

**NORTH SOMERSET COUNCIL
DELEGATED PLANNING APPLICATION
REPORT SHEET**

Target Date: 03 September 2013

Application No. 13/P/0854/F2
EIA

Application Type: Full Planning Perm &

Case Officer: Neil Underhay

Proposal: SOLAR PHOTOVOLTAIC (PV) ARRAY AND ANCILLARY DEVELOPMENT ON LAND AT SOUTH HILL FARM, OFF BRIDGWATER ROAD & ACCOMMODATION ROAD, BLEADON

Planning Application Number 13/P/0854/F2

THE APPLICATION IS SUBJECT TO AN ENVIRONMENTAL STATEMENT

The Site

The site is situated in the countryside. It is approximately 1km west of the Bleadon Settlement Boundary and 300 metres south of the Weston-super-Mare Settlement Boundary. It lies within a 'Coastal Zone', is in a '3B 'Functional' Flood Zone' and is on Grade 3 agricultural land.

It consists of five fields which total approximately 21 hectares. These are located to the south-west of Bridgwater Road (A370), to the north of Accommodation Road, to the east of the Weston to Highbridge Railway Line and to the south of Toll Road

The land is generally flat with field boundaries comprising mature hedgerows interspersed with trees. The site has vehicle access points on to Accommodation Road and Bridgwater Road respectively. There are no public footpaths crossing the site, although the 'West Mendip Way' is located to the north of the site.

The nearest residential properties are in 'Toll Road', north east of the site, with the closest dwelling being about 60 metres away. Coombe Farm is approximately 70m to the east and Purn Farm is approximately 240m to the east. Residential properties in Purn Road and Southridge Heights respectively overlook the site range from about 180 metres to 400 metres from the nearest site boundary. Purn caravan site is located further south-east and a model motor racing circuit is located about 50 metres to the south-west of the site.

The site is not covered by any national or statutory designations, but it is approximately 120m west of the 'Purn Hill' Site of Special Scientific Interest (SSSI). The Uphill Cliff SSSI and Mendip Limestone Grasslands Special Area of Conservation (SAC) are about 800m to the east of the site. The site is also approximately 950m to the west of the Severn Estuary SAC, Special Protection Area (SPA), Ramsar site and SSSI. The site is located approximately 1km to the west of the Mendip Hills Area of Outstanding Natural Beauty (AONB) at its closest point.

The Application

The application is subject to an Environmental Statement (Environmental Impact Assessment) and seeks full planning permission to:

- Install approximately 32,000 solar panels;
- Carry out ancillary development including five inverters located amongst the solar panels, two site cubicles containing grid connection infrastructure, security (post and wire) fencing 2.4 metres high including animal gates, 6-metre high slim lattice tower comprising 360 degree CCTV camera, 7-metre high slim lattice tower with weather sensor equipment.
- Erect a temporary construction compound (60 m x 40 metres) comprising storage areas site office, access and parking and temporary hardcore surface.

The application says the expected lifetime of the panels is up to 35 years after which the equipment will be removed.

The panels are typically 1650mm x 992mm x 40mm. Each is covered by high transparency 3.2mm solar glass and will be dark grey/blue with an anti-reflective coating. The panels would be mounted on steel framework which will be pile driven into the ground. Panels will be south facing and tilted to 25°-30° for optimum sunlight receipt. The panels will be arranged in rows and each row would typically have up to 88 panels. Rows would be between 4 – 7 metres apart and would be no greater than 2.5 – 3 metres above ground level. The applicants say the land below/between the panels can be used for grazing and silage.

Inverter and transformer units are required to convert the direct current (DC) generated by the panels into alternating current (AC), which can be then distributed using the electricity grid. The units would be situated behind solar panels. The panels will be connected to site cubicles using cables situated along the mounting framework. The applicant has said that the local electricity operator has indicated that there is capacity in the grid for electricity to be exported back into the main systems and this can be carried out by underground cables. The development is therefore for the production of renewable electricity which will be conveyed back to the grid.

A small extension to the access road will be constructed utilising the existing farm track off Accommodation Road at the south eastern corner of the site. Another existing access will be used to access the HV cubicles at the south western corner of the site. Access to the site would be required during the construction period and for regular maintenance visits. Maintenance visits are likely to take place a maximum of four times a year.

