

Agenda Item A9	Committee Date 6 March 2017	Application Number 16/01617/VCN
Application Site Arna Wood Farm East Arna Wood Lane Lancaster Lancashire	Proposal Installation of arrays of PV panels, string inverters, underground cabling, substation, security fencing and CCTV mounted on up to 3m high masts, together with construction of internal access roads and formation of access off Arna Wood Lane to form a solar farm (pursuant to the variation of condition 2 on planning permission 14/00907/FUL to amend the plans, including the alteration to the design and position of the substation, alteration of the site layout and siting of buildings to house transformers)	
Name of Applicant Canadian Solar UK Projects Ltd	Name of Agent Mr Alasdair Adey	
Decision Target Date 7 April 2017	Reason For Delay None	
Case Officer	Mrs Eleanor Fawcett	
Departure	No	
Summary of Recommendation	Approval subject to no objections raised by Environmental Health	

1.0 The Site and its Surroundings

- 1.1 This application relates to an area of land located approximately 2.3km to the south west of the centre of Lancaster and approximately 600m to the south of the small settlement of Aldcliffe. It is accessed from Arna Wood Lane which also serves seven dwellings and has an exit from the United Utilities Waste Water Treatment Works (WWTW). The site is on the western side of the highway and comprises two fields and part of a larger field with a site area of approximately 10 hectares. To the west is the Lune Estuary and a multi-use path which runs adjacent to this and the site boundary. The land is relatively level close to the western boundary but then rises up towards the highway to the east. The field boundaries are generally delineated by managed hedges and occasional small clumps of mature trees.
- 1.2 The nearest residential properties are located at Arna Wood Farm and Low Wood, approximately 90m east and 35m south west, respectively, of the site. There is also a small hamlet, Stodday, located approximately 470m to the southeast and a Grade II Listed Building, Lunecliffe Hall, approximately 600m to the east. The WWTW are located approximately 10m to south of the site, at its closest, and there is a line of electricity pylons just beyond the Works which cross the Estuary in a northwest direction. In addition to the Lune Estuary Footpath to the west of the site, there is a public right of way crossing a field, from this path, approximately 120m to the north of the site.
- 1.3 The Lune Estuary is designated as a Site of Special Scientific Interest (SSSI) and is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. A small part of the site is located within Flood Zones 2 and 3 and a Mineral Safeguarding Area. The site is also within the Countryside Area, as identified on the Local Plan Proposal Map.

2.0 The Proposal

2.1 Planning permission has been previously granted for the installation of a solar farm on this site. This application seeks consent to make some minor alterations to the scheme, mainly to the layout. The main alterations involve: the repositioning of the both the operators substation and electricity distributor's substation into the northeast corner of the site from a separate piece of land to the southeast; construction of two new buildings towards the centre of the site to house transformers and inverters, referred to as 'power stations' in the submission; siting of a single CCTV camera on a wooden pole close to the substation; reduction in the amount of access track within the site and repositioning of this from the boundary into the central area; and a minor repositioning of solar panels and a reduction in their height.

3.0 Site History

Application Number	Proposal	Decision
14/00907/FUL	Installation of arrays of PV panels, string inverters, underground cabling, substation, security fencing and CCTV mounted on up to 3m high masts, together with construction of internal access roads and formation of access off Arna Wood Lane to form a solar farm	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Environmental Health	No comments within the consultation period at the time of compiling this report. Any comments will be verbally reported.
Tree Protection Officer	No objections.
County Highways	No objections.
Natural England	No comments to make on the alterations to the scheme layout. Comments awaited in relation to the changes to the mitigation measures relating to timing of works.
Lancashire Fire and Rescue Service	Comments - It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
Ramblers Association	No comments received within the consultation period.

