

Agenda Item	A5
Application Number	24/01149/VCN
Proposal	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2 and 3 of planning permission 23/00505/VCN to alter site entrance, layout, design and landscaping)
Application site	Land East Of Hazelrigg Lane Hazelrigg Lane Scotforth Lancashire
Applicant	Mr Paul Morris
Agent	Mr Robert Greenwood
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 This proposal relates to a 21.44-hectare area of land located to the east of Hazelrigg Lane. The north of the site is predominantly agricultural land, the east is bordered by Proctor Moss Road and the River Conder. The River Conder curves westwards and runs along the southern boundary of the site. The topography of the site is varied and uneven but roughly runs down at a gradient between its highest point in the north-west to its lowest point in the south on the bank of the River Conder.
- 1.2 The site, which is identified as open countryside, comprised a number of separate fields marked out with hedgerows. It was predominantly utilised for grazing, with some areas of scrub and scattered trees. Additionally, there is a substantial woodland area within the centre of the site and wooded areas to the perimeter. The land is classified as Grade 3b which is not considered best and most versatile. Following approval of planning application 23/00505/VCN, infrastructure for the formation of the solar farm within the site is in the process of construction.
- 1.3 The site itself is not covered by any statutory heritage, ecological or landscape designations. However, there are five listed properties within 1km of the site, the site falls within the Impact Risk Zone of both the Lune Estuary Site of Special Scientific Interest (SSSI) to the west and the Bowland Fells SSSI to the east. The site is within 1km of the Forest of Bowland National Landscape (NL) which lies to the east of the application site.
- 1.4 Most of the site falls within Flood Zone 1 and as such is at the lowest risk of flooding, a small section of land along the southern boundary of the site adjacent to the River Conder is within Flood Zones 2 and 3. There are areas within the site which have been identified within the Councils Strategic Flood Risk Assessment (SFRA) as being at medium and high risk of surface water flooding, and medium risk of groundwater flooding. The site also contains two national pipelines (Essar Oil and Cadent Gas) which run parallel to each other north to south roughly through the centre of the site, a

third national pipeline (National Grid) runs to the east of the site beyond the site boundary. An overhead powerline is located beyond the north-eastern boundary of the site.

- 1.5 Access is taken from Hazelrigg Lane. There are no Public Rights of Way (PRoW) which cross the site and the site is not open for public access.

2.0 Proposal

- 2.1 Planning application 21/01247/FUL granted planning permission for a solar farm including associated access and infrastructure such as substations, inverter stations, cabling, landscaping, CCTV and boundary treatments. A subsequent Section 73 Variation of Condition application 23/00505/VCN granted permission for the variation of a number of conditions (2,4,9,13,18,20 and 22) on the original planning application 21/01247/FUL. This latest Section 73 Variation of Condition application seeks to vary conditions 2 and 3 of planning permission 23/00505/VCN to alter site entrance design, layout, design and landscaping details. The purpose of varying those conditions is to enable alterations to the approved design which are needed following more detailed assessment of the site and the infrastructure required by the developer.

- 2.2 The changes that are being proposed as part of this Section 73 Variation of Condition application are:

1. Alterations to the main solar panel array including solar panel layouts
2. Creation of a research area within the western area of the site
3. Alterations to the internal access road
4. Clarification of feeder pillar design including locations within the site
5. Amendments to the substation design to suit operational requirements
6. Installation of an external transformer adjacent to substation
7. Amendments to the perimeter fence line and gate design
8. Alterations to the approved site landscaping scheme to facilitate revised design and layout

- 2.3 This application is a Section 73 Variation of Condition application. It is not for this application to review the proposal in full, but to focus solely on the matters to which the variation of condition application relates. The principle of the construction of a solar farm at this has already been found to be acceptable.