Relevant Planning History

Year	Reference	Proposal	Decision
Land At South Hill Farm			

2011	11/P/2007/F	178 Solar Panels	Approved
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Land at Purn Farm. Adjoining Site

2009	09/P/0217/F	8 holiday units	Approved
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2007	07/P/2465/F	Outline application for 18 Industrial Units	Approved
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Other Solar Applications in North Somerset

2012	12/P/1654/F	11.9 hectares of Green Belt land for PV development, at The Oaks, Downside Road, Backwell	Refused due to harmful impact on Green belt
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2012	12/P/0555/F	1032 solar panels on land to east of Butcombe Lane & Aldwick Lane, Butcombe	Refused due to impact on Green belt and setting of AONB
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2012	12/P/0490/F	5236 solar panels on land at Twin Elm Farm, Stock Lane, Congresbury	Approved.
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Other Applications close to the site

2011	11/P/0305/F	Construction of 3 lakes	Approved
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Policy Framework

The Statutory Development Plan comprises:

- North Somerset Core Strategy (adopted April 2012)
- North Somerset Replacement Local Plan (saved policies) (adopted March 2007)
- Joint Waste Core Strategy (adopted March 2011)

Relevant policies are as follows:

Development Plan

Core Strategy

In March 2013 a judgment following a legal challenge to the Core Strategy concluded that the Inspector who undertook the examination was found to have 'failed to give adequate or intelligible reasons' for his conclusion that the North Somerset housing requirement made sufficient allowance for latent demand (demand unrelated to the creation of new jobs). Policy CS13 which relates to the housing requirement was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 are also remitted back on the grounds that should the housing requirement be increased, which could have consequences for one or more of these policies. The judge was clear however that there is nothing unlawful about these policies per se and that they can still be accorded appropriate weight in decision making. All other policies remain adopted.

The policies below from the Core Strategy are unaffected by the legal challenge (they remain adopted Policies) and are relevant to this application:

Policy Ref	Policy heading
Policy CS1	Addressing climate change and carbon reduction
Policy CS2	Delivering Sustainable Design and Construction
Policy CS3	Environmental Impact Assessments and Flood Risk Assessment
Policy CS4	Nature Conservation
Policy CS5	Landscape and the Historic Environment
Policy CS7	Planning for Waste
Policy CS10	Transportation and Movement
Policy CS11	Parking
Policy CS12	Achieving high quality design

North Somerset Replacement Local Plan (NSRLP)

Three NSRLP policies were not saved in March 2010. The Core Strategy supersedes some but not all of the remainder. It does not supersede the following policies which are relevant to this proposal:

Policy Ref	Policy heading
GDP/3	Promoting good design and sustainable construction
ECH/4	Listed Buildings
ECH/6	Scheduled Ancient Monuments
ECH/11	Protected Species and their habitats
ECH/12	Wildlife Sites of International Importance
ECH/13	Sites of Special Scientific Interest
ECH/14	Wildlife Sites
ECH/15	Coastal Zone
RD/1	Agricultural and Forestry Development and Farm Based Diversification
T/1	Existing and Proposed Railway Line

T/7 Public Rights of Way
T/10 Safety / Traffic

Emerging Policy

North Somerset Council Sites and Policies Plan – Consultation Draft

SP1 Presumption in favour of sustainable development
DM2 Renewable and Low Carbon Energy
DM11 Landscape

Other material policy guidance

National Guidance

The National Planning Policy Framework (NPPF) is relevant and the salient paragraphs will be referred to in the Planning Issues.

Ministerial Statement – ‘Planning practice guidance for renewable and low carbon energy’ (July 2013)

The key message is that renewable energy is an important source of energy generation but this does not mean that the need for it automatically overrides environmental protections. Paragraph 11 says applications should only be approved if the impact is (or can be made) acceptable and Paragraph 8 advocates that local Landscape Character Assessments may provide an appropriate basis for assessing the localised landscape and visual impacts of individual proposals.

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- North Somerset Landscape Character Assessment SPD (adopted December 2005)
- Biodiversity and Trees SPD (adopted December 2005)
- Draft SPD ‘Renewable and Low Carbon Energy Generation in North Somerset’ – Part one: Guidance Note for Solar Photovoltaic (PV) arrays. Consultation Draft June 2013

Consultations

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Environment Agency: No objection provided that the Council is satisfied with the location of the site and subject to planning conditions being imposed.

Somerset Drainage Board Consortium: The Board does not object to the application, subject to planning conditions and information notes being imposed.

Natural England: No objections in terms of impact on the Mendip Hills Area of Outstanding Natural Beauty or Designated Nature Conservation Sites. They do however expect the Council to carefully consider the impact on local bio-diversity and geo-diversity

sites, nationally important biodiversity and local landscape character. Furthermore, if the application is approved it should pursue opportunities for biodiversity enhancements.

