8. S.73 APPLICATION – PROPOSED VARIATIONS TO CONDITION 2 (COMPLIANCE WITH APPROVED PLANS) AND CONDITION 3 (HEIGHT OF HEDGE) ATTACHED TO PLANNING DECISION NOTICE NP/SM/1213/1146 FOR INSTALLATION OF 30 KW (96 PANELS) GROUND MOUNTED SOLAR PV PANELS, UPPER HURST FARM, HULME END (NP/SM/1214/1233 P.5051 411402/358954/CF)

APPLICANT: SUSAN GREEN

Site and Background

Upper Hurst Farm is located in open countryside approximately one kilometre to the south east of Hulme End. The original farm and associated stone built outbuildings lie adjacent to Beresford Lane, about 500 metres south east of its junction with the B5054 Hartington to Warslow Road. The application site comprises a partially enclosed field parcel immediately north of the existing group of buildings at Upper Hurst Farm. This field parcel, (approximately 1.55 hectares in area) is also immediately adjacent to Beresford Lane and a converted stone-building, which is now a dwelling in separate ownership from the original farm house at Upper Hurst Farm, which was formerly a working dairy farm.

Upper Hurst Farm lies within the landscape character area described as 'Upland Pastures', which is valued for its peaceful rural landscape with open views to surrounding higher ground. In this case, the site is visible in the wider landscape, and distant views of the site can be gained from various points on higher ground to the north of the site including from the B5054. The application site is also open to views from the adjacent Beresford Lane, from the nearest public footpath adjacent to the northern boundary along side other public rights of way in the local area and within the wider landscape from viewpoints on higher ground to the south of the site.

Proposals

The current application seeks to vary conditions attached to a previous planning permission granted for the installation of a ground mounted solar array on the application site in 2014. This permission was for the installation of an array of ground mounted solar panels, comprising 2 rows of 48 solar panels (96 in total), subject to conditions including a pre-commencement condition requiring the boundary hedges (along Beresford Lane and the northern field boundary) to reach 2 - 2.5 metres in height before the development was commenced. The permission also required one row of the panels to be installed against the hedge along the northern boundary of the application site and for the run of panels to be started at the north eastern end of the field closest to Beresford Lane.

The current application seeks to vary the siting and layout of the ground mounted array by starting the run of panels from the north eastern end of the field and to move the panels 1.5m away from the bottom of the hedge on the northern boundary of the application site. The current application also proposes to substitute the pre-commencement conditions on the hedge heights with a management plan for the hedgerow and includes proposals for an additional four solar panels. The proposed ground mounted array shown on the submitted plans now comprises two rows of fifty solar panels over an area measuring 83m x 2.5m (compared to 80m x 2.5m, as approved).

In common with the original application, the panels would be orientated in landscape format and measure 1.7m x 0.97m, but the top edge of the panels would be no higher than 0.5m above the adjacent ground level because they would be installed in modules sited on the ground and angled to maximise their efficiency.

It is stated in the submitted application that the deletion of the condition precedent that requires the hedge along Beresford Lane to reach a height of 2.5m and the hedge along the northern

boundary of the application site to reach a height of 2m before development commences will enable the proposals to be implemented at once and maximise the viability of the proposals by ensuring that the capital cost of the scheme is offset by the current feed in tariff. The applicant considers the implementation of the submitted hedgerow plan would otherwise ensure that the effectiveness of the hedgerows and their wildlife value will be achieved and maintained with greater certainty and sooner.

The applicant also wishes to slightly increase the generating capacity of the installation by adding a further four panels and to relocate the array to avoid mature trees overshadowing the array at the north western end of the field and to facilitate better management of the hedgerow along the northern boundary of the application site.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions / modifications:

1. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans and specifications subject to the following conditions / modifications:**

2. **No development shall take place until a landscape management plan and a schedule for its implementation has been submitted to and agreed in writing by the Authority. Thereafter, the development hereby permitted shall be dismantled and permanently removed from the land within six months of the date of the failure to comply with the requirements of any part of the management plan.**

3. **At the time of their installation, the external finishes of the ground mounted modules shall be matt black and the individual solar panels shall not be installed other than with matt black surrounds and an anti-reflective finish. Thereafter, the ground mounted solar array shall be permanently so maintained throughout the lifetime of the development hereby permitted.**

4. **Once the solar panels are no longer required for the purposes of energy generation, the ground mounted solar array shall be completely removed from the land, and the ground shall be reinstated to its original ground within three months of the solar panels being decommissioned.**

Key Issues

- Whether the ground mounted solar array as proposed in the current application would adversely affect the valued characteristics of the National Park; and

- Whether the proposed hedgerow management plan would make any adverse impacts associated with the ground mounted solar array acceptable in planning terms.