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
21/00957/EIR	Screening opinion for Construction of a 16MW solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Environmental Statement not required
21/01247/FUL	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Approved
22/00156/DIS	Discharge of condition 13 on approved application 21/01247/FUL	Condition partially discharged.
23/00373/PRENG2	Pre application advice for proposed amendments to planning permission 21/01247/FUL	Advice provided
23/00514/EIR	Screening opinion for the construction of a solar farm with associated access and infrastructure to include	Environmental Statement not required

	substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)	
23/00505/VCN	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)	Approved
23/00153/DIS	Discharge of condition 13 on approved application 23/00505/VCN	Permitted
24/00102/DIS	Discharge of conditions 9,10,14,15,18,19,22,24 on approved application 23/00505/VCN	Permitted
24/00112/DIS	Discharge of condition 25 on approved application 23/00505/VCN	Permitted
24/00125/DIS	Discharge of condition 8 and 16 on approved application 23/00505/VCN	Permitted
24/00142/DIS	Discharge of condition 5 on approved application 23/00505/VCN	Permitted
25/00052/EIR	Screening opinion for construction of a solar farm with associated access and infrastructure	Environmental Statement not required

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Supports proposal.
County Highways	No objection.
Lead Local Flood Authority	No objection.
Environment Agency	No objection.
Cadent Gas	No response received.
National Highways	No further comments to make on these proposals.
Environmental Protection	No response received.
Natural England	No response received.
Electricity North West	No response received.
United Utilities	No response received.

Arboricultural Officer	No objections to the revised information. The overall impact on existing trees and hedgerows is minor with one small section of H3 (10.5m) to be removed to allow changes to the layout. A reduction in panels has allowed an increase in landscaping, which is positive to see.
Planning Policy	Supports proposal.
RSPB	No response received.
Public Rights of Way Officer	No response received.
Ramblers Association	No response received.
Canal and River Trust	No comments to make.
Mineral Safeguarding Group	No response received.
Engineers	No response received.
Shell UK	No comments to make.
Galgate Flood Action Group	No response received.
Forest of Bowland National Landscape Officer	No response received.
County Archaeology	No objection.
National Gas Transmission	No objection.

4.2 The following responses have been received from members of the public:

2 letters of objection from 1 nearby resident have been received by the Local Planning Authority raising the following concerns:

- Landscape character and visual impact
- Ecology
- Flooding
- Noise
- Security

5.0 Analysis

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

- Landscape and Visual Impact
- Highways
- Residential amenity
- Heritage and Archaeology
- Ecology and biodiversity
- Flood risk and drainage

5.2 **Landscape and Visual Impact** (NPPF Section 2 Achieving Sustainable Development, Section 12 Achieving well-designed and beautiful places, Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policies SP1 (Presumption in Favour of Sustainable Development), EN3: The Open Countryside and Review of

- 5.2.1 **Alterations to the main solar panel array including solar panel layouts** – This proposal includes alterations to the layout in the solar panel arrays within the development site. Whilst the broad arrangement and orientation of panels the solar panels remains largely the same, the key area of change is the omission of panels in the north eastern corner of the site as well as the retention of the pond which is currently located in this area and which was to be removed as part of the previously consented scheme. These layout changes have been necessitated primarily due the impacts of the topography of the site as well as the design requirements of the procured solar panels and their associated frames. It is clear to see that the distribution of panels within the site is somewhat reduced as a result of these layout changes. The layout change does require the removal of a further small section of H3 (10.5m) to be removed to allow changes to the layout. However, the overall reduction in panels has allowed an increase in landscaping within the wider site which suitably mitigates this impact. Overall, the changes in the solar panel arrays are acceptable and they do not result in unacceptable landscape implications.
- 5.2.2 **Creation of a research area within the western area of the site** – This proposal includes the creation of a research area within the north western area of the development, adjacent to the site access road. This facility will include 96 No. Photovoltaic panels, 8 invertors and associated frames and cable infrastructure. The arrays have been designed as a flexible installation so that various permutations of array configuration can be monitored to understand the impact on generation and other variables. This facility will sit alongside the wider solar farm development, in a location in which solar panels were located as part of the previously consented scheme. The inclusion of the proposed research facility in this location of the site does not raise concerns with respect to landscape impacts.
- 5.2.3 **Alterations to the internal access road** – The access road has been adjusted to suit the layout alterations to the solar panel arrays as well as responding to the undulating and in parts steep topography of the site. When compared to the previously consented scheme, the proposal is more efficient, only extending the road to elements of the scheme requiring the more regular maintenance. The proliferation of access roads is reduced relative to the approved development. The proposal now also includes a turning area within the centre of the site and located adjacent to the main substation building. Considering the large scale and nature of the development, the inclusion of a turning area to facilitate the manoeuvring of larger vehicles which would be reasonably associated with such a scheme is acceptable. The turning area would be largely screened or at least visually assimilated into a wider landscape context of solar panel infrastructure and as such would not appear overtly obtrusive within the landscape.
- 5.2.4 **Clarification of feeder pillar design including locations within the site** – Feeder pillars are an essential piece of infrastructure for this development type and were included as part of the previously permitted development. The previously consented development had 7 external transformers with adjacent enclosures. This proposal now seeks to change the amount of the external transformers, reducing the number to 4 overall. Furthermore, the associated enclosures have been reduced in size to 4.7m width x 6m length x 2.6m height (the previous approval was 5m width x 11.6m length x 3.5m height). The locations of the feeder pillar design and associated enclosures have changed to reflect the topography of the site and the alterations to the access road and array layout proposed as part of this application. The alterations proposed to the feeder pillars do not raise concerns with respect to landscape impacts.
- 5.2.5 **Amendments to the substation design to suit operational requirements** – Following further detailed design, the orientation of the main substation has been amended to reflect the topography of the land on which it is situated, furthermore, the proportions of the building have been increased to suit the infrastructure required within the building. The proposed size of the building is now larger in width and height, at 4.96m (width) x 16.45m (length) x 4.7m (height). The previously consented substation building measures 4.4m (width) x 16.45m (length) x 3.5m (height). The overall design of the substation will remain the same as originally approved, materials for the building have already been agreed and include the use stone elevations with a pitched slate roof to conform with the vernacular of other buildings in the area. Overall, the changes to the main substation building are acceptable and they do not result in unacceptable landscape implications.