Mendip Hills AONB Unit: Have advised the Council to refer to their statement on solar arrays and their potential impact on the setting of the Mendip Hills AONB.

Avon Wildlife Trust:

The site is beneath the Trust's Reserve at Purn Hill which is part of the western Mendips, and has panoramic views across the Somerset Levels to the Blackdown and Quantock hills. It is designated as a SSSI for its grassland which is of national importance, found only on a few other sites on the south facing slopes of the Mendips.

The development is considered to have a hugely detrimental visual impact not only on Purn Hill but also on the other sites which are SSSI's and all form part of the Mendip Hills AONB and Natural England Character Area. All are linked by designated walks including the Purn and Walborough circular described in more detail below, but also the West Mendip Way

We are concerned that the Environmental Statement appears contradictory when it states that the site will have lighting round the security fence (paragraph 5.1.6., p15) whereas paragraph 5.38, discussing bats, states 'there will be no artificial lighting of the site and therefore lighting will not be an issue to foraging or commuting bats (paragraph 6.5.39).

The design of solar panels can affect insects and this should be considered.

If the Council is minded to support the application, we would want to see these and other mitigation recommendations agreed within an ecological and landscape management plan as a condition.

Bristol Airport: No impact to aircraft using Bristol Airport and they have no objections to this proposal.

Network Rail: No comments received

Sedgemoor District Council: Notified on account of the potential impact on landscapes in their district. No comments have been received

Third Parties: 74 objections received to date. Summary of the main points raised are as follows:

- Insufficient public consultation has been carried out.
- Site description is misleading as South Hill Farm is known locally to be in a completely different location. There are other discrepancies in the application documents.
- This site comprises good quality agricultural and should be retained for food production.
- Proposal will be overlooked from Purn Hill and Hellenge Hill and the connecting public footpaths and the scale and impact of the development will result in an

industrial type development that detracts from the character and appearance of the Somerset levels landscape.

- The proposal will harm the ambience and peaceful setting of the highly popular West Mendip Way and connecting footpaths, which attracts many tourists and local people due to the tranquillity and outstanding rural views.
- Proposal will also detract from longer range views from the Mendip Hills Area of Outstanding Natural Beauty, Uphill, Brent Knoll and Brean Down respectively.
- The proposal will harm the outlook from many households sited on the Bleadon / Purn Hillside, which overlook the Bleadon Levels.
- The associated works including fencing, lighting, CCTV, cabins and weather equipment adds the harmful impact of the development in this rural setting.
- The angle of the panels and glazed surface may cause a high degree of glint and glare that is likely be perceptible from short and longer range viewpoints, thereby adding to the unacceptable visual impact of the proposal.
- Should any lighting be required this will detract from the appearance of the landscape.
- The applicant under-estimates the visual impact of the development and it is wrong to suggest that the area is already devalued by other past developments.
- Increased use of the site entrance during construction and thereafter would be detrimental to road safety.
- This is a business venture and has little to do with green energy generation or conservation of the wider natural environment. The level of energy created would be insignificant compared to the damaging effect on the landscape.
- The development and shadowing effect from the panels will greatly reduce the wildlife value of the site, which is a haven for small mammals and insects.

Bleadon Parish Council:

- The Parish Council would like to bring to the attention of North Somerset the mass of the site especially from higher ground will be visible from the top of Purn Hill. The applicants report states that the area has already been degraded by caravan parks and disused farm buildings etc. The Planning Committee do not feel that this argument can be used to add to the degradation of the area / view.
- It is noted that there will be a high security fence surrounding the whole 21 hectare site complete with CCTV. The Planning Committee has concerns about the security of the site and whether the location will encourage theft or vandalism. We would also encourage the fence to be screened with improved and maintained with evergreen planting.

- Special consideration must be given to access to the site during construction in terms of safety and traffic flow.
- The site should be returned to farm land at the end of the solar development.
- Given the scale of the development we are concerned that there has been so little communication.
- The Parish Council considers it can raise no objections, but it does urge North Somerset to take note of concerns raised by local people.

Uphill Village Society

Opposes the application due to:

- Site Selection
- Loss of visual amenity
- Security / Risk Assessment
- Impact on local archaeology
- Impact on wildlife / environment
- Flood Risk

Principal Planning Issues

Issue 1: Principle of Development

The National Planning Policy Framework (NPPF) says the purpose of the planning systems is to contribute to sustainable development, which has three inter-dependent dimensions: economic, social and environmental.

