APPLICATION NO	**PA/2015/0942**
APPLICANT	North Wharf Solar Farm Ltd
DEVELOPMENT	Planning permission for installation of circa 5.96MW ground-mounted photovoltaic solar arrays with transformer stations, internal access track, biodiversity improvements, landscaping, security fencing, security measures, access gate, temporary construction compound and ancillary infrastructure
LOCATION	Fields north of Ferry Road West, Flixborough
PARISH	**FLIXBOROUGH**
WARD	Burton Stather and Winterton
CASE OFFICER	Joanna Heweth
SUMMARY RECOMMENDATION	**Refuse permission**
REASONS FOR REFERENCE TO COMMITTEE	Officer discretion

POLICIES

National Planning Policy Framework: Core Principles of the NPPF promote sustainable development. Section 10 requires decision-makers to consider climate change, flooding and coastal change. Section 11 requires decision-makers to consider conserving and enhancing the natural environment. Section 12 requires consideration of heritage issues. Paragraph 75 states that planning policies should protect and enhance public rights of way and access.

Planning Practice Guidance (2014)

PPS5 Practice Guide (2010): Heritage

National Planning Practice Guidance: Renewable and Low Carbon Energy (Revised June 2015)

North Lincolnshire Council's Supplementary Planning Document, November 2011, Planning for Renewable Energy Development

Draft Supplementary Planning Document: Planning for Solar Photovoltaic (PV) Development, October 2015

North Lincolnshire Local Plan: Policy DS1 (General Requirements) is a criterion-based policy against which all developments will be considered and includes reference to quality of design, conservation and visual amenity.

Policy DS3 (Planning Out Crime)

Policy DS12 (Light Pollution)

Policy DS21 (Renewable Energy) is a permissively constructed policy that encourages the generation of energy from renewable resources.

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy RD2 (Development in the Open Countryside) – development will be strictly controlled in the open countryside and should benefit economic activity, promote social inclusion or enhance the environment. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources.

Policy RD7 (Agriculture, Forestry and Farm Diversification) – proposals for agriculture, forestry and farm diversification will be permitted where the proposal does not conflict with the operational requirements of the farming enterprise, there is no adverse impact on high quality agricultural land, it is appropriate in design, scale and construction appropriate to its surroundings and traffic levels are acceptable.

Policy T1 (Location of Development) – proposals which generate high levels of traffic will be permitted only within the urban area and where there is good access to the strategic traffic network.

Policy T2 (Access to Development) requires that all development must be provided with satisfactory access arrangements.

Policy LC5 (Species Protection) is designed to protect species identified in the Wildlife and Countryside Act).

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection) – development in the open countryside requires special attention to be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not protect this quality will be refused.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) – landscaping, and tree and hedgerow planting, will be required to accompany applications for new development where it is appropriate to the development and its setting.

Policy HE9 (Archaeological Evaluation) – an archaeological assessment will be required with a planning application for development affecting such areas. Archaeological areas will be protected and any development affecting such sites will need mitigation of any damage. When preservation in situ is not justified the developer will be required to make adequate provision for excavation and recording before and during development.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development) requires a sequential approach to development encouraging development on brownfield sites and not within open countryside unless this can be justified.

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire) sets out key principles for all new development, which includes the maximising of on-site renewable forms of energy.

Policy CS6 (Historic Environment) aims to ensure that important sites and areas of historic and built heritage value are protected, conserved and enhanced.

Policy CS17 (Biodiversity) promotes effective stewardship of North Lincolnshire's wildlife.

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS27 (Planning Obligations)

CONSULTATIONS

Highways: The construction phase shall be carried out in accordance with the construction traffic management plan.

Environment Agency: No objection. The submitted flood risk assessment is acceptable.

Natural England: The consultation documents provided by your authority does not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, ie the consultation does not include a Habitats Regulations Assessment. The proposal is not necessary for the management of the European site and is unlikely to have a significant effect on any European site and can therefore be screened out from any requirement for further assessment. Please note, however, that the wintering bird survey does not provide adequate evidence that the site is unsuitable for wintering birds as surveys were carried out on 24, 31 March and 8 April 2015 which is outside the wintering period.

Ecologist: The proposal is not likely to have a significant effect on the Humber Estuary SAC, SPA or Ramsar site. In order to plan locations of badger access points it would be necessary to locate setts and perhaps carry out a bait marking study. It would be difficult to create a wildflower meadow on the arable land because of the previous use of fertilisers. If biodiversity enhancements are to be seen as a justification or significant benefit of the proposal, then alternative proposals or detailed prescriptions would be required to set out how the proposed wildflower meadows can be established. The latter would need to include soil survey information in accordance with Natural England's Technical Information Notes. Recommends conditions.