5.0 Neighbour Representations

5.1 5 pieces of correspondence have been received objecting to the application and raise the following concerns:

- Noise implications from power stations/ transformer buildings and substation on residential amenity and wildlife
- Visual impact of additional buildings and lack of screening shown on submitted plans

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 - Sustainable Development and Core Principles

Paragraph 32 – Access and Transport

Paragraphs 56, 58 and 60 – Requiring Good Design

Paragraphs 93, 97 and 98 – Delivering Renewable and Low Carbon Energy

Paragraphs 118 and 119 – Conserving and Enhancing Biodiversity

Paragraphs 131 and 132 – Heritage Assets

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The public consultation period is from 27 January 2017 to 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC5 – Achieving Quality in Design
SC8 – Recreation and Open Space
ER7 – Renewable Energy

6.4 Lancaster District Local Plan - saved policies (adopted 2004)

E4 – Countryside Area
E5 – The Open Coastline

6.5 Development Management DPD

DM7 – Economic Development in Rural Areas
DM17 – Renewable Energy Generation
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM25 – Green Infrastructure
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM30 – Development Affecting Listed Buildings
DM32 – The Setting of Designated Heritage Assets
DM35 – Key Design Principles

6.6 Other Material Considerations

A Landscape Strategy for Lancashire – December 2000.

7.0 Comment and Analysis

7.1 The main issues raised by this proposal relate to:

- Landscape and visual impact
- Impact on residential amenity
- Ecological Impacts
- Highway Impacts

7.2 Landscape and visual impact

7.2.1 The main public views of the site are from the multi-use path adjacent to the estuary. These are partly-screened by existing vegetation and additional planting was proposed with the original application. The repositioning of the solar panels, CCTV camera and pole are not considered to have a detrimental impact on the character or appearance of the landscape. The reduction in the amount of hardstanding is also likely to be beneficial. Instead of following the boundaries of the solar farm, the track is proposed to run along approximately half of the southern boundary and cross roughly the centre of the site to the north, stopping before the northern boundary. As a result of the sewer crossing the site there is a gap between the western and eastern sections of the solar farm. It is therefore possible that part of the track will be visible from the Lune Estuary path, however, given the existing hedgerow to the east of this it is unlikely that there will be a significant adverse visual impact.

7.2.2 The application proposes two power stations on the site which will house inverters and transformers. These will consist of a building measuring 6.2 metres by 2.8 metres with a height of 3 metres and an enclosure containing some external equipment measuring 3.8 metres by 3.5 metres with a height of 2.9 metres. Clarification has been sought with regards to the nature of the equipment in addition to the finish of the building and enclosure. These will be positioned adjacent to the new access track across the centre of the site and the group of solar panels to the east. Sections have been provided to help assess the visual impact on these structures. This shows that these will be visible from the Lune Estuary path, although this is more likely with the one to the north of the site given the areas where views are available from the path. However they will be viewed against the side structure of the solar panels. Whilst these are lower in height, at approx. 2 metres, they do rise up the hill and as such will provide a backdrop to the buildings and be seen in the context of the panels. Given this and the number of proposed units it is not considered that there will be a significant landscape or visual impact, subject to an appropriate colour and finish. Given the nature of the panels, it is likely that a dark grey would be most appropriate. It is also unlikely that these structures will be visible from Arna Wood Lane, given the topography and the screening from the hedgerows and solar panels.

7.2.3 The substation was originally proposed to be sited on a separate piece of land to the south east of the site, on the opposite side of Arna Wood Lane. The amended location is now better related to the rest of the solar farm. The substation serving the solar farm is proposed to be 10 metres by 2.7 metres with a total height of 3.15 metres which includes the base. It will be partly screened by existing hedgerows and new planting. It is proposed to have a flat roof and be fairly utilitarian in appearance but it will be in close proximity to the solar panels. Confirmation has been sought in relation to the colour and finish of this. The submission sets out that it is considered that a rural-style building would not be appropriate for a substation building, as the industrial nature serves as a warning, with uniform finishing ensuring warning signs are more visible. To the west of this is proposed the electricity distributor's substation which is 3 metres by 3.1 metres and will be finished in Moss Green in addition to a smaller meter cabinet which shown on the plan.