Paragraph 17 of the NPPF *“support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and ... encourage the use of renewable resources”*. This is consolidated in paragraphs 95 and 97 respectively, the latter of which supports renewable and low carbon energy provided individual and cumulative landscape and visual impacts are acceptable. Local planning authorities are urged approve application for renewable energy if its impacts are acceptable.

The recent Ministerial Statement – ‘Planning practice guidance for renewable and low carbon energy’ (July 2013) reiterates that renewable energy is an important source of energy generation, but this does not mean that the need for it automatically overrides environmental protections. Paragraph 11 says applications should only be approved if the impact is (or can be made) acceptable and Paragraph 8 advocates that local Landscape Character Assessments may provide an appropriate basis for assessing the likely landscape and visual impacts of individual proposals.

Policy CS1 and CS2 of the North Somerset Core Strategy set out the Council’s approach to addressing climate change and carbon reduction. It has also recently issued consultation on a draft supplementary planning document concerning renewable energy and low carbon energy. The aim of this guidance is to provide policy to facilitate renewable and low carbon energy development. It advises that Solar PV arrays should

avoid areas that are undeveloped and should preferably be located on previously developed or contaminated and industrial land. PV arrays will be considered on 'greenfield' sites, but they should avoid landscapes designated for their natural beauty, historic interest or ecological and archaeological importance, which is consistent with Paragraph 7 and 17 of the NPPF. They should also enable the continuation on an agricultural use on the land.

Issue 2: Site Selection and Alternatives

The applicant's approach to site selection appears to be led by landowners registering their interest in PV development with sites then screened to determine technical and environmental constraints. The latter considers national and statutory designations. Sites which pass initial screening are subject to more rigorous examination with the applicants suggesting only the most appropriate sites with the lowest impact are taken forward to planning applications. This implies the local policies and impacts were examined but are not considered an impediment to development.

This does not however indicate whether any other sites in North Somerset were considered and if so why they were discounted in favour of this site. In other words, there is nothing to suggest the applicants attempted to prioritise sites with the fewest planning policy restrictions and approached their landowners. This would not necessarily justify a case for this application site coming forward, but it would at least be a more systematic and credible land-use approach to site selection.

This is particularly relevant because the application site is in a 'Coastal Zone'; 3b fluvial (functional) floodplain and is Grade 3 agricultural land. All of these designations would not ordinarily favour the principle of PV development. These reasons for this are set out below.

Coastal Zone

The site is located within a 'Coastal Zone' as defined in the North Somerset Replacement Local Plan. Policy ECH/15 of this Plan says: "Development within the defined Coastal Zone will be permitted only for uses and activities appropriate to and requiring a coastal location that cannot be accommodated elsewhere." [my emphasis].

The explanatory paragraphs to the policy says one of the key objectives of the Coastal Zone is to conserve its natural character and undeveloped landscapes and limit development genuinely needing a coastal location to the urban and developed areas.

The Consultation Draft of the 'Sites & Policies Plan' (February 2013) does not intend a bespoke policy on 'Coastal Zones' and proposes a more general landscape policy (Consultation Draft Policy DM11). This seeks to (of particular relevance to this application):

- Protect and enhance the diversity, quality and distinctive qualities of the landscape of North Somerset identified in the North Somerset Landscape Character Assessment.
- Avoid developments which would have an adverse impact on the landscape.

The site falls within a wide Coastal Zone which extends over 2.5KM in land from the coast and has a mixed landscape and visual character. Whereas the landscape near the coastline line comprise linear developments including caravan sites, the majority of the coastal zone has an agricultural character which is dominated by flat and open farmland with sporadic development.

The applicants contend the character and appearance of the landscape close to the site is downgraded due to the cumulative impact of other developments and utilities. While there are a number of developments including the Purn Caravan and Industrial Sites that are relatively close to the site, these are long-established sites in small clusters off Bridgwater Road (A370) and the landscape, including the application site, quickly change in character and appearance to a strong rural setting.

It is difficult to understand how other development in the locality which in the opinion of the applicant downgrades the area can possibly justify this proposal, when its very scale and form can only cause further downgrading. The suggestion that its impact is limited because it is a temporary development is also tenuous, when it is required for 35 years. In any event, the applicant has not produced a convincing land based case which shows good reasons why the development requires a coastal location.

The impact of the development is considered harmful to the landscape character and visual appearance of the coastal zone landscape. This is elaborated in Issue 3.

3b Functional Floodplain

The NPPF says new development should be located in areas with the lowest probability of flooding. The site falls within a 3b Fluvial (Functional) Floodplain where water has to flow or be stored in times of flood. The NPPF Technical Guidance says only water-compatible uses and essential infrastructure that "has to be there" should be permitted in this zone.

