

Hempstead – PF/23/0198 - Installation of 316kW of ground mounted solar panels at Hole Farm House, Hole Farm Road, Hempstead, Holt, Norfolk, NR25 6TT for Nethergate Farms

Minor Development

- Target Date: 17th March 2023

- Extension of time: N/A

Case Officer: Miss I McManus

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Countryside

Agricultural Land: Grade 2

Landscape Character Type: TF1 (Tributary Farmland)

RELEVANT PLANNING HISTORY

PF/22/2848: Creation of 2 No. access points to onshore export cable route for construction traffic for Hornsea 3 Offshore Wind Farm - Pending Consideration

THE APPLICATION

This application proposes installation of ground mounted solar panels on land at Hole Farm. The array would consist of 632 photovoltaic panels in two rows and would have an output of 316kW, providing electricity for the farm complex. The PVs would be laid 2 high, portrait format, in 5 rows orientated east to west, facing south and set at an angle of 30°. This orientation and pitch maximizes the electricity generated by the PVs. The lower edge of each row would be fixed 0.8m - 1m from ground level with the higher edge at 3m above the ground level. The total area covered by the PVs and associated infrastructure, would be 1,543sqm.

The application site comprises a parcel of agricultural land bounded by mature trees and vegetation to the north and a mature hedge runs to the west of the application site. The farm complex is located to the southwest of the application site.

REASONS FOR REFERRAL TO COMMITTEE

On the basis of the Council's Scheme of Delegation as the output from the development exceeds the 250kw capacity threshold.

PARISH/TOWN COUNCIL:

Hempstead Parish Council – No comments submitted.

(Adjacent Parish) Baconsthorpe Parish Council – No objection.

CONSULTATIONS

North Norfolk District Council Landscape Officer– No objection.

Proposal raises no significant issues with regards to landscape and visual impact. Conditions relating to soft landscaping and tree protection are recommended.

Norfolk County Council Public Rights Of Way & Green Infrastructure – No objection,
Highlight that access to the site will be via the Public Right of Way known as Hempstead Restricted Byway 12 which does not offer any means of public vehicular access and it is not maintainable at the public expense to a vehicular standard. It is advised that it would be expected that any damage caused to the Restricted Byway by the exercise of the private rights remains with the rights holders to repair and that the full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation.

Norfolk County Council Highways – No objection.

Norfolk County Council - Historic Environment Service – No objection

Will not have any significant impacts on historic environment.

REPRESENTATIONS

None received.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES

North Norfolk Local Development Framework Core Strategy (September 2008):

Policy SS 1 Spatial Strategy for North Norfolk

Policy SS 2 Development in the Countryside

Policy SS 4 Environment

Policy EN 2 Protection and enhancement of landscape and settlement character

Policy EN 4 Design

Policy EN 7 Renewable Energy

Policy EN 8 Protecting and Enhancing the Historic Environment

Policy EN 9 Biodiversity and Geology

Policy CT 5 The transport impact of new development

Material Considerations:

Supplementary Planning Documents and Guidance:

North Norfolk Design Guide (December 2008)
North Norfolk Landscape Character Assessment SPD (2021)

National Planning Policy Framework (July 2021)

Chapter 2 Achieving sustainable development
Chapter 4 Decision-making
Chapter 9 Promoting sustainable transport
Chapter 12 Achieving well-designed places
Chapter 15 Conserving and enhancing the natural environment

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION:

- 1. Whether the proposed development is acceptable in principle**
- 2. The effect on the character and appearance of the surrounding landscape**
- 3. The effect on residential amenity**
- 4. Whether the proposed development would have any effect on highway safety**
- 5. Whether the proposed development would affect biodiversity and result in loss of Grade 2 Agricultural Land**

1. Principle

This site within the area on land designated as 'Countryside' under Policy SS 1 of the North Norfolk Core Strategy (CS). Policy SS 2 limits development within the Countryside to that which requires a rural location and where it is for a type of development listed in the policy. This includes for renewable energy projects and as the development would serve the applicant's farm, it is considered that it requires a rural location. The proposal therefore complies with CS policies SS 1 and SS 2.

