

Agenda Item A7	Committee Date 29 June 2015	Application Number 15/00243/FUL
Application Site Fanny House Farm Oxcliffe Road Heaton With Oxcliffe Morecambe	Proposal Installation of arrays of PV panels and associated frames, decentralised inverters, underground cabling, substation, transformer house, meter cabinet, stock proof fencing and CCTV mounted on up to 4m high masts, together with construction of internal access roads and formation of temporary access off Oxcliffe Road to form a solar farm, and the siting of a temporary site compound off Oxcliffe Road	
Name of Applicant Novus Solar Developments Ltd	Name of Agent Mr Phillip Duncan	
Decision Target Date Formal Extension of time agreed until 3 July 2015	Reason For Delay Awaiting further information	
Case Officer	Mrs Eleanor Fawcett	
Departure	No	
Summary of Recommendation	Approval subject to the resolution of footpath issue	

1.0 The Site and its Surroundings

- 1.1 This application relates to an area of agricultural land located adjacent to Heysham Moss which adjoins the eastern edge of Heysham. It is accessed from Oxcliffe Road via a privately maintained track known as Clay Lane, to the north of the site. This track is also a public footpath which adjoins another footpath which passes the northern boundary of the site and provides access from the residential estate to the west, located on the other side of the railway line. The site relates to a relatively long thin field, approximately 780 metres long and 90 metres wide for over half its length, widening to approximately 165 metres towards the southern end. It has an area of approximately 10 hectares and is used for grazing cattle and has drainage ditches and hedgerows along most of the boundaries. There is another footpath at the southern end of the site which links to the southern end of the nearby housing estate but does not run further to the east than the eastern boundary of the site.
- 1.2 All of the site is covered by a Biological Heritage Site which extends slightly further to the west and adjoins the Heysham Moss Site of Scientific Interest (SSSI). The Moss is a Nature Reserve with open access and is managed by the Lancashire Wildlife Trust. The site is also located approximately 1.7 kilometres from Morecambe Bay which is designated as a SSSI, Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. It is located within flood zone 3 and part of the site is designated as a Mineral Safeguarding Area. The site is crossed by overhead electricity lines in a southwest-northeast direction and there is a pylon within the field. The land to the east is agricultural but there is also a single turbine in a nearby field which has been constructed relatively recently. Close to the south east corner of the site is a radio transmitter station which includes a mast and to the south is an area of land which has consent for a substation in association with an offshore wind farm. The site is located within the Countryside Area as identified on the Local Plan Proposals Map.

2.0 The Proposal

2.1 Planning permission is sought for the installation of solar photovoltaic panels and associated infrastructure. The solar panels would be mounted on fixed frames pushed into the ground, no higher than 2.5 metres at the highest point off the ground, and a minimum of 700 mm off the ground at their lowest point, at a fixed angle of 15 – 35 degrees toward the south. The proposal includes a meter cabinet, transformer housing, switchgear housing and substation which will be located towards the south east corner of the site. Around the perimeter of the site, a 2 metre high perimeter stock type/deer fence is proposed in addition to 10 security camera with a maximum height of 4 metres. A temporary construction compound is proposed at Fanny House Farm off Oxcliffe Road. The materials needed to construct the development would be delivered to this compound then loaded onto tractor and trailer and taken to the site. Access is proposed by via Clay Lane, which runs from Oxcliffe Road to the radio mast then via a short length of farm track which would be formed from Clay Lane to the site. The submission sets out that following installation, the equipment will require minimal maintenance, and its operating life is anticipated to be around 35 years. Following decommissioning of the equipment, the site is intended to return to agricultural use.

3.0 Site History

3.1 The relevant site history is set out below. The proposal for two wind turbines, which was withdrawn, extended over part of the application site. The approved turbine is on adjacent land and has now been constructed.