- 5.2.6 **Installation of an external transformer adjacent to substation** – The previously consented scheme included the installation of a transformer located within the substation building. However, the statutory authority responsible for the operation of this infrastructure have confirmed a requirement for separated spaces for the high voltage and low voltage sections of the substation. A transformer is now proposed to be located outside of the substation building, as the transformer is an air-cooled unit requiring it to be located externally in a fenced enclosure. This is a more efficient design, not requiring mechanical cooling, saving significant energy over the life of the installation. In the context of the wider energy infrastructure installed through the site, the installation of a transformer adjacent to the substation building does not raise any landscape concerns.
- 5.2.7 **Amendments to the perimeter fence line and gate design** – The perimeter security fence line has been adjusted to reflect the installation method and amended layout of the solar panel infrastructure. The extent of the modifications are minor. The fence still retains the same design as previously approved including the provision of small gaps along the bottom of the fence line to enable the movement of animals through the landscape. The secure entrance gates to the site have been changed to accommodate a more robust structure suited to the wider access width of the road. The proposal also now includes a timber 5 bar gate into the adjacent agricultural field. These alterations are relatively minor and do not raise any concerns with respect to design or subsequent landscape impacts.
- 5.2.8 **Alterations to the approved site landscaping scheme to facilitate revised design and layout** – Following the alterations to the site layout and design changes, it is necessary to amend the previously approved landscaping strategy to suit the updated design. The alterations proposed within the site have enabled an overall increase in retained habitat and new planting/habitat creation. This represents an enhancement compared to the previously consented scheme that will both increase ecological benefits but help to reduce the schemes overall impact in landscape terms relative to the previously approved development.
- 5.2.9 The original planning application establishes the baseline for the development of this site. When considered against the already approved development, the proposed alterations will result in some minor changes to the appearance and layout of the development. Overall, it is clear the solar farm as a whole will undoubtedly change the character and appearance of the site and this in turn will have up to a moderate adverse effect upon the landscape character and visual amenity. In the context of the approved scheme, the changes proposed are minor alterations with respect to landscape harm and do not raise significant concerns when viewed in context of the approved scheme. It must also be acknowledged that significant mitigation is proposed in the form of robust additional planting and habitat creation which will in the longer term serve to assimilate the infrastructure into the wider landscape views. Weighing this in the balance, the negative visual effects arising from the changes proposed as part of this Section 73 application will be offset by the overarching climate change benefits arising from the proposal.
- 5.3 **Highways (NPPF Section 9 Promoting Sustainable Transport, and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles and DM60: Enhancing Accessibility and Transport Linkages).**
- 5.3.1 The proposed access location to the site remains as per the originally approved planning application, however, the route of the internal access road leading from the point of access has been amended to a minor degree to improve manoeuvrability for vehicles within the site. The gated access layout remains similar and the setting back of the gates will allow vehicles including larger vehicles to pull off the highway. The application is also supported by an updated Glint and Glare assessment which considers the amended layout of the panels. The County Highways Officer has raised no objections to the proposed alterations to this development. Moreover, National Highways have confirmed that they have no further comments to make on this proposal. National Highways does highlight that should any future issues arise with respect to glint and glare and the Strategic Road Network, then the responsibility for mitigating the impacts of the development rests with the operator, not National Highways or any other landowner. Should any adverse effects be reported in the future, then National Highways would expect the site operator to introduce appropriate additional mitigation measures within the site itself to deal with any problems that may be experienced in future.
- 5.4 **Residential Amenity (NPPF Section 12 Achieving well-designed places and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles).**