Humberside Airport: The proposal does not conflict with the safeguarding criteria.

Public Health: No objections.

Environmental Health: Advises a condition requiring the traffic construction management plan to be implemented in full throughout the construction period.

National Grid: National Grid apparatus is in the vicinity of the development site. There is an IP gas pipeline within the site and National Grid requires the developer to provide a detailed plan of the works.

Historic Environment Record (Archaeology): The applicant has submitted a Heritage Assessment comprising desk-based and geophysical survey reports; the results of the latter indicate the site contains archaeological remains of unknown date. The applicant has proposed archaeological trial trenching to characterise the potential archaeological remains and their significance. The HER officer agrees that this is necessary to assess the impact of the proposed development and to inform any appropriate mitigation to avoid or minimise harm to heritage assets in line with NPPF and local plan policies. The HER officer advises a HOLDING OBJECTION until further information is provided regarding the potential impact of the development on heritage assets. The application should not be determined, except for a refusal, until this information is submitted and any appropriate mitigation measures agreed to avoid adverse impact or adequately mitigate loss of heritage assets. Should a subsequent decision be taken to grant planning permission, conditions securing agreed mitigation measures in accordance with a Written Scheme of Investigation would be needed.

Humberside Fire and Rescue Service: Adequate provision of water supplies for fire-fighting appropriate to the risk should be made available.

PARISH COUNCIL

No objections.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. No comments have been received.

ASSESSMENT

The application is for the installation of ground-mounted solar arrays with substation, transformer stations, internal access track, security fencing, cctv, associated landscaping and biodiversity improvements. The application has recently been amended with the submission of revised layout plans to show a reduced site area and a reduction in energy output from 5.95MW to 4.99MW. There would be 19,992 solar modules in total.

The site comprises an open field and lies to the south-east of Flixborough Industrial Estate and to the north-west of Foxhills Industrial Estate in Scunthorpe. To the north-east is Park Ings Farm and poultry sheds. Further to the north-east is a fairly steep escarpment rising from the site and this land has a number of mature trees. The remaining land around the site is in arable use.

The site itself is in agricultural use and has been ploughed recently. There are no hedges, trees or fences within or around the perimeter of the site but there are a number of ditches along the boundaries. The revised site area measures 10.76 hectares.

A topographical survey of the site has been carried out which shows that there is a gentle gradient of 1 in 250 uphill from north-west to the east. The access route would be from the west along the Stather Road which also serves the Flixborough industrial estate. Overhead power lines run northwest-southwest across the site. Another power line joins the eastern

line from the north-eastern corner. The connection to the national grid would be from within the site itself.

The solar panels would be angled at 20% from the horizontal and would be 2.57 metres at the highest point and would be 1.12 metres at the lowest point. Originally the solar modules were to be fixed with metal poles which would be pile driven into the ground by 1.5 metres. The proposal has now been amended following a request for further archaeological investigation of the site and the proposal is now to fix the modules on large concrete pads (0.4 metres in height) placed on the surface of the soil and which would settle into the ground by around 100 millimetres. The proposed substation would be placed on raised concrete foundations and the inverter building would be raised above ground level by metal feet.

A construction compound would be developed to the north-west section of the site which would include car parking for 20 cars together with an office, canteen, drying room, WC facilities, and six containers for storage purposes. The substation would be located to the south side of the construction compound close to the access and close to the overhead line on the western side of the site.

Another application (PA/2015/0434) for a solar farm, also on this agenda, relates to land in the same agricultural holding and ownership as the current application. The site is located around 60 metres to the north and measures 12.9 hectares, and would provide up to 4.992 MW of electricity.

The main material planning considerations relate to policy and principle and environmental impacts.

Policy and principle

The Climate Change Act 2008 sets out a national legally binding target for UK countries to achieve an 80% reduction in greenhouse gas emissions by 2050 from a baseline of 1990.

The European Renewable Energy Directive came into force in 2009 and the UK has agreed to source 15% of its energy from renewable sources by 2020. The UK has also set an aim in the UK Low Carbon Transition Plan 2009 to exceed the European targets by achieving 30% of its energy from renewable sources within the same timeframe.