Application Number	Proposal	Decision
11/00073/FUL	Erection of a single 2-2.5MW wind turbine, associated access roads, switchgear enclosure and associated infrastructure	Approved
09/00155/FUL	Erection of 2 wind turbines and associated works including switch room, cable routing and trenches, site access and tracks, including new vehicular access from A683, hard standing area and contractors compound	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Heysham Parish Council	No comments received
Heaton-with-Oxcliffe Parish Council	No comments received
Middleton Parish Council	No comments received
Morecambe Town Council	No comments received
Environmental Health	No objections
Tree protection Officer	No objection subject to conditions requiring: no trees to be removed without approval; scheme for additional tree planting; Arboriculture Method Statement
Engineers	The flood risk assessment satisfies that post-development runoff will be satisfactory. Advise that the applicant works closely with Lancashire Wildlife Trust to manage the water levels on the site with the local environment in mind, and in particular the adjacent SSSI. If more water can be held on site, flood risk downstream could be reduced whilst the water environment can be enhanced through adoption of a less intensive and more natural drainage regime.
County Highways	No objection subject to conditions requiring visibility splays, widening of access point, offsite improvements and construction management plan.

Natural England	In relation to the European Designated Sites, the development is within the 600m-buffer zone of impact of the consented wind turbine east of the site. Therefore have already accounted for displacement of birds from this area. As long as the notable flora within the ditch system is protected then have no objections. Pleased to note the buffer against these ditches. The application is in close proximity to Heysham Moss and Morecambe Bay Sites of Special Scientific Interest (SSSI). Satisfied that the proposed development will not damage or destroy the interest features for which the site has been notified.
Greater Manchester Ecology Unit	The development of the solar farm will not cause significant harm to the SPA, the SSSI or the BHS. There will be some land-take of the BHS but habitat lost to the scheme comprises species-poor grassland. Hedgerows, field margins, ditches and remaining areas of grassland will be enhanced for nature conservation such that any habitat losses can be compensated. No overall objections but recommend a more comprehensive and detailed Habitat Management Plan is prepared and implemented in full and continue for the anticipated lifetime of the solar farm. It must include proposals for monitoring the ecology of the site by carrying out regular surveys, particularly surveys of plants and birds. These surveys should be used to update and develop the Management Plan as required.
Lancashire Wildlife Trust	Do not support planning applications on Biological Heritage Sites. However, if managed carefully, could represent an opportunity to enhance the current management regime in a way that the biodiversity of the BHS is enhanced over time. Concerned about cumulative effects with other development in the area on the enjoyment of Heysham Moss SSSI. There is a need to compensate the cumulative impacts of the solar farm and other infrastructure being built by way of a contribution of financial help towards the long term maintenance of the habitat. Concerns about timing of surveys in relation to botanical and ornithological survey. Usage of the land in and around the Heysham Moss BHS by wintering geese has changed over recent years and an up to date survey would be required to ascertain if the proposed development site still supports wintering geese and if so, in what numbers. If the area is still used then additional mitigation should be considered. The proposed mitigation and enhancement measures are low on detail. A Biodiversity Management Plan should be provided.
County Ecology (in relation to BHS)	No comments received
RSPB	No comments received
County Minerals Planning	No comments received
Environment Agency	No objection
Campaign to Protect Rural England	No comments received
Public Rights of Way Officer	Only concern would be health and safety whilst installation is ongoing. There is also signs of people ignoring the battered old end of path sign and continuing into the next field, which may cause problems with this area of the installation. May wish to consider a temporary closure.
Ramblers Association	No comments received
Health and Safety Executive	No comments received
Office of Nuclear Regulation	No comment as it does not lie within a consultation zone around a GB nuclear site.
Ministry of Defence	No objections
Civil Aviation Authority	No comments received
BAE Systems	No objections
Blackpool Airport	No comments received
NATS	No objections
Lancashire Constabulary	No observations to make