CS Policies SS 4 and EN 7 also indicate renewable energy proposals will be permitted subject to there being no significant adverse impacts either individually or cumulatively on;

- the surrounding landscape, townscape and historical features / areas;
- residential amenity;
- highway safety and;
- biodiversity

Each of these matters are considered below

2. Effect on landscape

The solar panels will be located to the north of an 8.9 hectare field, the field is located to the north east of the applicant's dwelling and farm buildings. The proposed panels will have an overall height of 3m.

The site is well screened from Hole Farm Road and from the north by mature trees and vegetation. A public right of way (Hempstead RB12) extends from Hole Farm Road along an existing track which is initially wooded and then opens up with a mature hedge along the east side of the track, which will provide a degree of visual screening. A condition is also recommended to secure additional planting. As such the proposal raises no significant issues with regard to landscape and visual impact. Nonetheless, to ensure the effect on the landscape is minimised in the longer term, a condition requiring the panels to be removed when no longer required for electricity generation is also recommended.

With regards to the effect on existing landscape features i.e. trees and hedges, there will be a requirement for trenching to connect up the panels close to the farm buildings and; access via the existing farm track will be required for construction vehicles and subsequent installation and maintenance of the panels. Given that trenching involves traversing a mature hedge and areas of woodland, an Arboricultural Method Statement (AMS) is required to demonstrate that this can be achieved without causing harm to the Root Protection Areas. In addition, the AMS will also need to consider access for construction vehicles and installation of the panels and the implications of this on mature vegetation. A pre-commencement condition requiring the submission of an AMS and Tree Protection Plan is therefore recommended.

For the reasons stated and with the inclusion of the recommended conditions, it is considered that the proposed development would not result in any significant harm to the character and appearance of the area. It is therefore in accordance with CS Policies EN 2, EN 4 and EN 7, Chapter 12 of the NPPF (2021), and the North Norfolk Landscape Character Assessment SPD (2021).

3. Effect on residential amenity

Solar glare can sometimes be a concern in this respect. Given the separation distance between the site and the closest dwellings however, along with intervening landscape features, it is considered that the proposed development would not result in any material harmful effects. The proposal therefore complies with CS policies EN 4 and EN 7.

4. Effect on highways safety

The proposed access to the site for construction, routine maintenance and eventual decommissioning will be through an existing track entrance, which runs to the east of the cluster of dwellings.

Norfolk County Council Highways were consulted on the proposal and have no objection. Public Rights of Way were also consulted and have no objection to the proposal.

The application is therefore considered acceptable in terms of highway impact, in accordance with CS Policies EN 7 and CT 5 as well as Chapter 9 of the NPPF (2021).

5. Biodiversity and loss of Grade 2 Agricultural Land

The current use of the site is arable farming where the agricultural land quality is classified as Grade 2. Whilst the placing of solar panels on part of a grade 2 agricultural field will limit the ability to continue arable use, the applicant has confirmed that, following the development, the site will still be farmed and proposal seeks to enhance biodiversity through

wild flower and pollinator mixes being sown under the panels. Sheep will graze under the panels at appropriate times of the year and it is understood that there is no requirement for permanent fencing and that temporary electric fencing will be used to contain livestock as required.

Officers consider that, whilst the proposal will result in loss of land considered to be the best and most versatile land for food production, the loss is temporary in nature and can be returned back to agricultural use in the future, provided that the quality of the soils are managed by the applicant. With suitable planting to be secured through a landscaping scheme condition, the biodiversity value of the site would be enhanced in accordance with the requirements of Core Strategy Policy EN 9.

Other Considerations

The west wing of the farmhouse, is grade II listed. However, given the separation distance between it and the application site, intervening farm buildings together with a fairly well enclosed agricultural landscape by way of trees and hedge rows, it is considered there would be no adverse effect on its setting. The proposal therefore complies with CS Policy EN 8.

Conclusion

Relevant Core Strategy policies are supportive of this type of development and it is considered that the proposal will not result in any significant adverse effects for the reasons stated above. The proposed development complies with all relevant policies and would have significant benefits in terms of renewable energy generation and carbon reduction in terms of climate change.

RECOMMENDATION:

APPROVAL subject to conditions to cover the following matters and any other considered necessary by the Assistant Director - Planning

- **Time Limit for commencement (3 years)**
- **Development in accordance with the approved plans**
- **Removal of equipment when no longer required**
- **Soft landscaping scheme**
- **Arboricultural Method Statement and Tree Protection Plan**

Final wording of conditions to be delegated to the Assistant Director – Planning.