The applicant's limited approach to site selection has already been summarised. This fails to demonstrate that there are not other sites in North Somerset including those at a lower risk of flooding where this development could be located. They do however say the nature of the proposal is 'essential infrastructure' which is an acceptable use in flood zone 3b. While this point fails to follow the safety first principle of development being in areas of lowest flood risk, to refuse planning permission the Council would have to show that the development would be at an unacceptable risk to flooding in itself or exacerbate flood risk on other land.

The comments received from the Environment Agency (statutory consultees on flood risk) say there they do not consider there are reasons to refuse the application on flood risk, but planning conditions should be imposed requiring drainage details.

In these particular circumstances, officers consider there are insufficient grounds to reject the application having regard to flood risk.

Grade 3 Agricultural Land

Agricultural Land is divided in to different classifications ranging from 1-5, with 1 being the best most versatile land and 5 being the poorest. The site is classed as Grade 3 (good to

moderate) agricultural land. Grade 3 is sub-divided in to 3a 'good' and 3b 'moderate'. However, the Council, DEFRA and Natural England do not appear to have any records to shows that this particular land has been sub-divided to 3a or 3b. Guidance from Natural England (Note TIN049 – 2012) suggests soil samples may be the only way to establish this.

Paragraph 112 of the NPPF says *“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”*

Where higher graded agricultural are selected (1, 2, and 3a), a developer should explain why the development needs to be located on the site and why other suitable options may have been discounted. This has not been done. The applicant does state however that the intention is to retain an agricultural use on the land, with grazing or silage. They also suggest the conversion of arable land to pasture will lead to significant improvement in soil conditions.

In the officer's view, the development regardless of whether it proves to retain a productive agricultural use is likely to be much more limited than its current guise. It is also questionable what impact shading from the panels will have on the quality and versatility of the grass land. That said the fact the development does not necessarily preclude an agricultural use on land which is currently 'good to moderate' is not a sufficient reason to refuse planning permission.

Issue 3: Landscape / Visual Impact

Chapter 5 of the applicants Environmental Statement and the further information received in July 2013 considers the landscape impact of the development. This examines the character of the landscape, key views of the site from numerous mainly hillside locations and then assesses the degree of impact arising from the development.

The site falls within the 'A5 Bleadon Moor' landscape character area (North Somerset Landscape Character Assessment), which is a flat low lying rural landscape with large scale fields, some bounded by tall hedges, and more open fields closer to the sea. The *Bleadon Moor* character area has a strong character although in places, particularly at the west of the area this has weakened due to the large scale change in land use to arable farming plus the influence of urban fringe activities.

The overall strategy for Bleadon Moor is to conserve the rural pastoral landscape through:

- The conservation of the remote rural, pastoral character;
- Encourage restoration of pasture in areas now under intensive arable;
- Encourage less intensive farming methods to enhance the biodiversity interest of ditches and rhynes;
- Enhance the historic hedgerow network where this has become weakened through replanting using a range of species and cyclical cutting.

To the north is the 'E1 Mendip Ridge' landscape character area, an elevated area of land forming part of the Mendip Hills. The Mendip Hills AONB boundary commences approximately 900m to the east of the site, north of the village of Bleadon.

The application site is predominantly flat agricultural land. The majority of its boundaries comprise mature vegetation, which were in full leaf at the time of the site visits (June / July 2013). Passing views of the site from Bridgwater Road (A370) and Accommodation Road are heavily filtered, although some gaps in the hedge line and the access points enable glimpses in to parts of the site. During the autumn & winter the level of vegetative screening will be reduced and the PV array could be more noticeable. However, views from these roads are still likely to be diffused and of a limited duration as people pass the site.

The residential properties closest to the site are in 'Toll Road'. These are on slightly higher ground than the application site and some of these have direct views into parts of the site. The PV closest to the north boundary is likely to be noticeable to their occupants, which is likely to increase in autumn and winter months.

The land on the opposite (north-east) side of Bridgwater Road rises up Purn Hill, which includes a Site of Special Scientific Interest. A public footpath on its southern slope, which is part of 'The Mendip Way' strategic footpath rises towards the ridge, although views of the site from the footpath are very restricted due to the high hedgerows. It is uncertain whether the views would open up to any significant degree in winter and autumn and winter months and this may only be known by visiting the site during these periods.