5.0 Neighbour Representations

- 5.1 1 piece of correspondence has been received which raises the following comments:
- Concerns if the development affects a public footpath

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

6.2 Lancaster District Core Strategy (adopted July 2008)

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

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

E4 – Countryside Area

6.4 Development Management Development Plan Document (DM 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
DM35 – Key Design Principles

6.5 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
- Highway impacts
- Ecological impacts
- Impact on residential amenity
- Impacts on trees and hedgerows
- Impact on public footpaths
- Loss of agricultural land/consideration of sites
- Flooding and drainage
- Aviation
- The contribution to renewable energy generation
- Community benefits

7.2 Landscape and visual impact

- 7.2.1 A Landscape and Visual Impact Assessment has been carried out and submitted with the application. The application site, where the panels are proposed to be site, is a large narrow field

which is partially enclosed by fragmented hedgerows to the east and northwest, a low continuous hedgerow on the northern boundary, and wet woodland to the west. It is located within a relatively rural landscape which comprises flat and low lying permanent pasture, occupying an area of mossland on the coastal plain. The land immediately to the west of the site comprises an area of un-reclaimed lowland raised bog, known as Heysham Moss. The Moss is managed as a nature reserve, with the western part being designated as a Site of Special Scientific Interest. To the west of Heysham Moss, the land rises onto an elongated ridge along the coastal strip, which is mostly occupied by Heysham and Morecambe. The mossland is partially overlooked by extensive housing estates on the south eastern fringe of Heysham. The landscape is also heavily influenced by the Nuclear Power Station, to the south west of Heysham, and other power generation infrastructure, including electricity transmission lines, substations and the three large wind turbines.

- 7.2.2 The landscape character of the area is identified as mosslands and is defined as having a low lying and flat topography, with a distinctive pattern of long narrow fields and drainage ditches. Visual enclosure is mostly provided by series of parallel hedgerows, resulting in partial and very oblique views across the flat terrain. The submission sets out that the influence of strong vertical elements, such as the numerous electricity pylons, has had a detrimental effect upon the character and quality of the local landscape. Consequently, the area is judged to have a low landscape sensitivity and has the capacity to accept carefully sited solar development without causing a significant impact upon the existing condition and character of the landscape.
- 7.2.3 The site is not particularly visible within the wider landscape. It is afforded a degree of screening from the west by an area of woodland although there are views from residential properties located on elevated land. The site to the south has consent for an electricity substation to serve an offshore windfarm. This will block most views from the south. Open and uninterrupted views of the proposed development area can be gained from sections of public footpaths immediately to the north and along the southern edge of the site.
- 7.2.4 The submitted elevation plan of the panels show the rows separated by at least 5m with the panels having a maximum height from ground level of 2.5m. All existing landscape features on the edge of the site are proposed to be retained, including the perimeter hedgerows and woodland areas. There are proposed to be managed and enhanced to improve the level of visual enclosure. Hedgerows will be cut to a height that is appropriate to maximise visual screening. The planting of new hedgerows is proposed (using indigenous species) to reinstate fragmented/defunct hedgerows to provide additional visual screening. Stock type fencing is proposed around the perimeter of the site with a maximum height of 2m. The associated buildings and cabinets are proposed to be sited in the south east corner which is close to the consented infrastructure development to the site. These buildings will be finished in green with the largest being 6m by 3m with a height of 3.1m.
- 7.2.5 Any changes in the landscape character due to the development are likely to be restricted to the site itself and the immediate surrounding area. Its effect in the surrounding landscape is assessed as slight or negligible in the submitted report. This goes on to say that it is not anticipated that the solar farm will have any significant additional landscape effects when considered cumulatively in association with the other large scale infrastructure development within the local area. In respect of visual effects, the proposed development will mainly have an impact upon nearby receptors, in particular people walking on the public footpaths immediately to the north and south of the site. The report sets out that at these locations the visual impacts of the solar infrastructure are likely to be initially negative but these effects will be mitigated by the appropriate management and gapping up of the boundary hedgerows. In the wider landscape, the visual effects of the development will be limited and the potential partial and oblique middle distance views from some first floor windows are assessed as negligible or minor.
- 7.2.6 The site is located within a landscape which already contains a significant amount of infrastructure including pylons, wind turbines, a communications mast and substations and is relatively close to Heysham Power Station. Although they will cover a large area, the solar panels will be relatively low in this low lying landscape. As such, the additional planting will help provide screening from the adjacent public footpaths. Given this, and the above, it is not considered that the proposal will have a significant adverse impact on the character and appearance of the landscape. The submission also sets out that the development will be decommissioned at the end of around 35 years with the removal of the solar infrastructure and the complete reinstatement of the agricultural grassland.