In March 2015 revised Planning Practice Guidance states that the particular planning considerations that relate to large-scale ground-mounted solar farms include the following:

- encouraging the effective use of land by focusing large-scale solar farms on previously developed and non-agricultural land, provided it is not of high environmental value

- where a proposal involves greenfield land, 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;

- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use

- the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety

- the need for, and impact of, security measures such as lights and fencing

- great care should be taken in relation to heritage assets

- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges

- the energy generating potential, which can vary for a number of reasons, including latitude and aspect

- the approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same for assessing the impact of wind turbines, however in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

Recent government advice published in June 2015 states that identifying areas suitable for renewable energy in plans gives greater certainty as to where such development will be permitted. For example where councils have identified suitable areas for large-scale solar farms, they should not have to give permission outside those areas for speculative applications involving the same type of *development* when they judge those applications to be unacceptable. Examples of considerations for solar farms that can affect their siting include proximity of grid connection infrastructure and site size. North Lincolnshire Council has not allocated land in the local plan or in the emerging Development Framework for solar farms. Where such allocations do not exist the government states that in shaping local criteria for inclusion in local plans and considering planning applications in the meantime the following should be considered:

- the need for renewable or low carbon energy does not automatically override environmental protections

- cumulative impacts require particular attention, especially the increasing impact that solar farms can have on landscape and local amenity as the number of solar arrays in an area increases

- local topography is an important factor in assessing whether wind turbines and large-scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominantly flat landscapes as hilly or mountainous areas

- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance

- protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Earlier this year the government also concluded that public acceptability of solar energy was being eroded by the public response to large-scale solar farms which have sometimes been sited insensitively, and that energy goals should not be used to justify the wrong development in the wrong location, including the unnecessary use of high quality farmland. The Minister at that time stated 'protecting the global environment is not an excuse to trash the local environment'.

The National Planning Policy Framework (NPPF) issued on 27 March 2012 is a material planning consideration in the determination of this application and has a presumption in favour of sustainable development. At paragraph 93 it states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. At paragraph 17 it also states that planning should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and to encourage the use of renewable resources.

The NPPF also supports the use of brownfield land. Loss of high quality agricultural land should be resisted.

The National Planning Practice Guidance (NPPG) is also material. At paragraph 5-013 the NPPG states that large solar farms can have a negative impact on the rural environment and encourages the use of previously developed land, provided that it is not of high environmental value. This mirrors advice within the NPPF. Consideration should also be given to the Overarching National Policy Statement for Energy EN-1 dating from 2011. The site is not of high landscape value and is not designated as such.

The North Lincolnshire Local Plan 2003 shows that the site is within the open countryside, outside the development boundary for Scunthorpe, and is not allocated for development. This means that policies RD2 and RD7 are relevant in the determination of the application. Policy RD2 states that planning permission will only be granted for development which is for the diversification of an established agricultural business, provided that issues pertinent to development in an open countryside location are addressed. These issues will be assessed in subsequent sections of this report.

Policy RD7 (Agriculture, Forestry and Farm Diversification) also applies and sets out the criteria for when development will be acceptable in principle. It is claimed that the proposal will not conflict with the operational requirements of the agricultural enterprise as the land can, in theory, be used for agriculture in between the panels. No buildings are located on the site which could be re-used and the range of new buildings proposed on the site are both functional and commensurate to the scale of the proposal. The level of traffic generation will only be significant during the construction period; post construction it will be minimal. No parking is required to serve the proposal, other than a temporary compound during the construction period. For these reasons the proposal is considered to comply with policy RD7 of the North Lincolnshire Local Plan.

Policy DS21 (Renewable Energy) supports proposals for renewable energy provided that any detrimental effect is outweighed by environmental benefits. These impacts will be referred to in the next section but this policy shows that there is support for renewable energy in principle.

The Draft SPD published by the council in October 2015 is a material planning consideration although the required public consultation has not yet been completed and there may be amendments to the policy before it can be adopted. Nevertheless the development needs to be assessed in relation to its policies but can be given little weight. The policies of the Draft SPD which relate to the main principle issues are considered below. The other Draft SPD policies are considered under the Environmental Impacts in the next section of the report.

Policy A (Community Consultation) states that the developer must provide evidence of community engagement and how this has shaped the proposal. Failure to demonstrate that robust consultation has taken place will be a material consideration in determining the application. The applicant has submitted a Statement of Community Engagement with this application. The engagement comprised a letter being sent out to 303 residential and commercial properties surrounding the site. No responses were received following this consultation. No other attempts at community engagement were made by the developer and so there was no opportunity to enter into an agreement with the local community about community benefits.