History

In terms of the current application, the most relevant part of the planning history for Upper Hurst Farm is the planning permission granted under decision notice NP/SM/1213/1146 in February 2014 for the proposed installation of 30 kwh of ground mounted solar PV panels (96 panels). There were other planning applications which related to the change of use of agricultural land to caravan and camping site and erection of associated facilities building (granted conditionally) and the change of use of redundant farm buildings to a residential dwelling and holiday cottage (granted conditionally) in 2011-2013, but these are not directly relevant to the current application.

Condition 2 attached to this permission required the ground mounted solar array to be carried out in complete accordance with the submitted plans and specifications, subject to a further five conditions including a time limit for the commencement of the proposed development. As noted above, the current application seeks to vary this condition, which was imposed for clarity and for the avoidance of doubt, and seeks permission for siting the array differently and for an additional four solar panels. These changes could not be agreed as non-material minor amendments to the original permission especially when taking into account the Parish Council's comments on this application, which are set out in a later section of this report.

Condition 3 says that no development shall take place until:

i. the hedge adjacent to the public right of way has reached a minimum height of 2m above the adjacent ground level (measured from the southern side of the hedge) along its entire length along the northern most boundary of the red-edged application site; and

ii. the hedge adjacent to the public highway has reached a minimum of height of 2.5m above the adjacent ground level (measured from the eastern side of the hedge) along its entire length along the western most boundary of the red edged application site.

Condition 3 goes on to say: thereafter, the length of hedge adjacent to the public right of way, as described in paragraph (i) above, shall be maintained at a minimum height of 2m and the length of hedge adjacent to the public highway, as described in paragraph (ii) above shall be maintained at a minimum height of 2.5m throughout the lifetime of the development hereby permitted. This condition was imposed to minimise the impact of the development on the surroundings and to safeguard the landscape character of the area.

The current application proposes a variation to condition 3 and seeks permission for the implementation of a hedgerow management plan instead. Consequently, if the current application is approved, condition 4 attached to the 2014 permission would no longer serve any proper planning purpose and should also be varied or be deleted.

Condition 4 says that in the event that either or both of the hedges subject of Condition 3 (above) are removed, damaged, or maintained in such a manner that they no longer reach the minimum heights (as set out in paragraphs (i) and (ii) in Condition 3 above) the development hereby permitted shall be permanently removed from the land within twenty eight days of the date either or both hedges no longer reached the relevant minimum heights (as set out in paragraphs (i) and (ii) in Condition 3, above).

Consultation:

County Council (Highway Authority) – No response to date.

Staffordshire Moorlands District Council – No response to date.

Parish Council – Object to the current application.

Firstly, the Parish Council do not consider the proposed amendments to the numbers of panels allowed by the previous permission should be treated as a non-material minor amendment noting at the time of the original application, the Parish Council did not object to the ground mounted solar array approved in 2014 but was very keen to state that it was opposed to the size and number of panels being subsequently increased.

Secondly, the condition regarding the height of the screening before the development is permitted is of great importance to the Parish Council and councillors were unanimous in their opposition to a variation of the height condition attached to the original planning permission granted in 2014. The Parish Council goes on to say that the speed of growth of the purchased

screening should have been considered when the plants were purchased as larger saplings could have been planted if the speed of the installation was a consideration and point out various concerns over the screening in place for other installations at this site (i.e. the camping and caravan site at Upper Hurst Farm), which is felt by some local people to be inadequate, have been raised previously with the Authority.

The Parish Council concludes that the visual amenities for local residents and people travelling along local lanes will be further compromised should the installation of the ground mounted solar array be allowed before the original minimum height is reached.

Representations:

One representation from a local resident has also been received by the Authority, which raises concerns about the removal of condition 3 relating to the height of the boundary hedges.