7.3 Highway impacts

- 7.3.1 The submission sets out that it is anticipated that all site set-up work and construction will be completed within a period of six weeks. After this time the solar farm will require minimal maintenance. A temporary construction compound is proposed at Fanny House Farm, just off Oxcliffe Road. The materials would be delivered to this compound then loaded onto tractor and trailer and taken to the site via Clay Lane, and thence a short length of additional farm track. County Highways have set out that, aside from the construction phase of the development, the site is unlikely to generate a significant amount of vehicle movements.
- 7.3.2 The access to the proposed site compound is proposed to be widened. The highways officer has advised that there should be un-hindered two-way vehicle movements through the access as would not wish to see the creation of a vehicular conflict situation occurring through standing / stationary traffic on Oxcliffe Road while large HGV's access / egressed from the same. Sufficient space must be allocated within the site compound to accommodate contractor parking / welfare facilities, allow large delivery vehicles to access / egress the same in a forwards gear, accommodate appropriate driver forward visibility when egressing the site.
- 7.3.3 The access onto Clay Lane is situated on the approach to a railway bridge and is relatively obscured from oncoming traffic by boundary hedging. Given this, the highways officer advised that visibility splays of 4.5m by 130m should be provided. However, this would not be achievable due to the railway bridge and would require a significant loss of hedgerow and trees. This appeared excessive as the only concerns relate to the construction period which will be approximately 6 weeks. As such, the highways officer had agreed that this could be covered by the construction management plan and would likely involve some form of signals, either lights or stop/go signs on either side of the bridge. This can be adequately controlled by condition. Clay Lane is a single track road with a lack of passing places. However, if vehicle movements between Oxcliffe Road and the site are adequately managed during construction, there should be no adverse impacts on highway safety.
- 7.3.4 On the basis of the above, it is not considered that the development will have a significant impact on highway safety provided that appropriate measures are put in place during construction.

7.4 Ecological Impacts

- 7.4.1 The site is in close proximity to the Morecambe Bay Special Protection Area (SPA) and Special Area of Conservation (SAC) which are both European sites. The site is also listed as Morecambe Bay Ramsar site and notified at a national level as the Morecambe Bay Site of Special Scientific Interest (SSSI). European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010. In relation to this, Natural England has advised that the proposal is not necessary for the management of the European site but is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. To justify this conclusion they have set out that the development is within the 600m-buffer zone of impact of the consented wind turbine east of the site. Therefore the displacement of birds from this area has already been accounted for. The SPA has been designated because it supports internationally important populations of birds. Providing that the notable flora within the ditch system is protected then Natural England have no objections to this proposal. They also note that a buffer is proposed against these ditches.
- 7.4.2 In addition to the Morecambe Bay SSSI, the site is adjacent to the Heysham Moss SSSI. The latter is designated because it supports a rare area of raised bog habitat and associated plant communities. The development will not cause any land-take of the SSSI and so will not cause any direct harm to its special interest. The condition of the SSSI is sensitive to changes in hydrology. However the development of the solar farm will not substantively alter the hydrology of the site or the surrounding area such that the special interest of the SSSI will be harmed. Natural England have confirmed that they do not consider that the proposal will damage or destroy the interest features for which the sites have been notified. It is also noted that the developers propose to pay a contribution to the Lancashire Wildlife Trust towards the management of the SSSI. However, it is not considered that this is necessary to make the development acceptable in terms of mitigating any impact on ecology, and therefore does not form part of the planning consideration.
- 7.4.3 An extended Phase 1 habitat survey, protected species walkover survey and desk study including a biological records search have been conducted. Some concerns have been raised by the Lancashire

