Agenda Item	A11
Application Number	21/00256/FUL
Proposal	Installation of arrays of 2.96 metres high PV panels, underground cabling, battery containers, inverter and associated cabins and kiosks, construction of 2.1 metres high security fencing, CCTV mounted on 6m masts, construction compound and construction of internal temporary access track with associated landscaping to form Solar Farm
Application site	Land Adjacent Salt Ayre Leisure Centre, Salt Ayre Landfill Site, Salt Ayre Lane
Applicant	Lancaster City Council
Agent	Miss Kellie Hainsworth
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

1.1 This proposal relates to a 4.3ha part of the former waste disposal site off Salt Ayre Lane. It is located in the south east corner of the restored landfill site, adjacent to the south western boundary of Salt Ayre Sports Centre (nearest a grass football pitch). The landfill site has been capped under control of the Environment Agency with a suitable layer to prevent the tipped material from emitting air or water borne contaminants.

1.2 Access will be gained through the existing waste recycling centre off Ovangle Road via Salt Ayre Lane using existing informal tracks on the former landfill site. Beyond and immediately adjacent to the southern boundary is a cycle and pedestrian route with the River Lune beyond.

1.3 The site is part of the Key Urban Landscape local landscape designation.

2.0 Proposal

2.1 The proposal is to install a solar farm of photovoltaic (PV) panels arranged in rows on an east-west axis facing south. To retain the integrity of the landfill capping layer it is important there is nothing penetrating the ground surface. Therefore, the panels will be supported by ballast blocks which will sit on the land surface. The rows will be spaced enabling pedestrian access between the panels and around the outside. These accesses will not be permanently surfaced as no vehicles will be required to enter the site once installed. All ground around the panels will be planted to support grass growth. The maximum height of the panels will be approximately 2.96m above ground.

2.2 Supporting infrastructure of a compound containing electrical switchgear and battery storage, security fencing and pole mounted CCTV will be provided. The compound will be located in the north east corner of the site and contain 2 switchgear kiosks of approximate dimensions 4.25m x 4.25m x 3.9m high to ridge and 5 battery storage containers measuring 6m long x 2.4m wide x 2.6m high. The site security fencing will be 2m high and made of galvanised lattice style metal supported on ballast blocks. 6m CCTV poles will also be supported on ballast blocks. All cabling will be surface

mounted apart from the supply cable to the sports centre which will be below ground where it runs through the sports centre grounds.

2.3 A temporary construction compound will be needed during installation which will be located north of the site and contain an office and storage cabins.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
20/00872/EIR	Screening opinion for solar farm	Environmental Statement not required
17/00078/CCC	Variation of condition 1, to allow continued use of the material recycling facility until 31 December 2022 with restoration no later than 31 December 2023 and condition 8, to allow for a scheme and programme for the restoration of the site to be submitted within 3 months of the cessation of use of the material recycling facility, of permission LCC/2014/0005	No objections
LCC/2014/0005	Vary permission to require operations to cease not later than 31 December 2017 and restoration by 31 December 2018	Permitted (Lancashire County Council)
08/01210/CCC	Continuation of shredding and composting of green waste	No objection
01/08/1407	Variation of Condition 1 of planning permission 01/02/1255 to allow operation of material recycling facility until 31 December 2017	Permitted (Lancashire County Council)
01/02/1255	Retention of Materials Recycling facility allowing extended time period of operations until 31 December 2017	Permitted (Lancashire County Council)
01/93/0403	Material Recycling facility	Permitted (Lancashire County Council)
1/86/800	Landfilling of household, commercial and industrial waste	Deemed Consent (Lancashire County Council)