- 5.4.1 As mentioned above, the previous planning application establishes the baseline for the development of this site. The development was at this time considered to be acceptable with respect to its impacts upon the nearest residential receptors. Considering the proposed changes to the panel locations, the impacts of development with respect to glint and glare have been reviewed. The Glint and Glare Addendum report dated September 2024 sets out that, despite the changes proposed, the impact of the development with respect to glint and glare remains the same as the previously approved scheme. This is because the impacts of the revised layout will be comparable to the previously modelled scenario. This original Glint and Glare study concluded that mitigation is required for two dwellings, these being Dwelling 4 (Eastrigg) and dwelling 44 (Andalucia). Mitigation is provided in the form of adequate separation distances from the reflecting area of panels; strategically positioned screening in the form of proposed landscaping and the intensity of reflection from the panels which would be similar to that of still water rather than the typical reflections from glass or steel which are more intense. Overall, the assessment concludes no further mitigation other than the additional planting proposed is required. As with the original development, the applicant confirmed a commitment to plant the screening closest to these residential properties during the construction phase to allow a greater amount of time for it to establish and grow prior to the operation phase. A condition will be included to secure these works within a specified timeframe as per the original consent.
- 5.4.2 Previous noise assessments for this development concluded that the rating levels at all locations will be well below existing background sound levels, and as such there will be no observed adverse effects and therefore no additional mitigation measures were required. In light of the minor nature of the alteration proposed as part of this latest application, it is considered that the findings of the previous assessment remain valid in determining this Section 73 application. The originally approved scheme was accompanied by a Construction Management Plan (CMP). The already approved CMP sets out how the construction phase will be managed to ensure that traffic, noise, dust and disturbance arising from the construction phase of the development will be kept to a minimum.
- 5.5 **Heritage and Archaeology** (NPPF Section 16 Conserving and enhancing the historic environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policy SP7: Maintaining Lancaster District's Unique Heritage and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles, DM37: Development affecting listed buildings, DM39: The Setting of Designated Heritage Assets, DM41: Development affecting Non-Designated Heritage or their settings and DM42: Archaeology).
- 5.5.1 The proposed changes as described above do not give rise to any further heritage and archaeological implications above those which were discussed and found acceptable as part of the original planning application. What is more, the Lancashire County Council Archaeological Advisory Service (LAAS) have reviewed this Section 73 application and confirmed that they are satisfied with the proposals. LAAS have confirmed that the solar farm site has already been subject to a scheme of archaeological field investigation. Ground disturbance required for a number of the intrusive elements of the previously approved scheme has also been monitored archaeologically. No significant or extensive buried archaeological remains have been encountered during these works. This revised scheme will not introduce any new areas of ground disturbance where significant buried remains might be expected and, as such, LAAS do not consider that any new archaeological works beyond those already undertaken are necessary.
- 5.6 **Ecology and Biodiversity** (NPPF Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policy SP8: Protecting the Natural Environment, and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles, DM44: Protection and Enhancement of Biodiversity and DM45: Protection of Trees, Hedgerows and Woodland).
- 5.6.1 Local policy DM44 and national planning legislation and the recently adopted Environment Act 2021 requires sites to achieve biodiversity net gain (BNG). Whilst BNG is not a mandatory requirement for this development, a BNG Assessment was carried out for the previously consented scheme, and it was calculated at this stage that the development would result in a biodiversity net gain of 12.86 biodiversity units (+ 13.50%) for area based habitats and a net gain of 8.88 biodiversity units (+683.35%) for hedgerows.