Wildlife Trust with regards to the timing of surveys in November, which is not the optimum time of year. However, the Council's ecology consultant has advised that there is a significant amount of existing information concerning the site and surrounding that can be used to inform the development proposals and they have visited the site in mid-May and carried out their own assessment and (brief) surveys. It is therefore considered that there is sufficient ecological information available to enable the application to be determined.

- 7.4.4 The application lies within a locally designated ecology site, known in Lancashire as a Biological Heritage Site (BHS). It covers a total of 21.2 hectares with the development affecting 9.6 hectares which is 45%. The site is dominated by improved and semi-improved grassland used for grazing cows. The grassland is generally species poor. The citation details for the BHS describe the site as 'wet grassland' however the Council ecology consultant has advised that this is not the case for the whole site, although it is locally wet. It is possible that further drainage of the fields for agricultural purposes has taken place since the last survey undertaken for BHS designation purposes. The site also supports fragmented and under-managed hedgerows, ditches and broad-leaved woodland. The ditches were holding water on the day of the site visit and the plant communities present indicate that they do hold water for most of the year, although the ditches generally have poor profiles in nature conservation terms. The ditches, hedgerows and woodland will not be directly affected by the proposed development of the solar farm.
- 7.4.5 The development will cause some direct losses to species-poor grassland resulting from infrastructure construction and where the panel frames are installed, and some indirect impacts on the grassland may be caused by localised shading of the areas under the panels. The Council's ecology consultant has advised that shading will not be so significant as to cause the grassland to be lost and is capable of being retained both under and between panels. The application allows for these areas of retained grassland to be managed with nature conservation interests in mind. The installation will not substantively affect the structure or the hydrology of the soils; areas of wet grassland will remain, even under panels. Direct losses of wet grassland will therefore be relatively small. The Lancashire Wildlife Trust has advised that they do not support planning applications on BHS however, if managed carefully, the development could represent an opportunity to enhance the current management regime in a way that the biodiversity is enhanced over time. They have asked that planning conditions are put in place to ensure that significant ecological benefits are accrued.
- 7.4.6 With regards to the bird interest of the BHS, the ecologist has set out that the loss of openness of the grassland that will result from the installation of the panels will likely deter some bird species from using the site and therefore may displace these species. Such species include lapwing, skylark, shelduck, snipe, curlew and geese. During a site visit no ground-nesting species were recorded using the site, although there were skylarks, woodcock and snipe using nearby fields and five shelduck on the application site itself (not breeding). There were also large numbers of predatory species on the application site, including corvids (30+) and gulls (50+). With these numbers, and with the added impact of high density grazing in Spring and Summer from cattle, it is not expected that ground-nesting birds would use the site for breeding, or if they did attempt breeding efforts would likely be unsuccessful. There is sufficient alternative grassland available nearby, within the remainder of the BHS, in the SSSI and on agricultural fields contiguous with the application site, such that small numbers of ground nesting birds displaced could readily be accommodated nearby. With regards to other bird species using the BHS, such as whitethroats, willow warblers, chaffinch, bullfinch etc., these species will not be affected by the installation of the solar panels and will benefit from the enhancement of hedgerows, the managed 'conservation grassland buffer strips' to be maintained around the solar panels and the introduction of grassland management sympathetic to nature conservation on the remainder of the site. An outline Habitat Management Plan has been prepared for the site. Measures include hedgerow enhancement and management, management of 8m-wide landscape buffer zones around the site margins and management of the grassland retained between and around solar panels.
- 7.4.7 The Council's ecology consultant has advised that the development will not cause significant harm to the SPA, the SSSI or the BHS. There will be some land-take of the BHS but habitat lost to the scheme comprises species-poor grassland. Hedgerows, field margins, ditches and remaining areas of grassland will be enhanced for nature conservation such that any habitat losses can be compensated. It has been recommended that a more comprehensive and detailed Habitat Management Plan is prepared for the application site and, once agreed, implemented in full. It should continue for the anticipated lifetime of the solar farm and include proposals for monitoring the ecology of the site by carrying out regular surveys, particularly of plants and birds. These surveys