As the West Mendip Way approaches the top of Purn Hill, it forks with the south-east route (public right of ways AX6/7 and 6/8) continuing eastwards. These routes do not provide any real overlooking of the site due to the high hedgerows and topography. A permissive path (about 460 metres long) which is broadly parallel and to the west of the public rights of ways does however provides a series of clear views of parts of the site and the surrounding landscape. The origins of this route are not known, but it is an established trodden path, which from the various site visits undertaken by officers at the time of this application, appears to be a well-used route. It also connects to the wider footpath network.

The applicant's additional report dated July 2013 considers 11 viewpoints from the permissive path towards the application site (pages 37-49). It describes and examines the degree of overlooking and impact. These viewpoints range from about 200 metres to 500 metres of the application site (at its closest). The applicants say the effect of the proposed development on the path over Purn Hill varies substantially, but includes three stretches along the path where wide panoramic views are available. They accept the proposed development will have a significant effect on views from these open areas but point out these viewpoints represent about 90 metres or 22% of the total length of the path along the Purn Hill ridge. They accept the visual effects of the development site cannot be completely mitigated, but consider there is mitigation through the improvement of boundary hedgerows and restoration of pasture land (which are objectives of the Landscape Character Assessment), will have a beneficial effect on this landscape character area, which is declining.

Officers agree that the referred views of the development from the permissive path will be significant. Moreover, its sheer scale and form will transform the outlook in a way that this highly likely to change the perception and appreciation of the site and the wider landscape.

This would not conserve of the rural character of the landscape as is a key objective of the landscape strategy of the Bleadon Moor and this far outweighs (1) any consolidation of boundary vegetation which will not prevent overlooking from Purn Hill or (2) by taking the land out of intensive agricultural use. Conversely, the visual impact of 32,000 solar panels will have a far more intensive impact on views of the landscape than agricultural use. The presence of other built developments in the near area, does not justify a landscape or visual case to support this development.

It is noted that the recent ministerial statement 'Planning practice guidance for renewable and low carbon energy' (July 2013) provides advice on landscape consideration for solar development. Paragraph 15 states: *"local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on landscape and the impact can be as great in predominately flat landscapes as in hilly or mountainous areas."* In this case, the adjoining hillside would enable clear views over parts of the development and the flat and open nature of the site and wider setting, cannot conceal or even marginally reduce the impact of the development from Purn Hill. The impact of the development is considered to have a stand out impact on the character and appearance of the landscape when observed from public viewpoints on Purn Hill which is obtrusive and unacceptable.

The applicant contends the proposal affects comparatively few residents, save for those living close to Purn Hill and some further east on Bleadon Hill. The number of properties in Purn Road and Southridge Heights which have view directly or indirectly over parts of the site is likely to be around 25. Some residents living in Toll Road also have close range views over parts of the site. There may well be other properties outside these roads. Officer's have visited a number of these properties and considered the impact to their respective occupants. To those residents in Purn Road and South Ridge Heights, the elevated position enables a long distance and attractive outlook. Similar to the outlook from Purn Hill, parts of the site is towards the foreground of the wider view. While the development will not deprive residents of a view and most residents do not see the entire site, it will nevertheless be very perceptible and probably devalue their appreciation of the landscape. From those dwellings in Toll Road, particularly the few at the southern end, their immediate view is chiefly the restricted to the north most field and there are gaps between vegetation. The transition from farmland to an intense developed site is harmful.

Purn Hill continues to the east and becomes part of 'The Mendip Hills Area of Outstanding Natural Beauty' which, at its closest, is about 1000 metres to the east of the site. The Council consulted the Mendip Hills AONB Planning Unit. They have not provided bespoke comments on the application, but have referred the Council to its position statement on Solar Photovoltaic Development. This has *"a presumption against commercial large scale solar PV arrays within the protected landscape and for proposals outside its boundary, where views out from or towards the AONB might be affected."*

Despite the AONB being elevated above the application site with numerous exceptional view points over the Somerset Levels and other distinct landscapes including Brent Knoll and Brean Down, views of the application site from some of the nearest public footpaths in the AONB, such as such as 'Hellenge Hill' (about 1500 metre east of the site) are largely obscured by Purn Hill. Indeed, it is only towards the lower sections of the footpath on Hellenge Hill that views of the site are gained and even these are very limited. The West Mendip Way on Loxton Hill similarly has very restricted longer range views of the site. The degree of impact this will have on views out from the AONB is insignificant.