In essence, this letter says the substance of the current application is based upon suppositions about unconfirmed reductions in Government controlled feed in tariffs and on further suppositions regarding the amount by which hedgerows will row vertically in the next year but no mention is made however of the ever increasing "export payments" made to schemes by the network utility companies. Therefore, the requested variation may prove to be unnecessary and could create an eyesore that would be seen from the surrounding area.

The author of this letter concludes by saying it is hoped that the National Park Authority will adhere to its original condition and ensure that the countryside around Upper Hurst Farm will not be subjected to further blight.

Main Policies

National Planning Policy Framework ('the Framework')

At paragraph 17, the Framework says core land-use planning principles should underpin both plan-making and decision-taking, and sets out 12 core planning principles. One of these 12 core planning principles encourages local planning authorities to support delivery of renewable resources through the planning system. Accordingly, at paragraph 98, the Framework says when determining planning applications for renewable energy development, local planning authorities should approve the application if its impacts are (or can be made) acceptable unless material considerations indicate otherwise.

The Framework also makes it clear that the fact that the ground mounted solar array would be located within a National Park in this case is a highly relevant material consideration in terms of national planning policies. For example, paragraph 115 in the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

This guidance on renewable energy development in the Framework is also supported by the more recently published Planning Practice Guidance (PPG). The section on renewable and low carbon energy in this guidance reaffirms that the need for renewable energy does not automatically override environmental protections, or the need to conserve and enhance landscape, wildlife and cultural heritage especially within a National Park.

The Government's Planning Practice Guidance closely reflects the thrust of the following Development Plan policies, which are the most relevant to the current application, and are generally considered to be consistent with the above guidance in the Framework because they support the take up of renewable energy development where its impacts would be acceptable.

Key Policies

Relevant Core Strategy policies: CC2

Relevant Local Plan policies: LU4

These policies relate directly to renewable energy development in the National Park and the *Climate Change and Sustainable Building* Supplementary Planning Document (SPD), adopted in 2013, offers further guidance on the application of these policies. The guidance in this SPD and the provisions of policies CC2 and LU4 are also supported by a wider range of design and conservation policies in the Development Plan listed below:

Wider Policy Context

Relevant Core Strategy policies include: DS1, GSP1, GSP2, GSP3, GSP4, L1, L2 and L3.

Relevant Local Plan policies include: LC4, LC6, LC15, LC16 and LC17.

These policies set out a wide range of criteria for assessing the acceptability of development in the National Park with a particular focus on landscape conservation objectives. The Authority's Landscape Strategy and Action Plan (adopted in 2009) gives further guidance on how to conserve and enhance the established landscape character of the National Park, and is referred to specifically by policy L1 in the Core Strategy. The landscape conservation objectives set out in the Authority's Landscape Strategy and Action Plan should therefore guide the assessment of development proposals that are likely to affect the landscape character of the National Park.

Assessment

Policy Framework

Policies in the Development Plan and in the Framework are generally consistent because both are supportive in principle of low carbon and renewable energy development in the National Park provided that it can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics or other established uses of the area as set out in Core Strategy policy CC2 and Local Plan policy LU4.

Within Development Plan policies there is a presumption in favour of the conservation of the landscape character, biodiversity and cultural heritage of the National Park, the Framework confirms that great weight should be given to conserving the landscape and scenic beauty in National Parks and makes a presumption in favour of the conservation of heritage assets and wildlife interests in accordance with the provisions of Core Strategy policies GSP1, GSP3, L1, L2 and L3 and Local Plan policy LC4.

Practice guidance published recently by Government confirms that the need for renewable energy does not automatically override environmental protections and great care should be taken to ensure that heritage assets and National Parks are conserved. In short, the desire to encourage the take up and delivery of renewable energy development does not override the conservation purposes of the National Park.

Therefore, one of the key issues in the determination of this application is considered to be whether the proposed amendments to the previously approved scheme would mean the ground mounted solar array (as proposed in the current application) would detract from the landscape character, cultural heritage assets or other valued characteristics of the National Park including its biodiversity.

Policy Guidance on Renewable Energy Development

The Authority's adopted Supplementary Planning Document (SPD) for *Climate Change and Sustainable Building* was adopted after public consultation in March 2013 and should therefore be given substantial weight in the determination of the current application. The Authority's SPD offers advice on renewable energies, including solar arrays. The SPD indicates that ground mounted solar arrays may be a sensitive solution in many cases, but it does say that large scale ground mounted solar arrays are not appropriate and that ground mounted solar arrays outside the curtilage of a building should be avoided.