should be used to update and develop the Management Plan as required. It has also been advised that no vegetation clearance should be undertaken during the optimum period for bird nesting (March to August inclusive).

7.5 Impact on residential amenity

7.5.1 The nearest residential properties are located within a housing estate, the closest being approximately 300m to the west. Some are on higher land and would have views across the site, although they are separated by areas of trees and a railway line. As such, it is not considered that the development will have a significant adverse impact on residential amenity. In addition, Environmental Health has raised no concerns.

7.6 Impact on trees and hedgerows

7.6.1 There are trees and hedgerows established to the perimeter of the site but none within the central areas. There is a significant copse of trees to the west of the site and hedgerows to the boundaries. An 8m wildlife buffer zone is proposed that would significantly limit the potential for harm to existing trees. There are no proposals to remove trees, hedges or hedgerow trees. The proposals include new hedge planting where existing gaps occur. A detailed Tree/Hedge Protection Plan, and Arboriculture Method Statement will be required to be submitted and agreed in writing. A new planting scheme and associated 10-year maintenance regime will also be required in relation to the proposed new hedge tree planting. All of this information could reasonably be agreed through the imposition of suitable planning conditions.

7.7 Impact on public footpaths

7.7.1 Some of the proposed access track is designated as a public right of way. There is also a footpath running adjacent to the northern boundary of the site which provides a link from the residential estate to Oxcliffe Road. Another footpath crosses the site adjacent to the southern boundary. This was shown on the submission as being outside the site, on the opposite side of a drainage ditch. However, the public rights of way officer has confirmed that it is within the application site.

7.7.2 The visual impact on the public footpaths has already been discussed above. However, the Wildlife Trust have also raised some concerns about the impact on the enjoyment of Heysham Moss, over which there is public access. They have set out that the lowland mossland habitat is characterised by open aspect and the Heysham Moss SSSI will become surrounded on two sides by energy related developments and housing on a third side with all these developments having strong man made vertical elements. This hard industrial infrastructure will have a significant impact on the enjoyment of the site by visitors using the paths on the SSSI with a very much reduced open landscape outlook. However, this will to some degree be mitigated by improvements to hedgerows and screening provided by the wooded area to the west.

7.7.1 Any direct impacts on the public rights of way are likely to be during construction, particularly as Clay Lane is to be used to provide access to the site. However, it is considered that this can be adequately be controlled through the construction management plan. With regards to the footpath at the south of the site, the public rights of way officer has advised that there only concerns would be during construction and it may require the temporary closure of the footpath. Clarification has been sought from the agent with regards to this. However, this could probably also be dealt with through the construction management plan. Part of the path would be quite close to the fence line, substation and meter cabinet. The agent has also been asked if they want to consider altering this slightly, although no objections to this have been raised by the rights of way officer. Any alterations will be reported at the meeting. The site will be very open from this footpath, however it is only a small section and end at the eastern boundary of the site with no links to the east.