The hillside at Uphill includes a Local Nature Reserve, Walborough Site of Special Scientific Interest (SSSI), a former Windmill, several Rights of Way and part of the Uphill Conservation Area. The former Windmill is about 1100 metres to the west of the site and the adjoining hill top enables views over parts of the site. The site was not observed from the top of the Windmill and it was locked at the time of the site visits, but this is understood to be open to the public and is doubtless visited to take in the surrounding views. From the hillside, parts of the site can be seen although the overall size of the site including the field depths is less obvious than from Purn Hill. It is uncertain whether the form, rows or profiles of the panels will stand out at this distance, but it is estimated that about half of development would be noticed as a large mass with an uncharacteristic colour and appearance. This is likely to draw attention and disrupt views across the fields, which provide peaceful and attractive mid-range viewpoint towards more dramatic long distances landscapes including the Mendip Hills and Brent Knoll. This is broadly reflected in the applicants Photomontage (Viewpoint 2).

Some comments that have been received suggest that the development would adversely affect views of the landscape from Brent Knoll and Brean Down respectively. Brent Knoll is about 5.5km from the site and Brean Down at its closest, is about 3.5 km from the site. The application has included a photographic view looking towards the site from elevated ground at the east end of Brean Down (Viewpoint 1). From here and from the rock face and slopes of Uphill are seen with Purn Hill and the Mendip Hills beyond. It is difficult to gauge with certainty whether the solar array will be seen from here, but even if they are, it is likely to have a very modest impact on the appreciation of a much wider landscape. Similarly, there are outstanding 360 degree views from Brent Knoll, which includes extensive views of the Somerset Levels. From here sporadic development across the levels is consumed within the landscape. At this distance and from this perspective development may be seen, but the degree of impact is likely to be low.

The applicants have produced a Glint and Glare Report. This considers the potential impact on 'ground based' receptors and aircraft and uses specialist software to determine potential impacts. The report considers the likely affect at 18 different locations, including residential areas, roads, footpaths and a number of important local landscapes. The analysis is based on the panels facing south (for optimum solar gain). The report concludes that due to the relative angles and the surrounding topography, no glint effects will occur. It is possible however that some Glare effects could occur at some limited locations to the north and east of the development, but these due to the high absorbent values of the solar modules and angle of reflection are unlikely to be significant.

The report also considers the impact on aircraft safety. The study summarises the latest guidance and investigations from the UK Civil Aviation Authority and the US Federal Aviation Authority in relation to solar PV technology and the potential impacts on aviation. The finding suggests that either significant glare is not occurring during times of operation, or if glare is occurring, it is not a negative effect and is a minor part of the landscape to which pilots and tower personnel are exposed. They suggest the likelihood or harm to aircraft movements to or from Bristol Airport is negligible.

The report has been referred to Bristol Airport given the relative close proximity of the site to flight paths. They have confirmed that there will be no impact to aircraft using Bristol Airport and they have no objections to this proposal.

Issue 4: Temporary Impacts during Construction

The applicants say that construction is expected to take about 3 and 4 months to complete. The main impact from construction is likely to be vehicles movements associated to the delivery of materials access to the site. This will take place through an existing access at the south-east corner of the site off Accommodation Road, albeit this will be improved. The applicants estimate that there will be around 95 HGV movements over the construction period and that on average this would result in about 2-3 HGV trips per day. Other contractors trips will also arise which is likely to involve cars or smaller commercial vehicles. Subject to appropriate safety and on-site management, which would be required through planning conditions, this is considered acceptable and without harm to road safety.

Once completed the level of vehicle trips to and from the site is very low.

Issue 5: Biodiversity

The site falls within a wider landscape with a number of areas which are designated for nature conservation. This includes the Severn Estuary European Marine Site within 1km of the site, which has a number of overlapping designations: SSSI, Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. Other Special Areas of Conservation are also located within a 1 – 6km radius, to include the Mendip Grasslands SAC and the North Somerset and Mendip Bats SAC. Purn Hill SSSI is adjacent to the site and the ditches which form the eastern boundary of the site are also a designated Wildlife Site, known as: 'Ditches to the west of Purn Farm' Wildlife Site.

The site falls within the Somerset Levels, which are noted for the birds that are attracted to the area due to these habitats, notably the waterfowl that are attracted to the wetter grasslands. The ditches are noted for the flora and invertebrates they can support. A number of national and local biodiversity action plan species are associated with these habitats: such as, notably, water vole, otter, brown hare and bats.

Due to the rich wildlife habitats within the area, it is essential that the appropriate level of avoidance, mitigation and enhancement are considered and implemented, so that the development does not present a barrier to migration or connectivity within the landscape.