It therefore has to be acknowledged that guidance in the SPD on ground mounted arrays is not especially supportive of the principle of the size and siting of the approved ground mounted solar array, or the size and siting of the ground mounted solar array as proposed in the current application. However, this SPD also states that limiting the visual intrusiveness of a solar array is a key consideration in determining an appropriate location for solar panels, and the siting and layout of a ground mounted solar array. Therefore, the SPD promotes a 'Landscape First' approach, and the previous permission was granted in accordance with this approach because it was considered the visual impact of the ground mounted solar array could be mitigated for by the screening effect of high hedges on the northern and western boundaries of the application site.

Consequently, the proposed revisions to the siting and scale of the approved scheme, and the merits of the proposed hedgerow management compared to a 'minimum height' requirement for the boundary hedges need to be very carefully considered before permission is granted for the current application.

Landscape Strategy and Action Plan

The Authority's Landscape Strategy and Action Plan was adopted in 2009 after public consultation and, therefore, should also be given significant weight in the determination of the current application. This document illustrates that the application site is located within the landscape character area of the 'South West Peak' and specifically within the landscape character type of 'Upland Pastures'. This is a peaceful rural landscape with open views to surrounding higher ground. The Landscape Strategy and Action Plan says that even small scale renewable energy for local needs may be inappropriate in this landscape character type.

The landscape attributes of 'Upland Pastures' that can be considered to be particularly sensitive to change arising from the introduction of renewable energy development are its:

- historic field patterns;
- strong feelings of openness and tranquillity;
- its sparse and traditional settlement pattern with a lack of modern development;
- open views to surrounding landscape; and
- valued semi-natural habitats including species-rich meadows.

The landscape setting of Upper Hurst shares many of these attributes and it is therefore reasonable to conclude that the character of the landscape surrounding the application site is sensitive to change. In these respects, even though the solar panels have been located adjacent to existing features in the landscape, the Authority still needs to ensure that the ground mounted array proposed in the current application is not visually intrusive and does not appear to be sporadic and isolated development in open countryside.

Landscape and Visual Impact

The approved siting of the ground mounted solar array was agreed because it was considered that the applicant had made the best use of existing landscape features by siting the panels immediately adjacent to the northern boundary of the application site and starting the run from the north western end of the field. There is an existing hedgerow on both the western and northern boundaries of the field and this hedgerow in its current condition stands higher than the top edge of the proposed panels once they have been inserted into the ground mounted modules that are proposed in the current application.

One of the key concerns in respects of the current proposals to move the array away from the northern boundary of the field is that the array would not be screened as effectively by the hedgerow. Moreover, this application seeks to remove the requirement for the hedgerow along the northern boundary to reach 2m in height before the ground mounted solar array is installed. It is considered that the approved array would not be seen site from higher ground to the north of Upper Hurst Farm if the hedgerow were to achieve the required height of 2m above the adjacent ground level. This is a particularly important consideration because one of the reasons for approval of the caravan and camping site on the opposite side of the buildings at Upper Hurst Farm was to remove visibly intrusive development from the application site.

Similarly, by moving the array towards the eastern end of the field, there are concerns that there would be a greater potential for the array to be seen from distant vantage points to the west, south west and directly south of the site. These concerns are exacerbated by the proposals to remove the requirement for the hedgerow along the western boundary of the application site to reach 2.5m in height before the ground mounted solar array is installed, and by the proposals for an additional four panels.

In the representations on this application, it is clear there are local concerns that these proposed changes would result in the array being more likely to be seen from the nearby public rights of way, and/or from Beresford Lane once it has been installed. The changes could also result in a greater extent of the panels being much more likely to be seen over the top of the hedge along the field boundaries from a range of nearby vantage points in the local area.

However, it would not be possible to see the array from the east of the site because of the topography of the surrounding landscape and the existing buildings at Upper Hurst Farm would generally prevent the array being seen from the south and south west of the site other than along a short length of Beresford Lane and from distant vantage points on higher ground on Narrowdale Hill, Wetton Hill and Ecton Hill. It is likely that the front edge of the panels on both rows of the array would be seen from these hills but it is considered that the overall scale of the development would be significantly diminished because of the intervening distances. The visual impact of the array would be further diminished if the panels were to have a non-reflective finish and matt black surrounds.