7.2.4 Queries have been raised with regards to the landscaping of the site as no details have been provided. The submitted plan appears to indicate existing hedgerows but not new planting. However, the previously approved landscaping scheme would still apply to the development unless an alternative scheme was submitted. This can still be implemented, with the proposed changes to the layout, apart from a small section of hedgerow that would need to be removed to accommodate the access track. However, this is considered to be acceptable in terms of landscape and visual impact. Clarification has been sought from the agent that they still intend to implement the landscaping scheme previously approved. Overall it is not considered that the amendments to the scheme will have a significant detrimental impact on the character and appearance of the landscape.

7.3 Impact on residential amenity

7.3.1 Some concerns have been raised from occupiers of nearby residential properties in relation to the potential noise impacts from the proposed power stations. Some clarification has been sought with regards to exactly what these comprise and the noise implications. The agent has set out that the most significant source of noise would be the transformer, which has a maximum noise operating level of 72db(A) (working on maximum capacity, on a very warm sunny day). The applicant has also set out that the substations in the south east corner of the site do not produce noise or have any diesel generators attached to them and that the solar farm will operate only on renewable (solar) energy which means that during the night time, the power stations and substation(s) will not work neither produce any noise. There is approximately 220 metres between the nearest power station and the nearest residential property. Further information in relation to these will be reported at the meeting in addition to comments from Environmental Health.

7.4 Ecological Impacts

7.4.1 Natural England have raised no objection to the amended layout. However, they have been re-consulted on an amended mitigation strategy in terms of the timing of the works. Given the proximity to the Morecambe Bay SPA there is potential for works to disturb on overwintering birds. It was never intended that the works would be carried out over the winter period and as such the implications of this have not been previously assessed. Amendments were agreed to the mitigation in October 2016 to allow some works to be carried out in the winter period if these could not be finished. However, works did not commence until towards the end of January 2017 and the applicant was therefore in breach of the conditions and was advised to stop works until the impacts on the SPA could be fully assessed.

7.4.2 Works have currently stopped and further information has been requested by Natural England in particular relation to noise impacts associated with pile driving and visual disturbance to birds. Further information and the response from Natural England will be reported at the Committee Meeting. If this issue cannot be resolved, consent can still be granted it would just relate to the original mitigation rather than allowing the applicant to carry out works within the overwintering bird season. The applicant has indicated that they want to complete works before the end of March in order to benefit from subsidies that are proposed to be removed.

7.5 Highway Impacts

7.5.1 The Highways Authority has raised no objection to the proposed amendments. When works commenced on the site the vehicles did not use the agreed transport/delivery route which caused many complaints to be received from nearby residents. This was as a result of one of the roads in the vicinity of the site being closed. The applicant has requested that while roads are closed, the agreed diversion routes are also utilised by the development. The Highways Officer has confirmed this is acceptable, just during the road closures. However, works have currently stopped and the roads are planned to be reopen and as such this alternative may not be required.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 It is considered that the proposed alterations to the layout of the approved scheme and the additional structures, will not have a detrimental impact on the character and appearance of the landscape or the visual amenity of the area. Clarification has been sought with regards to the noise implications from some of the equipment. Subject to Environmental Health raising no objections, following receipt of this information, the proposal is considered to be acceptable.

Recommendation

That Planning Permission **BE GRANTED** subject to no concerns being raised by Environmental Health and the following conditions:

1. Development to accord with approved plans

2. Construction method statement
3. Scheme for the construction of the access points
4. Implementation of the Arboricultural Implications Assessment detailed within the Arboriculture Appraisal dated, 24.10.14
5. Implementation of planting proposals and submission of maintenance regime and a commitment to replace any trees/plants that fail to establish during this 10 year period post planting.
6. Ecological mitigation to include:
 - Ecological construction method statement
 - Bird mitigation strategy including monitoring
 - Habitat management plan
7. Access and maintenance roads to be constructed using permeable materials
8. Details of materials for substation
9. Colour and finish of pole for CCTV
10. Boundary treatments
11. All cabling underground
12. Reinstatement of land after 25 years in accordance with scheme to be submitted
13. If the solar panels fail to produce electricity for a continuous period of 12 months the panels and associated equipment shall be removed from the site and the land shall be reinstated within a period of 3 months from the end of that 12 months in accordance with a reinstatement scheme.
14. No structure should be erected within 6.5 metres of a public sewer

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None