Policy B (Community Benefits) states that applicants should work with communities to identify the impacts on the area. This work should include any benefits that the community wish to pursue and could be secured through planning obligations. As already mentioned above, there has been no discussion with the local community about such benefits and no suggestions have been forthcoming through the processing of the application. Flixborough Parish Council has no objections to the application.

Policy C (Site Selection and Agricultural Land Quality) states that, in line with national planning policy, developers must locate solar arrays on previously developed and/or contaminated and industrial land and should avoid areas that are undeveloped. The policy goes on to state that proposals on agricultural land falling within grades 1, 2 and 3a (the best and most versatile) agricultural land will not be permitted. This land should be used for agricultural purposes. Where proposals are located on agricultural land, they must be situated on land of poorer quality (grades 3b (moderate), 4 (poor) or 5 (very poor)). Developers are required to demonstrate that there is a need for their development to be located on agricultural land when it falls within these classifications. The applicant has submitted an Agricultural Assessment which confirms that 10% of the site lies within grade 1 (Excellent), 65% of the site lies within grade 2 (Very Good) and the rest (25%) lies within grade 3A (Good). Since submitting this assessment the site area has been reduced by 1.6 hectares in order to reduce the amount of grade 1 land by around 50%.

The applicant states that the site forms part of a larger holding of 545 hectares in total and that the application site is therefore only around 2% of the available land within the holding. When added to the other application for a solar farm on the same holding this would be only 4% of the holding. The applicant states that the loss of high quality agricultural land on this site would not be significant in this context.

The Planning Practice Guidance states that where a proposal involves greenfield land consideration should be given as to whether 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. Consideration should also be given as to the continued use of the site for agriculture and/or biodiversity enhancements. Although the SPD categorically states that development on higher grade land is not permitted, the fact remains this is a draft document currently undergoing public consultation. In addition, the national planning guidance doesn't

rule out the development of solar farms on higher grade agricultural land, provided it is justified.

In response to the Draft SPD, the applicant has now submitted an alternative site search report which demonstrates that they have carried out a sequential approach to the choice of land, starting with previously developed land and then non-agricultural land such as private parkland, golf courses, woodland and common land, followed by poorer quality agricultural land. The grid connection costs vary dependent on scheme size, grid capacity and local grid infrastructure.

The report makes clear that the grid network across the UK and within North Lincolnshire is physically constrained and this significantly restricts the potential areas of search that can accommodate a 5 MW ground-mounted solar scheme at a community level. The available grid connections in North Lincolnshire are greatly restricted compared to West Lindsey and North East Lincolnshire and only include areas around Scunthorpe and the Humber Bridge. The report also states that the majority of agricultural land around Scunthorpe is higher quality. The applicant has secured a viable grid connection close to the site and they consider this to be a material consideration for the application proposal. However, in order to provide a robust and conservative approach to the alternatives assessment, the applicant introduced a 5 kilometre radius from the point of grid connection for the search. The 5 kilometre range does not take into account any physical impediments which prevent a direct (or near direct) cable route running from the development site to point of grid connection. The report concludes that there is no other land within the site search area which would be previously developed, non-agricultural or of poorer quality land.

The proposal therefore fails this Draft SPD policy which does not allow high quality agricultural land to be used. In terms of national policy, whilst the applicant has shown that only this site is suitable in relation to the chosen grid connection, it does not indicate whether other previously developed land or non-agricultural land, or poorer quality agricultural land, would be available using a different grid connection. It is noted that the applicant has revised the proposal to reduce the amount of grade 1 land but 100% of the land would still be in the best and most versatile gradings. On this basis it is considered that the proposal fails national policy and would be contrary to the Draft SPD.

Environmental impacts

(i) Landscape and visual impact

The submitted Landscape and Visual Impact Assessment concludes that the impact on landscape features would be a moderate/minor adverse effect on land use during construction and decommissioning but during the operational phase the effect would be moderate/minor beneficial due to the dual use of the site for agriculture and renewable energy production, and also the effect on vegetation would be beneficial owing to the substantial amount of perimeter hedging to be planted.

In terms of the impact on landscape character during the operational phase, the development would result in a moderate adverse effect on the character of the site itself and the immediate surrounding landscape within around 300 metres of the site. This would reduce with distance from the site to a minor adverse effect on the surrounding landscape within approximately 1 kilometre, tending to a negligible/no effect beyond 1 kilometre throughout the majority of the study area. During construction and decommissioning an additional temporary moderate/minor adverse level of effect is anticipated.