The array also has the advantage that it would be a static feature in the landscape and would not necessarily draw attention to itself, unlike the turning blades of a wind turbine, for example. Moreover, solar panels are designed to absorb light, and only reflect a small amount of the sunlight that falls on them compared to standing water or glass, for example, and it is not anticipated that the array would give rise to a problem from glare. In particular, an anti-reflective coating would reduce light reflections to between 2 and 4% of the strength of light falling directly on the panels, which would be far less than the glare off most other everyday objects.

It is therefore considered that the overall impact of the array when experienced from key distant vantage points to the south and south west of the application site would be comparable with seeing a long line of wrapped silage bales in the landscape, running parallel to the adjacent hedge rather than seeing an inappropriate form of development in open countryside. It is also considered that the additional panels would not have a more harmful impact on the landscape by way of the array being an additional 3m in length, as compared to the approved array, when seen from these vantage points.

From distant vantage points to the west of Upper Hurst Farm, more of the array would be seen from this direction if the current application were to be approved because the array would be moved around 20m from the western boundary of the site so less of its length would be screened by intervening trees or hedgerows. The array would also be an additional 3m in length. However, the array would be seen 'side on' and from vantage points further away from the application site than Narrowdale Hill, Wetton Hill and Ecton Hill, for example. It is therefore considered the array would be seen from these viewpoints as a dark coloured and relatively distant narrow strip running parallel to the hedgerow along the northern boundary of the application site. The front face of the panels would not be seen from viewpoints to the west of the site to any significant extent so it is unlikely that reflections from the panels would give rise to further impacts on views into the site from this direction.

From the north west and north of the site, views of the array would be of the back of the ground mounted modules rather than the potentially more reflective face of the panels. However, the existing hedge would almost completely screen the row of panels nearest to the northern boundary of the application site even though they would be sited 1.5m away from the hedge. Glimpses of the back of the ground mounted modules might be seen through gaps in the hedgerow, and a very limited amount of the upper section of the second row of the ground mounted modules might be seen over the top of the hedgerow. It is again considered that the additional panels would not have any substantial impact on views of the site from this direction by way of the array being an additional 3m in length compared to the approved array provided the external surfaces of the ground mounted modules are finished in matt black.

It is therefore considered that the revised siting for the ground mounted array and the additional four panels, subject to appropriate planning conditions, would not result in the development being significantly more visually intrusive than the approved scheme when seen from higher ground at distant vantage points broadly to the north, west and south of the site. The array would not be seen from the east. These conclusions would remain the case if the restriction on implementing the development prior to the hedgerow reaching either 2m or 2.5m in height was relaxed. It is therefore concluded that the most substantial impacts of any approval for the current application would be limited to the more immediate landscape setting of Upper Hurst Farm, which is a concern that is raised in representations on this application.

Notably, one of the issues raised in representations is the potential cumulative impacts of the proposed array and the camping and caravan site on the opposite side of the buildings at Upper Hurst Farm. On one hand, seeing the two developments from distant vantage points is unlikely to be a significant issue, primarily because the two developments would be seen within a panoramic landscape setting, which includes a wide variety of different developments and landscape features. On the other hand, from closer vantage points, seeing the camping and caravanning site in one field away from the main group of buildings then seeing the solar array in another field on the opposite side of the same buildings could be much more easily experienced as a sprawling form of development in open countryside that is poorly related to the main group of farm buildings.

The cumulative impact of the proposed array and the existing camping and caravanning site when seen from nearby could therefore undermine the valued characteristics of the local area, which include strong feelings of openness and tranquillity, and its sparse and traditional settlement pattern with a lack of modern development. Consequently, the ability to effectively screening the proposed array by the hedges on the western and northern boundaries of the application is considered to be key to the acceptability of the current proposals. However, officers accept that the retention of the conditions attached to the original permission is not necessarily the best way to achieve effective screening for the proposed development.