4.0 Consultation Responses

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

Consultee	Response
County Waste Service	No objection
County Development Management	No objection in principle but the solar panels should not significantly reduce the areas of tree and shrub planting proposed as part of the site's restoration from its use for landfill and new planting should not affect the future maintenance of landfill gas or leachate collection infrastructure.
LLFA	No objection subject to conditions
Planning Policy	The benefits of the solar farm in tackling the climate emergency, and subsequently the overall positive impact this would have on the residents of the District, outweigh any temporary loss of amenity value on the site.
Environment Agency	The site is managed under the Environment Permitting (England and Wales) Regulations 2016 and the EA is in direct discussion with the applicant in relation to construction and maintenance works to ensure the development will have no adverse impact on the integrity of the landfill site infrastructure. No objections raised

	subject to a condition requiring prior approval of any infiltration drainage system. Without this condition the EA objects.
County Highways	Raise concerns about the potential for conflict between construction traffic and traffic queuing to access the recycling centre at the Ovangle Road junction and glare caused to cyclists using the Lune Cycleway
Environmental Health	No objection - no significant environmental health implications noted
Arboricultural Officer	A tree constraints plan is needed to assess the impact of the buried cable on existing trees
Civic Society	Supports the principle of the climate emergency agenda and this location is suitable for the proposal. Wish to see CGIs to assess how obtrusive views would be from the Castle and Priory, especially due to potential glare
Lune River Trust	No comment to make
Greater Manchester Ecology Unit (GMEU)	The applicant's shadow Habitat Regulations Assessment is valid and GMEU concurs with the findings that no likely significant effects on protected areas will occur. Conditions are recommended to deal with other material considerations.
Natural England	No objection. The submitted assessment demonstrates the site does not offer functionally linked land to the designated sites and that significant effects on them either alone or in combination are unlikely to occur.
RSPB	To be reported verbally

4.2 Two responses have been received from members of the public supporting the proposal for the following reasons:

- The sports centre will be able to find a break-even point so it will not need further input from rate payers
- Future revenue from the scheme could be used by the council to offset cuts
- This is the start of a green revolution as an example to other places

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle
- Landscape Impact
- Neighbour Amenity
- Ecology
- Access and Traffic
- Drainage
- Effect on landfill site

5.2 Principle (SPLA policies SP1: Presumption in Favour of Sustainable Development; EN5: Local Landscape Designations; EN9: Air Quality Management Areas; SC3: Open Space, Recreation and Leisure; DMDPD Policies: DM27: Protection of Open space, Sports and Recreation Facilities; DM29: Key Design Principles; DM30: Sustainable Design; DM46: Development Affecting Protected Landscapes; DM53: Renewable and Low Carbon Energy; NPPF Section 14)

5.2.1 The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero by 2050. The Salt Ayre Leisure Centre is the largest CO_2 emitter in the Council's building and property portfolio. It is also responsible for over a tenth of the Council's carbon emissions. The PV array will provide power to the sports centre to make it largely self-sufficient in electricity terms and in conjunction with other planned improvements to the leisure centre, including the installation of air source heat pumps, will drastically reduce CO_2 emissions.

5.2.2 There is a presumption in favour of sustainable development in development plan policies and the NPPF. DM DPD policy DM53 actively supports proposals for renewable and low carbon energy schemes and therefore the proposal is acceptable in principle, subject to site specific issues relating to landscape impact, amenity and ecology, which are assessed below.

5.3 Landscape Impact (SPLA policies SP1: Presumption in Favour of Sustainable Development; EN5: Local Landscape Designations; EN9: Air Quality Management Areas; SC3: Open Space, Recreation and Leisure; DMDPD Policies: DM27: Protection of Open space, Sports and Recreation Facilities;

DM29: Key Design Principles; DM30: Sustainable Design; DM46: Development Affecting Protected Landscapes

5.3.1 The site slopes up from 9m AOD at the south east corner to 21m AOD at the north west corner following the landfill site restoration. It is a modified landscape of low visual interest consisting of improved grass and obviously recently worked ground with varying degrees of evidence of restoration. Beyond the site, the restored site's landform continues to rise to two summits of 24m AOD to the north and 31m AOD to the west.

5.3.2 The site is designated as a Key Urban Landscape (KUL) under policy EN5 which states that such areas should be protected from inappropriate development which would erode this character. Recognition is given to the fact these areas can provide amenity value for local residents and the wider community. Policy DM46 requires the contribution a KUL makes to the character and setting of the urban areas to be conserved and important natural features safeguarded. Development within these areas should only be supported if it preserves the open nature of the area and character and appearance of its surroundings in accordance with EN5.