In relation to the visual effects, the main views would be from Stather Road within around 850 metres north of the site, from footpaths and publicly accessible land on the rising scarp to the north-east and east within approximately 750 metres and from the A1077, Ferry Road West and Neap House located up to approximately 850 metres to the south and west of the site.

The development would affect very few properties with the worst case views assessed as moderate/minor adverse effects at Neap House and a few properties to the south of the A1077 but in all cases the effect would reduce to minor adverse or negligible over time as the mitigation planting matures.

Clear views of the site would be possible from footpaths 176, 177 and a permissive bridleway north-east of the site. The site would also be visible from north of the Foxhills plantation to the east of the site from footpaths 175 and a national cycle route 169. The site is also visible from a section of footpath 175 between Stather Road and Willow Holt to the north of the site. In all cases the impact would reduce to moderate/minor adverse once the perimeter hedging had established. Views of the site would be possible for users of the highways nearby but this is not considered to be significant. There would be some moderate adverse effect on some views from the site of All Saints Medieval Church scheduled monument, and from some limited locations within the northern part of the Phoenix Parkway Local Nature Reserve.

The applicant proposes that new hedging would be planted along all boundaries of the site except for the north-eastern boundary where the site is already well screened from the adjacent poultry sheds. The planting scheme shows that the hedging would be maintained at a minimum height of 3 metres. This would effectively screen the site from surrounding land. The solar arrays would still be seen whilst the hedging reaches the 3 metre height and when viewed from higher land but these views would be limited and not considered to be significant in the wider landscape.

(ii) Ecological survey and mitigation

The applicant has submitted an Ecological Survey and a Wintering and Passage Bird Survey. Natural England has advised that it has no objections to the proposal based on the fact that the proposal is more than 600 metres from the Humber Estuary SAC and Ramsar site and over 6 kilometres from the SPA and that the site has previously been used for crops unsuitable for use by wintering waterbirds. Natural England does warn, however, that the submitted Wintering Birds Survey was not carried out during the correct months.

The council's ecologist considers that the site is unlikely to be used by overwintering birds given the lack of openness to the north-east and the presence of power lines across the site. The applicant proposes to maintain an ungrazed field margin around the site and to plant a native grassland mix across the site to provide biodiversity enhancements.

The council's ecologist has raised a concern, however, that the proposed mixed grassland would be difficult to create on this land because of its high fertility, given the current arable use. Further evidence would be required, through a planning condition, to convince the authority that the creation of a flower-rich habitat could be created and successfully managed. The applicant states that the grassland would be grazed for a short period of time each year by sheep to avoid manual or machine grass-cutting. The applicant also intends to introduce bee hives to the site to improve biodiversity. The proposal also includes

the protection of existing habitats for badgers, grass snake, wintering birds and hares and to protect existing ditches during the construction period.

(iii) Heritage

The potential impact of the development upon the settings of designated heritage assets within the study area have been assessed. It is considered that the development would not harm the significance of the Scheduled Anglo-Saxon nunnery and medieval church and burial ground located 620 metres north-east of the site on the west-facing ridge side overlooking the lowlands of the River Trent.

Extensive prehistoric and Romano-British archaeological remains have been recorded to the north-west of the site. The site is located on the floodplain of the River Trent where alluvial and peat deposits have the potential to 'seal' deposits of palaeoenvironmental and archaeological interest. Geophysical survey results submitted with the application identified a concentration of over 200 pit type anomalies and a possible enclosure.

The council's archaeologist has advised that trial trenching would be required prior to a decision being made as the site is thought to contain archaeological remains. This would be required before a decision in order that an informed mitigation plan could be prepared. The applicant has decided, however, as time is short and trial-trenching could be expensive, without any guarantee of an approval, that instead of intrusive foundations involving piling, a different foundation would be used involving a concrete block which sits on the surface of the soil to which the panels are fixed. This has overcome the holding objection made by the council's archaeologist.

(iv) Flood risk

The applicant has submitted a Flood Risk Assessment (FRA) and a Sequential and Exceptions Assessment Report. The FRA states that the site is within Flood Zone 3 and that the proposed development is suitable for such a zone. The River Trent flood defences are robust and above the 1 in 1000 year flood level. Access would not be required in times of flooding. The equipment would be resilient to wet weather and would not cause pollution. Farming practices such as application of pesticides and fertilisers would be eliminated thus reducing pollution and improving water quality.