While it is the view of the Council's Ecologist that there are no outright ecological reasons to decline planning permission (which includes consideration of comments received by Natural England and Avon Wildlife Trust Respectively), in the event that permission is granted, a number of planning conditions will need to be imposed to ensure that wildlife can continue to utilise the habitats on site. Specifically, mitigation measures need to be in place to minimise negative impacts on the adjacent designated sites, arising from site construction, activities, maintenance and operation. The will require:

- A 10 metre buffer to designated sites, water courses (rhynes) and hedgerows.
- Protected species, and national and biodiversity action plan (BAP) habitats and species:
- Ecological Management Plan
- Fencing design details will need to be agreed
- Lighting

- A construction management plan

Issue 6: Archaeology

The Council's Archaeologist has confirmed that the archaeological potential of the site as a whole is low to moderate. However, if planning permission is granted, a planning condition is imposed which requires an archaeological watching brief and affords access to the Council's Archaeologist to inspect and works.

Issue 7: Lighting

The application documents contained inconsistencies in terms of whether light is proposed. This was raised with the applicants who have now confirmed that "lighting is not currently proposed".

Summary and Conclusions

The principle of renewable energy development is supported in the NPPF and local planning policies, but this is not at any cost and decisions should weigh-up other environmental considerations.

While the site is not directly affected by national or statutory landscape or biodiversity designations, it is in a distinct local landscape that is characterised by its flat and open scenery which is also within a 'coastal zone'. Policy ECH/15 of the North Somerset Replacement Local Plan is clear that only those uses which genuinely require a coastal location should be considered in the coastal zone. Moreover, this policy does not favour development that changes or intensifies its undeveloped characteristics. Officers consider the applicants have not shown clear reasons why this development is required in a coastal zone and its effect, by reason of its scale and form would harm the character and appearance of the coastal zone.

Overlooking of the site occurs at various different points. Purn Hill is the closest and comprises a permissive pathway along its ridge which provides some excellent views over the 'levels' and other landscapes, with the application site at the foreground of the view. This route is evidently well-used and the open views from it are clearly valued. The scale and nature of the development will transform its pleasant rural appearance to one with a much more intensive and alien characteristic. This cannot be satisfactorily mitigated. The impact of the development to views from Uphill, which is also an evidently very well-used and attractive landscape is less obvious, but large part of the development is still likely to attractive passive views in a way that depreciates the character and appearance of the landscape.

In the officer's opinion, the adverse impact of the development on the character and appearance on the landscape is a decisive concern and it outweighs the benefit of renewable energy and any other matters. This is contrary to Policy ECH/15 of the North Somerset Replacement Local Plan and Policies CS5 and CS12 of the North Somerset Core Strategy, as well as the landscapes objectives of Area A5 of the North Somerset Landscape Character Assessment.

The impact of the development on a number of local residents is also concerning such is the scale, relative close proximity and impact on the outlook from gardens and some windows. This is clearly represented in the volume and type of objection from residents. While officers' acknowledge residents do not have a right to a defined view the proposal would devalue their outlook and this adds to the overall harm of the development on the character and appearance of the landscape.

It is much less likely however that the longer distance or restricted views of the site from the AONB or landscapes outside North Somerset such as Brean Down and Brent Knoll could justify a refusal of planning permission.

There are no objection to the application having regard to traffic and transport, flood risk, aircraft safety, biodiversity or glint and glare. One comments raised concern about the potential for the proposal to cause electro-magnetic interference. While the government have previously issued guidance concerning other forms of development where interference may occur (PPS22 – Practice Note), Officers are not aware of any bespoke planning guidance specifically on the potential for interference from PV.

Recommendations

(Including consideration of the Natural Environment and Rural Communities (NERC) Act 2006 & the Crime and Disorder Act 1998)

See decision notice for conditions/reasons

Recommendation: Refuse for the following reason:

1. The proposal by reason of its scale, form and proximity to public viewpoints and residential property, would result in dominant and uncharacteristic development that causes unacceptable harm to the landscape character and appearance of the site and the wider landscape setting. These impacts cannot be mitigated and the proposed development is contrary to Policy ECH/15 of the North Somerset Replacement Local Plan, Policies CS5 and CS12 of the North Somerset Core Strategy and the landscapes objectives of 'Area A5 - Bleadon Moor' of the North Somerset Landscape Character Assessment.

Reason for Overriding Parish Council comments (if appropriate)

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

- Natural Environment and Rural Communities (NERC) Act 2006
- Crime and Disorder Act 1998
- Human Rights Act 1998.

Signed:



Dated:

14/8/13