

APPLICATION REF: PF/20/1798

CASE OFFICER: Mrs Elizabeth Starling

LOCAL MEMBER: Mr Andrew Brown

SITE LOCATION: Estate Office, Stody Estate, Stody, Melton Constable, NR24 2ER

PARISH: Stody

Ten arrays of ground mounted solar photovoltaic panels to supply electricity for use by the Stody Estate.

CONSTRAINTS

- Mineral Waste and Wastewater Safeguard Sites
- SFRA - Areas Susceptible to Groundwater Flooding
- Landscape Character Area
- LDF Tourism Asset Zone
- LDF - Countryside
- Conservation Area
- Mineral Safeguard Area
- EA Risk of Flooding from Surface Water 1 in 1000

RELEVANT PLANNING HISTORY

None.

THE APPLICATION

Is for planning permission for the installation of ten ground mounted solar photovoltaic arrays on a parcel of Grade 3 agricultural land (0.9 hectares) belonging to Stody Estate, for the purposes of generating renewable energy to serve the Estate including the reservoir and crop irrigation system.

The site is located relatively close to where the renewable electricity would be used, with the land on which the solar PV array is proposed benefitting from natural screening. The site is bounded to the north and west by woodland, to the south by the reservoir and hedgerows and to the east by hedgerows and arable fields. The land is flat with a southern aspect. The main farm yard lies approximately 400 metres to the south-west with the quarry 200 metres to the south-east.

Access to the site would be provided by the existing access farm tracks known as Pinkney Lane (off the main access to Stody Estate via Briston Road).

REASONS FOR REFERRAL TO COMMITTEE

Because the solar panels would exceed the limits (site area is more than 0.5 hectares and the solar panels would have more than 250kW capacity) set out in the council's Scheme of Delegation.

PARISH/TOWN COUNCIL

Study with Hunworth Parish Council - Supports the application.

Edgefield Parish Council – Supports the application.

Briston Parish Council – Supports the application.

REPRESENTATIONS

None received.

CONSULTATIONS

Conservation and Design Officer: No comments to make or conditions requested subject to the scheme being assessed in accordance with national guidance, local policy, and having paid special attention to the statutory duty contained in s72 of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

Landscape Officer: No objections based on the Landscape and Environmental Management Plan (LEMP) submitted and subject to the imposition of a condition in respect of works being undertaken in accordance with it.

NCC Minerals and Waste: No response received.

Environmental Health: Additional information requested in respect of location, design and technical data relating to inverter/equipment cabinet. However, the site's location away from housing and feedback from other sites, indicate that noise is unlikely to impact on local amenity.

NCC Highways: Awaiting comments. Any comments received will be reported at the meeting.

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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS2: 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 EN 13: Pollution and hazard prevention and minimisation

Policy CT 5: The transport impact on new development
Policy CT 6: Parking provision.

National Planning Policy Framework

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design and heritage impacts
3. Landscape, ecology and biodiversity
4. Residential amenity and environmental considerations
5. Highway safety

APPRAISAL:

1.Principle (Policies SS 1, SS 2, SS 4 and EN 7)

The site is located in a rural location within the Countryside policy area where Core Strategy Policy SS 2 supports the principle of renewable energy projects, subject to compliance with other relevant Core Strategy policies. Policies SS4 and EN7 also support renewable energy projects where the impacts on amenity, wildlife and landscape are deemed acceptable.

As such, the principle of the proposed development in this location is considered acceptable subject to compliance with Core Strategy policies, the NPPF and relevant material considerations.

2. Design and heritage (Policies EN 4 and EN 8)

Whilst the site lies within the Glaven Valley Conservation Area, given the nature of the development proposed, along with its scale and secluded location, it is not considered that the scheme would result in significant harm to the heritage asset. No objections have been raised to the Council's Conservation Officer.

Furthermore, given that the PV arrays would be set at ground level, are considered to be of an acceptable design and scale, and would not be significantly visible from public view, the scheme is considered acceptable in design terms

As such, it is considered that the scheme complies with the requirements of Policies EN 2, EN 4 and EN 8 of the Core Strategy and Sections 12 and 16 of the NPPF.

3.Landscape, ecology and biodiversity (Policies SS 4, EN 2, EN 4, EN 9)

The site comprises of agricultural land (Grade 3) within the Tributary Farmland classification as defined in the North Norfolk Landscape Character Assessment.

Concerns were initially raised by the Council's Landscape Officer in respect of the limited information submitted relating to any security lighting, fencing or CCTV proposed and

ecology/biodiversity considerations, with this information required in order to fully assess any landscape, visual and ecological impacts of the proposals.

However, following the concerns raised and discussions between the agent and the Landscape Officer, a Landscape and Environmental Management Plan (LEMP) has been submitted, which the Landscape Officer considers addresses their concerns, subject to a condition ensuring works are carried and maintained in accordance with the LEMP. Full details of the proposed permeable deer fencing/access gates have also been requested from the agent, although this matter could be covered via a condition if necessary.

On this basis, it is considered that the scheme would accord with the requirements of Policies EN 2, EN 7, EN 9 of the Core Strategy and Sections 14 and 15 of the NPPF.

4. Residential amenity and environmental considerations (Policies EN 4, EN 10 and EN 13)

In respect of impact of the solar farm on residential amenity, the site is located some distance from residential properties, and as such is unlikely to raise any significant concerns. The submitted LEMP states that no external lighting or pole mounted CCTV is being proposed as part of the scheme.

The Council's Environmental Health Officer has requested additional information to assess any noise implications and members will be updated verbally at the meeting in the event of any concerns being raised.

No concerns are raised in respect of flooding or drainage.

Subject to there being no Environmental Health objections and subject to conditions controlling external lighting and CCTV, the scheme is considered to comply with Policies EN4, EN10 and EN13.

5. Highway safety (Policies CT5 and CT6)

Access to the site would be served by the existing Stody Farm Estate access off Briston Road, via farm tracks which serve the farm and quarry. The views of NCC Highways have been sought in respect of any impacts of the scheme on highway safety to ensure compliance with Policies CT 5 and CT 6. Any comment received will be reported verbally at the meeting.

Conclusion

In conclusion, it is considered that the installation of the solar array as proposed would result in minimal visual, landscape and ecological impacts on the surrounding landscape, and subject to no objections being raised on amenity or highway safety grounds and the imposition of appropriate conditions, the proposal would comply with relevant Development Plan policies and the guidance set out in the National Planning Policy Framework (NPPF).

RECOMMENDATION:

Subject to no highway or environmental objections being raised which could not be satisfactorily addressed, **APPROVE** subject to conditions to cover the matters listed below, and any others considered necessary by the Assistant Director for Planning:

- Time limit for implementation

- Development to be carried out in accordance with submitted details and specifications
- Requirement for planning permission for any future CCTV systems.
- Works to be carried out and maintained in accordance with submitted LEMP.
- Requirement for removal of all equipment and site being restored at a point when generating electricity ceases from the arrays, and notification to LPA
- Details of the proposed deer fencing/access gates to be submitted and agreed prior to installation (unless provided prior to issuing decision)
- Any highway conditions deemed necessary by NCC Highways.
- No external lighting shall be installed on site unless planning permission has first been granted.

Final wording of conditions to be delegated to the Assistant Director for Planning