The Sequential and Exceptions Report concludes that flood risk is a significant constraint within the district, especially to the west of Scunthorpe. Other sites within Flood Zone 3 are discounted, given that these sites lie within the same Flood Zone to that of the application site and are thus not sequentially preferable. The sequential site search undertaken identified no other suitable sites with a viable grid capacity and in single ownership. The report confirms that there are no alternative sites in areas of lower flood risk which can deliver the development proposal. As the sequential test is passed the next test is the exceptions test. For this to be passed the applicant has shown that the development provides wider sustainability benefits for the community given that the area produces a low level of renewable energy when viewed against the national statutory target. The development plan supports renewable energy where proposals are suitable in all other respects. The development would be safe as it would not be permanently occupied. The site is not classified as vulnerable and is acceptable in principle in zone 3. The development would be resilient to flooding and would be raised above the predicted flood level in any event. The equipment is therefore not vulnerable.

It is considered that the development passes the sequential test and the exceptions test.

(v) Highways

The existing access to the site is from Stather Road and is an agricultural access leading to agricultural buildings and to the site.

The applicant has submitted a Traffic Construction Management Plan. The plan states that the designated route for construction and operational traffic would be via the B1216 and Stather Road. Stather Road is already used by HGVs travelling to and from the Flixborough Industrial Estate. A 7.5 tonne weight restriction is in place to the north-east of the site through the village of Flixborough. The submitted details show that there would be a total of 134 deliveries giving an average of up to two per day or up to four two-way movements per day.

The access road itself would be widened to 3 metres and would be surfaced to allow use by HGVs. A wheel wash would be used during construction and a construction compound would be sited near to the site.

The highway authority has no objection to the proposal provided that the Traffic Construction Management Plan is implemented at all times during construction.

There are no Public Rights of Way which would be affected by the development.

(vi) Glint and glare

Glint and glare may be produced as a direct reflection of the sun from the surface of the solar panels. Glare is a continuous source of brightness, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Solar panels are designed to absorb, not reflect, radiation, however the sensitiveness associated with glint and glare and the potential for landscape visual impact and aircraft safety is a material planning consideration. Humberside Airport has raised no objection to the development.

(vii) Security and fencing

The proposals include some lighting but only for buildings. The site security measures consist of a number of CCTV cameras to be positioned around the perimeter of the site. The security fencing would be 2 metres in height and would enclose the entire site. The fencing and security measures are considered to be appropriate for this type of development and would be in scale with the proposal.

(viii) Noise

The solar panels do not make any significant noise. During construction, however, there would be construction and traffic noise. The council's Environmental Health Officer has no objections to the proposal provided that the traffic route shown in the application is adhered to at all times. This could be secured by condition.

(ix) Cumulative impact

The proposal should be considered in relation to the other application for a solar farm on land 60 metres to the north. This application is on this agenda and is recommended for

approval and differs from the current application as it relates to a lower grade of agricultural land. The applicant has not considered the cumulative impact of these proposals. The two proposals, if approved and implemented, would have a cumulative impact in the landscape, especially when viewed from the south and north and in the early years before any hedging has grown to the 3 metre height. Whilst the current site is almost flat, the land to the north is on a gentle slope and would be more visible in the wider landscape. It is considered that the cumulative impact would not be significant in the longer distant views, especially as the north site would be seen against a commercial backdrop, or in close proximity to the Flixborough Industrial Estate. Both sites would be seen from higher land and from these views the land would resemble polytunnels or areas of water given the reflection/absorption of light.

It is considered, therefore, that the cumulative impact would be acceptable.

(x) Decommissioning

The applicant states that the development would be for a temporary period of 25 years only. The solar arrays and all equipment would be removed entirely after 25 years and the land would be restored to its previous condition. The details of the decommissioning could be secured through a planning condition attached to any approval.

Conclusion

It is considered that the applicant has failed to show that the use of best and most versatile agricultural land is necessary for this development in this location. The energy produced would go into the national grid and so the proposal could be developed on previously developed or non-agricultural and or poorer quality agricultural land elsewhere subject to a national grid connection being available. It is considered that the grid connection has been the driving force in relation to the site selection.

In terms of the other environmental impacts it is considered that these impacts could be mitigated by the use of conditions.

