditches around the site boundary. Upon completion of the construction phase, a minimum 10m operational buffer strip from the site boundaries are to be implemented. No works are to be undertaken within this buffer zone, once operational apart from beneficial habitat management.

REASON: To protect habitats of wildlife, in accordance with Policy 22 of the Central Lancashire Core Strategy.

12. If the presence of great crested newts is detected or suspected on the development site at any stage before or during development or site preparation, works must cease and advice sought from a suitably qualified ecologist.
REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
13. That any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place between March and July inclusive of any year, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.
REASON: To protect habitats of wildlife, in accordance with Policy 22 of the Core Strategy.
14. If a working buffer zone of 7m around the stand of Himalayan balsam identified in the north-west corner of the site, together with a 5m buffer adjacent to the drainage ditch embankment, cannot be provided then prior to the commencement of development a detailed method statement for the removal or long-term management /eradication of invasive plants, as identified under the Wildlife and Countryside Act 1981 shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of invasive plants during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.
REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment recurs.
15. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as a minimum:
 - a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate which is yet to be calculated. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
 - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - d) Flood water exceedance routes, both on and off site;
 - e) A timetable for implementation, including phasing as applicable;
 - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;
 - g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to the completion of the development. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details

REASON: In order to satisfy the Local Planning Authority that the final details of the drainage scheme are acceptable before work commences on site, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

16. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans SF1331 H (Site Layout), 'Substation 3x3m' Rev. A, GSS100A_001 (CCTV), and 'PV Panel Array.'

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan 2015.

Local Plan 2012-2026.

RELEVANT POLICY

- 17 Design of New Buildings (Core Strategy Policy)**
- 21 Landscape Character Areas (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 28 Renewable and Low Carbon Energy Schemes (Core Strategy Policy)**
- POLG1 Green Belt**
- POLG17 Design Criteria for New Development**