5.3.3 The importance of the site and wider area as a KUL will be adversely affected by the visual appearance of the installation and loss of some amenity space. However, the benefits in helping to tackle the climate change emergency would provide an overall positive benefit to residents of the district outweighing the negative impact on the KUL. Furthermore, natural vegetation will be planted to establish between the rows of panels and additional planting will boost boundary screening and enhance the landfill site restoration.

5.3.4 The site does not have public access and serves no practical leisure or recreational function. Due to the use of ballast supporting blocks on the surface with no ground penetration, the installation is of temporary construction and can be removed to re-instate the open space. In other words, the impact is visual only, is non-permanent, and there is no loss of publicly accessible open space.

5.3.5 The site forms part of the wider national landscape character area of the Morecambe Coast and Lune Estuary. At the county level the western half of the site is within the Lune Marshes part of the Open Coastal Marsh landscape character type and the eastern half within the Suburban sub-character area of the urban landscape type. The modified landform does not fit the description of the Open Coastal Marsh landscape character type. The site is not urban in character but does have a relationship with the built-up area to the west and north. Ultimately the site is a non-natural, manmade landscape.

5.3.6 Primary mitigation is achieved through locating the panels on lower slopes at the eastern extent of the former landfill site with higher ground behind. Existing vegetation to the east and higher ground to the north will limit views from the south. Secondary mitigation will be provided through reinforcement planting to hedgerows on the southern and eastern boundaries.

5.3.7 The submitted landscape and visual impact assessment confirms there will be some temporary adverse effect of minor significance in the short and long term at a local level to the wider setting of the Open Coastal Salt Marsh and suburban landscapes. Adverse visual effects will be felt at the immediate boundaries of the site which will be mitigated by additional hedgerow planting. Distant views are affected to a lesser degree up to moderate significance.

5.3.8 The installation will undoubtedly change the character and appearance of the landscape when viewed from the cycle/footpath immediately to the south and road users and residents on New Quay Road on the opposite side of the river. However, the panels will be seen against the adjacent higher land and partially screened at lower levels by existing and proposed vegetation. Any negative visual effect is offset by the overall climate change benefits arising from the proposal.

5.4 Neighbour Amenity DMDP Policy DM29: Key Design Principles

5.4.1 The nearest facing housing is located on New Quay Road south of the River Lune over 200m away. A Glint and Glare Assessment has been carried out and submitted by a specialist consultant. The assessment is based on the consultant's own published guidance document which is in its third edition and published following engagement and consultation with and review by solar developers. Quantification of impact is based on whether significant reflection is predicted in practice and the

duration of the predicted effects. Where effects occur for less than 3 months per year and less than 60 minutes per day the significance is low and no mitigation is required. Where effects last for more than 3 months and less than 60 minutes per day the impact is moderate and assessment of mitigating factors is required, such as screening, separation distance and location of the receptor. Impacts amounting to over 3 months per year and 60 minutes per day are high and mitigation is needed.

5.4.2 Assessment of the likely effects of glare on 60 residential properties on New Quay Road facing the site has been carried out. The conclusion finds that for 35 properties the impact will be low. For 25 properties the worst case impact will be moderate due to the effects lasting more than 3 months per year but for approximately 20 minutes on any one day. This requires mitigation which is provided in the form of separation distance of over 300 metres between the houses and reflecting area of panels; partial screening from 1st and 2nd floors and total screening from ground floor viewpoints; cloud cover which will reduce the likely duration; effects will occur when the sun is lower in the sky to the west which means an observer would also be looking towards the sun at the same time as the reflection and obliqueness of the angles of the panels to the receptor windows. Overall, the assessment concludes no further mitigation than the additional planting proposed on the southern and eastern boundaries of the site is required.

5.4.3 There will also be an impact on New Quay Road residents from the visual appearance of the panels. Although they will be highly visible from the front facing windows of those houses, the distance, partial screening and overall public benefit is considered to outweigh the negative effects of being able to view the panels.