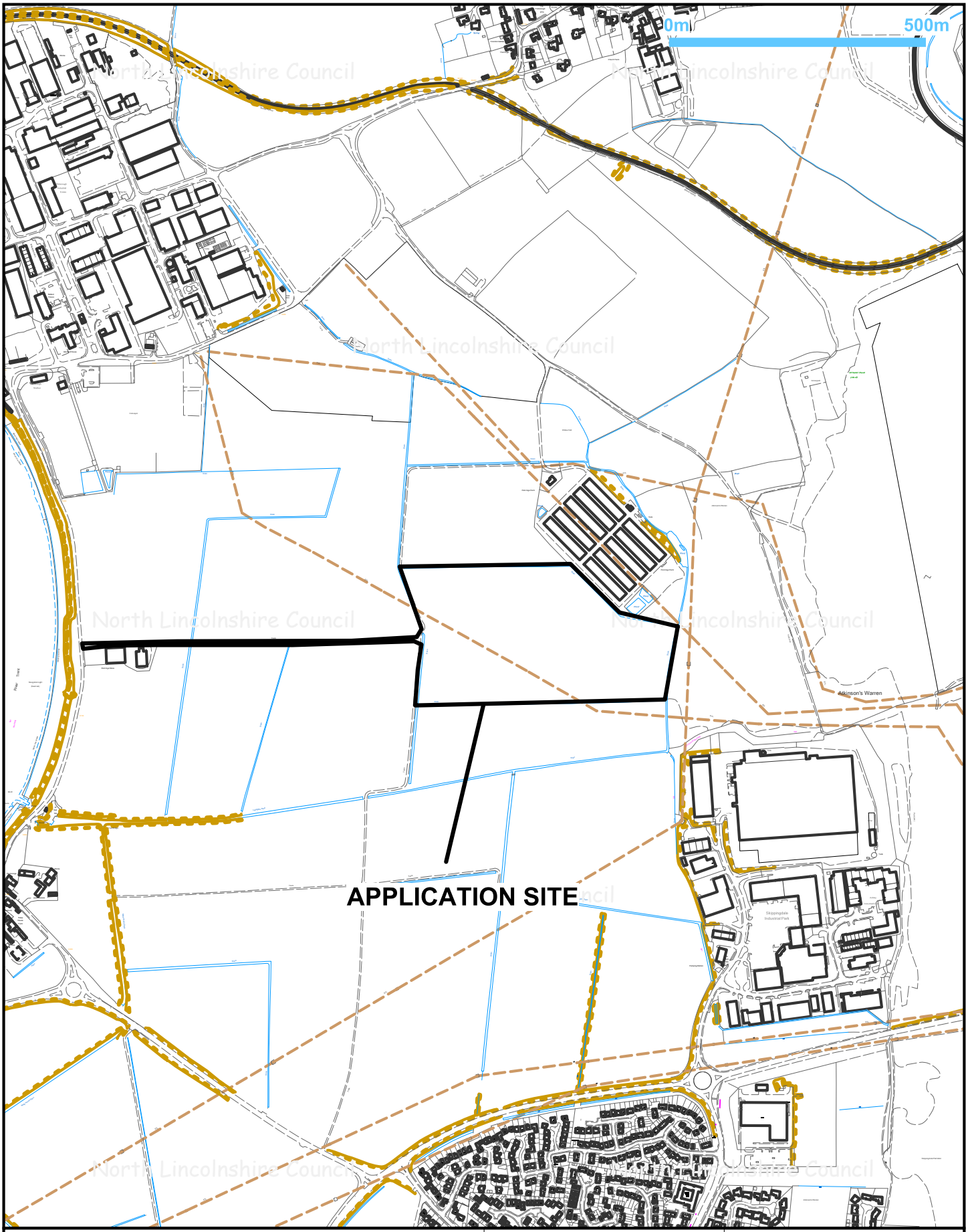
It is considered, for the above reasons, that the proposal is unacceptable.

RECOMMENDATION Refuse permission for the following reasons:

Insufficient evidence has been submitted to demonstrate and justify why the proposal utilises best and most versatile agricultural land, albeit for a 25-year temporary period, contrary to the National Planning Policy Framework and Planning Practice Guidance on Renewable Energy, and the council's Draft Supplementary Planning Document. The proposal is therefore unacceptable and would result in the loss of valuable land which should be used for agriculture.

Informative 1
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Informative 2
The development has been considered in relation to the following plans and documents: Site layout plan PV-0196-01 Rev 6, Site Location Plan 2 BRS.5842, Section drawing PV-0196-03 Rev 1, Inverter Station Sections PV-0196-05 Rev 1 received 26/10/2015, Sub-station sections PV-0194-06 Rev 2 received 26/10/2015, Non intrusive installation method cross section PV-0194-07 Rev 1 received 26/10/2015, and Topographical Survey Plans 989/8219/1A, 1B, 1C, 1D, 1E and 1F.