With respect to this latest proposal, there is an additional 1.88 ha of grassland enhancement (a mix of tussock grass margins and wildflower seeding) included within the development as a result of the layout changes to the solar panel arrays. This additional area of enhancement would be equivalent to an additional 7.52 habitat units, therefore the net gain for the scheme would increase and the site would remain with an overall positive biodiversity net gain for habitat areas.

5.6.2 In terms of hedgerow habitat, there is a very minor additional loss, as the previous metric resulted in a gain of +8.88 habitat units (683.35%). This minor loss will very slightly decrease the number of hedgerow units to be provided on site, but this will not drop to below 10%. In addition to the above, the Arboricultural Impact Assessment states that the original application included loss of 0.2638ha or 6.4% of tree canopy cover associated with the site. However, this revised development will only result in loss of 0.1006ha or 2.3% of tree canopy cover associated with the site, significantly less than that which was required for the original application. Replacement planting as shown on the Landscape Mitigation Plans, including new woodland, hedgerow and individual tree planting will effectively and significantly offset the loss of trees and will result in a net gain of tree canopy cover in the long term.

5.6.3 The biodiversity enhancement of the site will be secured in the long term through the already agreed biodiversity management plan which can again be secured by condition.

5.7 **Flood risk and drainage** (NPPF Section 14 Meeting the challenge of climate change, flooding and coastal change and Review of the DMDPD (climate emergency review) Policies: DM33 Development and Flood Risk and DM34 Surface Water Run-off and Sustainable Drainage).

5.7.1 This Section 73 does not require any alterations to the already approved flood risk assessment and surface water drainage strategy for the site. The Lead Local Flood Authority have reviewed this latest application and have confirmed that no objection is raised to the alterations proposed.

6.0 Conclusion and Planning Balance

6.1 Planning permission 23/00505/VCN sets the baseline for the development of this site. The amendments proposed do not result in further adverse landscape and visual impacts to the character of the site, particularly in wider landscape views when considered against the already approved development. Overall, the negative effects of the development would be ameliorated through appropriate mitigation including retention of existing vegetation, and an extensive and robust landscaping scheme. These adverse effects are more than sufficiently offset by the significant contribution the development will make towards the Council's initiative to tackle climate change and the significant contribution to the biodiversity value of the site through a range of biodiversity enhancements. On balance, the considerable environmental and public benefits of the scheme are considered to far outweigh the adverse impacts arising from the amendments proposed as part of this Section 73 Variation of Condition application. As such, in accordance with local and national policy, the application is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Approved plans – Updated to reflect approved plans list.	Standard
2	Implementation of approved landscaping scheme – Updated to reflect approved details.	Specified time
3	Outline surface water management plan	Control
4	Work outside bird nesting season	Control
5	Construction Traffic Management Plan	Control

6	25 year consent and decommissioning scheme	Control
7	Cabling details	Control
8	Final Sustainable Drainage Strategy	Control
9	Survey and repairs of the adopted highway	Control
10	Surfacing of access	Control
11	Provision of visibility splays	Control
12	Invasive species method statements	Control
13	Details of materials for substation building	Control
14	Operation and Maintenance Plan & Verification Report of Sustainable Drainage System	Prior to first use
15	BNG proposals and associated Landscape and Biodiversity Management Plan	Control
16	Construction Phase Surface Water Management Plan	Control
17	Wheel washing facilities	Control
18	Implementation of hedgerow planting to mitigate glint and glare	Specified time
19	Employment Skills Plan	Control
20	Development in accordance with AIA addendum	Control
21	Tree Protection Plan and Arboricultural Method Statement	Control
22	Details and installation of new pond	Specified time
23	Zone 1 panel heights	Control

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

Officers have 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