5.5 Ecology: SPLA Policy SP8: Protecting the Natural Environment; DMDPD Policy DM44: Protection and Enhancement of Biodiversity

5.5.1 Immediately south of the site is the River Lune which flows into Morecambe Bay and its protected designations, including those of European importance. An ecological appraisal and shadow Habitat Regulations Appraisal has been submitted with the application. These conclude the development is unlikely to have a significant adverse effect on any of the designated nature conservation sites or functionally linked land. The Greater Manchester Ecology Unit and Natural England agree with this assessment. The information provided within the ecological appraisal which forms the evidence base for the screening assessment within the shadow HRA demonstrates the application site does not offer functionally linked land capable of supporting significant numbers of qualifying species. On this basis likely significant effects can be ruled out.

5.5.2 Biodiversity is in decline across the UK and is intrinsically tied with the climate emergency. Under best practice, solar farms have the potential to contribute to increased biodiversity and improved wildlife habitats. The current site of improved grassland covering a restored landfill is considered to be of moderate to low quality. The proposed solar farm will minimally disturb the site due to the ballasted installation method and use of an existing access. The proposed panels are to be in rows with spaces allowing for habitat growth such as a referenced wildflower meadow in the submitted documents. Additionally, the proposal includes secondary mitigation measures for the visual effects which will support biodiversity including the planting of native hedges. This can be secured through conditions.

5.6 Access and Traffic: DMDP Policy DM29: Key Design Principles

5.6.1 During construction, materials brought by large vehicles will be transferred to smaller vehicles for transport through the recycling centre and onto the site. County Highways has requested further details on the size and management of construction vehicles to avoid conflict with vehicles using the recycling centre, which can be conditioned.

5.6.2 Once installed the solar farm will require minimal maintenance. Only periodic on-site checks and cleaning will be required. All monitoring and fault detection will be done remotely. Once construction is complete, operation of the site should not give rise to any highway issues.

5.6.3 The Glint and Glare Assessment has looked at the potential effects on drivers and cyclists on surrounding roads and cycle paths, including either side of the river. For road users, the key

considerations are whether a reflection is predicted in practice, the type of road (and associated speeds and levels of traffic) and location of the panels relative to direction of travel.

5.6.4 Reflections towards Lancaster Road (to the west and south west) are not significant because they would occur from a bearing outside the driver's primary field of focus when facing the direction of travel and there will be partial to complete screening by intervening terrain at locations where reflections would be possible.

5.6.5 There are no formal guidelines for reflections towards cycle lanes. However, the assessment has used the same criteria as for other road users. The conclusions are that the visibility of reflecting panels is significantly or entirely obstructed for users of the cycle paths alongside the River Lune due to existing screening along the site's southern and eastern boundaries. This will be boosted by additional planting as part of the development.

5.7 Drainage DMDPD Policy DM 34: Surface Water Run-off and Sustainable Drainage

5.7.1 Water run-off from the panels is proposed to fall onto the ground into the proposed vegetation. The Environment Agency's only concern is to ensure no below ground drainage is installed without its consent, which can be conditioned. Therefore, infiltration sustainable drainage systems are not appropriate. Without penetrating the ground there is no reason why flows will contaminate downstream, including the River Lune or Morecambe Bay.

5.8 Effect on Landfill Site

5.8.1 The operator of the solar farm is speaking directly to the Environment Agency and Lancashire County Council to ensure the development will fit in with the landscaping phase of the site's restoration and not compromise the contaminated material contained below ground. To ensure control over this, a condition is proposed requiring submission of a full landscaping and maintenance scheme.

6.0 Conclusion and Planning Balance

6.1 There will be negative effects from loss of part of the key urban landscape and amenity afforded by the open space and the visual appearance when viewed from the adjacent public routes and by residents from across the river. However, these are more than sufficiently mitigated by the significant contribution the development will make towards the Council's initiative to tackle climate change. During its operation, the development will contribute to biodiversity enhancements by increasing vegetation. If decommissioned, the site can revert to open amenity space. The site can be developed without causing harm to the important habitats in Morecambe Bay.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Standard
2	Approved plans	Standard
3	Landscaping and management scheme/implementation	Prior to commencement
4	Details of colours/materials	Prior to commencement
5	Drainage including no intrusive system unless approved	Prior to commencement
6	Construction Vehicle Management Plan	Prior to commencement
7	Works outside nesting bird season	Specific time

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015
In accordance with the above legislation, 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 made 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