As approved, the array would be tight to the bottom of the hedge on the northern boundary of the application site, which would not facilitate proper management of the hedge or promote its growth over the longer term. Therefore, there are good reasons to move the array further away from this boundary. Condition 3 requiring a minimum height for the boundary hedgerows is prohibitive but in its current condition, the hedge could reach the minimum heights but with very poor growth. In this respect, the submitted application refers to leaders (i.e. single shoots of hawthorn) that have achieved an average height of between 1.6m and 2m in one season from its previous height of around one metre. This means that the hedgerow could achieve the minimum heights required by Condition 3 relatively quickly (the applicant estimates later this year) but in the absence of any limitation on the depth of the hedge or amount of foliage that would be required to discharge this condition, the hedge might still not provide effective screening for the proposed development.
Furthermore, the hedgerows are generally in poor health, are quite ‘gappy’ in places, and have been overtrimmed in the past. Therefore, adopting a revised version of the hedgerow management plan could offer a better way forward for the hedgerow in both landscape conservation and ecological terms than seeking to retain the requirements of Condition 3. The environmental benefits of managing the hedgerow in accordance with a revised management plan would be enhanced if the meadow management plan for the application site was also adopted. The disbenefits of taking this approach would be that the array would need to be installed (from the applicant’s perspective) before the full benefits of adopting the management plan could be achieved. Moreover, adopting good management practices such as hedge laying and coppicing could increase the length of time that would be required to allow the hedgerows to otherwise reach the minimum heights set out in Condition 3.

Taking all these factors into account, on balance, it is considered that the benefits of adopting a revised landscape management plan for the hedgerows and for the application site outweigh the concerns raised in respects of relinquishing the minimum height restriction prior to the installation of the proposed ground mounted solar array. Securing the ongoing maintenance of the hedgerows and associated habitat would provide far better mitigation and provide greater environmental benefits over the longer term compared to simply requiring the hedgerows to be maintained at a certain height. These benefits are considered to offset the potential harm arising from the increased likelihood that the array would have a more substantial visual impact on its immediate landscape setting both at the time of its installation and for some time after its installation. In reaching this conclusion, one determining factor is that retention of Condition 3 and the minimum height restriction might not provide as effective screening for the proposed development as anticipated at the time this condition was drafted.

A further determining factor is that the ground mounted solar array, as proposed in this application, would not have a substantial impact on the character of the wider landscape setting of Upper Hurst Farm, as noted above, whilst a successful management plan should see the hedgerows fully recovered and at around the optimal height and thickness to effectively screen the array from nearby vantage points within three planting seasons. On this basis, it is concluded that planning permission could be granted for the current application because the ground mounted solar array would not have an overriding unacceptable impact on the scenic beauty of the National Park and the localised adverse visual impacts associated with the proposed development would be addressed within a reasonable time frame.

Ecology

By virtue of the nature of the development, it is highly unlikely that the proposed array would have a substantial impact on any nature conservation interest. In particular, the array would not have any impacts on bats or birds and there are no records that indicate the application site provides habitat for any other protected species or has any special ecological interest. Moreover, adoption of a revised landscape management plan based on the proposals for hedgerow and meadow management submitted with this application would conserve wildlife and enhance biodiversity in and around the application site. Therefore, any approval for the current application would accord with the specific policies in the Framework, and policies L2 and LC17 in the Development Plan, which promote nature conservation objectives.

Heritage Assets

There is no evidence to suggest that the array would affect any extant archaeological interest, and whilst the array may be seen from various vantage points, there are no overriding concerns that the array would have any significant impact upon the setting of any designated heritage asset taking into account it is highly unlikely that the array would be seen in the immediate setting of any scheduled ancient monument, listed building, or designated conservation area. Therefore, any approval for the current application would not conflict with specific policies in the Framework or policies L3 and LC15 and LC16 that seek to conserve and enhance the cultural heritage of the National Park.

Amenity

The array would not detract from the living conditions of any local resident. There are no nearby residential properties that would have clear sight of the array other than the converted barn adjacent to the application site, which is occupied by the current applicant. The existing modern farm buildings would prevent the array having any significant impact on the residential amenities of the original farm house.

In all other respects, the array would not give rise to any other amenity issues such as noise and disturbance. As noted above, the nature of the development is such that solar panels are designed to absorb light and only reflect a small amount of the sunlight that falls on them. Therefore, it is not considered that reflectivity is likely to be an issue, despite the size and scale of the proposed array, and it is not considered the panels would harm the residential amenities of the converted barn or the more general amenities of local area because of glare.

In these respects, the proposals comply with the specific requirements of policies LC4 and GSP3 and the national planning policies in the Framework that seek to safeguard amenity and protect the living conditions of local residents likely to be affected by development proposals.