7.8 Loss of agricultural land/consideration of sites

7.8.1 The National Planning Practice Guidance (NPPG) sets out that local authorities should encourage the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, it should be considered 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; and,

- The proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

7.8.2 Agricultural land is classified by the Agricultural Land classification (ALC) system in which Grades 1 – 5 are allocated and 1 is the best and 5 is the poorest quality. The submission sets out that the provisional maps published in the late 1970's/early 1980's show that the site is within Grade 3 but the maps do not differentiate between 3a and 3b. A detailed survey has been undertaken which reviewed factors affecting the grade, including climate, geology and soil particle size analysis. As a result of this, the submission sets out that the land is considered to be Grade 4, and the interaction of soil texture and wetness is identified as the limiting factor on the site. Grade 4 is poor quality agricultural land. Within the fenced area, the majority of the area will be space between and around the rows of frames. This is proposed to be maintained as grazing and managed by low intensity sheep grazing which will retain the agricultural use of the site and is likely to improve the biodiversity of the site at present.

7.9 Flooding and drainage

7.9.1 The Environment Agency has raised no objections to the proposal, based on the conclusions of the submitted flood risk assessment. The Council's drainage engineer has also set out that they are satisfied that post-development runoff will be acceptable. Any comments from the lead local flood authority will be reported at the meeting.

7.10 Aviation

7.10.1 The NPPG advises that the impact on aircraft safety should be taken into consideration. As such the relevant aviation bodies have been consulted. However, none have raised any objections.

7.11 Contribution towards renewable energy

7.11.1 In relation to renewable energy, paragraph 98 of the NPPF sets out that local authorities should not require applicant to demonstrate the overall need for renewable energy and applications should be approved if the impacts are or can be made acceptable. The submission sets out that each of the proposed panels can generate 255 watts of power and the scheme design will provide an estimated annual output of 4,945 MW, equivalent to the usage of 1,498 residences.

7.12 Community Benefits

7.12.1 The submission sets out that financial contributions will be made to the Heysham Neighbourhood Council and the Lancashire Wildlife Trust each year during the operation of the development. However, these do not form part of the planning consideration as they would be entirely voluntary.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The application will provide an important contribution towards renewable energy. As set out above, it is not considered that there will be a detrimental impact on the character and appearance of the landscape, highway safety, ecology or residential amenity, amongst other things, subject to appropriate conditions to mitigate impacts. The proposed solar farm is therefore considered to be acceptable in this location.

Recommendation

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

1. Standard 3 year time condition
2. In accordance with plans
3. Construction method statement including:
 - a) The parking of vehicles of site operatives and visitors

- b) The loading and unloading of plant and materials
 - c) The storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding
 - e) Wheel washing facilities
 - f) Measures to control the emission of dirt and dust during construction
 - g) Details of working hours
 - h) Contact details of the site manager.
 - i) Temporary highway signage and advanced warning signs at the proposed points of access to Oxcliffe Road alerting drivers to the likelihood of large slow moving vehicles
 - j) Measures to control traffic on Oxcliffe Road including temporary signals
 - k) Measures to control movements of vehicles between the site and Oxcliffe Road
 - l) Measure to protect users of the public footpaths
4. Scheme for the widening of the site access to the compound and details of surfacing
 5. No tree within the site or on any immediately adjacent property or land shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, other than those identified within the approved application, without the prior written approval of the local planning authority and before any site activity is commenced in association with the development.
 6. Planting scheme with 10 year maintenance
 7. Arboricultural Method Statement & Tree/Hedge Protection Plan
 8. Ecology mitigation during construction
 9. A comprehensive and detailed Habitat Management Plan for the anticipated lifetime of the solar farm and include proposals for monitoring the ecology of the site to be used to update and develop the Management Plan as required.
 10. Details of materials/finish for all new buildings/cabinets
 11. Precise height, colour and finish of pole for CCTV
 12. Details of all new hardstanding
 13. All cabling underground
 14. Reinstatement of land after 35 years in accordance with scheme to be submitted
 15. 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.

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 agent 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.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None