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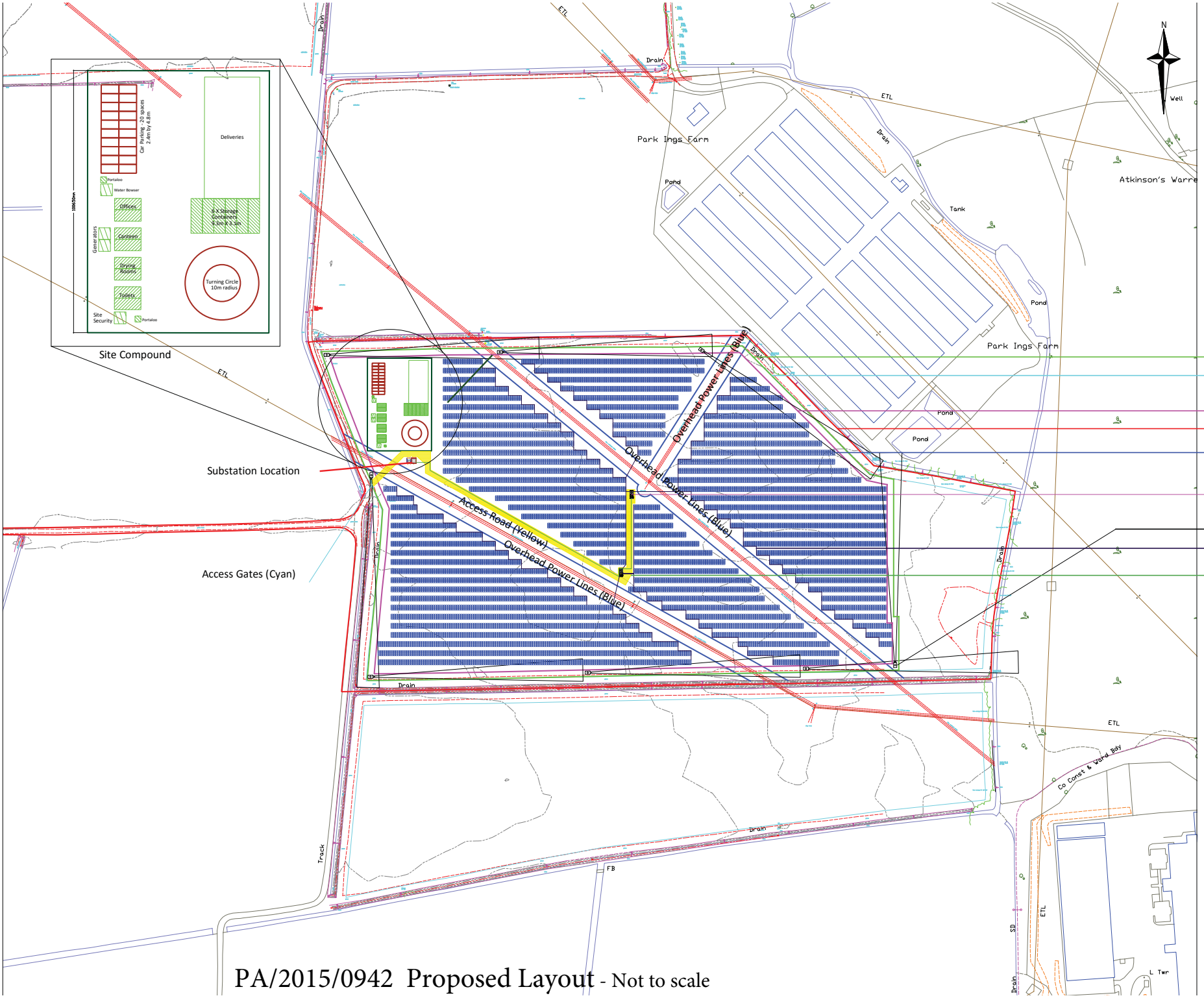

4.998 MWp Solar Farm
19,992 Modules in total
416.5 X Tables of 48 modules
Trina Solar TSM-250PC05A
2 X SMA MV Power Station 2200SC
Total Area 12.36ha

Access Road (Yellow)- Made up of geotech fabric with crushed stone.

Security Fencing (Green)

8m Waterway exclusion zone (Cyan)

Module Area Boundary (Pink)

Site Boundary (Red)

Solar PV Modules- On concrete shoes (Blue)

Inverter Stations- laid on top of the ground

CCTV Location

DC Cable- Using above ground concrete troughs (Purple)

AC Cable- Using above ground concrete troughs (Dark green)

PA/2015/0942 Proposed Layout - Not to scale