Other Considerations

This report sets out the substantive reasons for approval of the current application; it is considered the proposals would not have an unacceptable harmful impact on the landscape character of the National Park, and mitigation measures would address concerns in relation to the impacts of the array on the visual amenities of a more localised area in the vicinity of Upper Hurst Farm. In these respects, the Framework states very clearly that applications for renewable or low carbon development should be approved if the impact of the development is acceptable, or can be made acceptable.

However, it is acknowledged that whilst it is considered the proposals accord with the 'landscape first' approach taken in the SPD, there is some conflict with guidance in the SPD which says large scale ground mounted solar arrays are not appropriate and that ground mounted solar arrays outside the curtilage of a building should be avoided. Equally, whilst it is considered that the array would not be visually intrusive, the array will be seen either fully or partially from various nearby vantage points. In these respects, the Framework also requires the Authority to weigh any harm arising from the proposed array against the public benefits it would achieve.

In these respects, the electricity produced by the array would clearly make a substantial difference to the camping and caravanning business operated by the applicant especially when taking into account the panels do not need direct sunlight to work – they can still generate some electricity on a cloudy day. The income generated by the proposed array may also achieve wider public benefits in terms of providing local employment opportunities, supporting the wider rural economy and managing the landscape appropriately. In this case, these socio-economic considerations can be given some weight if it is considered that the array as proposed in this application is unlikely to have more than a very limited impact on the valued characteristics of the National Park, and would not compromise the character of its landscape setting.

However, the weight that can be attached to these issues is limited by the absence of any detail in the submitted application on the energy needs of the business, or what other socio-economic benefits could be achieved by the business if permission were to be granted for the current application beyond what might be achieved if the development was carried out 'as approved'.

Equally, it is also recognised that any renewable energy project can provide a valuable contribution to cutting greenhouse gas emissions and reducing dependency on non-renewable energy sources. These aims and objectives are fully supported by the SPD on renewable energy and are promoted and encouraged by policy DS1 and GSP1 of the Core Strategy, and national planning policies in the Framework. Therefore, these environmental considerations would normally be given significant weight in the determination of a planning application seeking permission for renewable energy development. However, these considerations can only carry limited weight in this case because it is not made clear in the submitted application what extra benefits might be achieved by the revised scheme proposed in this application compared to the approved scheme.

Conclusions

The wider public benefits of delivering renewable energy projects that can be accommodated in the National Park weigh in favour of granting planning permission for the revised array but the additional benefits that might be achieved by allowing the revised scheme as opposed to the approved scheme have not been properly stated. However, it is considered the proposed development would not have a significant long-term adverse visual impact on its landscape setting, and the revised proposal would not harm the scenic beauty of the National Park. It is also considered that appropriate mitigation would mean the proposed development would not harm the amenities of the local area and would not harm any other valued characteristic of the National Park. In these respects, the proposed development can be considered to constitute sustainable development promoted and encouraged by DS1 and GSP1 and the Framework.

The application is therefore also considered to accord with Core Strategy policies GSP1, GSP3, L1, L3, and CC2 and Local Plan policies LC4 and LU4 and guidance in the Authority's adopted SPD on Climate Change and Sustainable Building and the Authority's Landscape Strategy and Action Plan, and is considered to be in conformity with national planning policies in the Framework and government guidance in the associated Planning Practice Guidance. Accordingly, the current application is recommended for approval subject to conditions securing the external finishes of the individual solar panels and the ground mounted modules and the implementation of a landscape management plan, for the reasons set out in earlier sections of this report.

However, an amended management plan would be required because the submitted schemes are not sufficiently precise or capable of being properly enforced. The requirement for submission of an amended scheme before the scheme is implemented is necessary because the landscaping scheme is required to make the proposed development acceptable in planning terms and would 'go to the heart' of any permission for the current application. In these terms, a further requirement to remove the array if the approved landscape management is not carried out is considered to be justified in this case.

It would also be necessary to require compliance with the submitted plans and specifications for clarity and avoidance of doubt and reasonable to require the removal of the array when it is no longer required for generating energy. The requirement to remove the array once it is has become redundant would be an identical requirement to the limitations imposed on permitted development rights for solar panels by the Government, and this type of condition would be necessary in the interests of safeguarding landscape character. If the array were no longer required and was otherwise left to fall into disrepair, then it would have an increasingly detrimental impact on the immediate landscape setting of Upper Hurst Farm.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil