

ITEM 10

SCHEDULE B

| | |
|---|--|
| APPLICATION NUMBER | CB/11/00455/FULL |
| LOCATION | Cotswold Farm Business Park, Millfield Lane, Caddington, Luton, LU1 4AJ |
| PROPOSAL | Construction of a solar energy farm, to include the installation of solar panels transformer housings, access track, security fencing, and other associated works |
| PARISH | Caddington |
| WARD | South East Bedfordshire |
| WARD COUNCILLORS | Cllr Ruth Gammons & Cllr Richard Stay |
| CASE OFFICER | James Clements |
| DATE REGISTERED | 09 February 2011 |
| EXPIRY DATE | 11 May 2011 |
| APPLICANT | Raybridge Corporation Ltd |
| AGENT | Pegasus Planning Group |
| REASON FOR COMMITTEE TO DETERMINE | Departure from the Development Plan |
| RECOMMENDED DECISION | Full Application - Granted |

Recommendation

That Planning Permission be Approved subject to the signing of a Section 106 Agreement and the following conditions

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Within 6 months of the planning permission hereby granted approval, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).

- 3 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties and impact on the Green Belt and Chilterns AONB.
(Policy BE8, S.B.L.P.R).

- 4 Within 6 months of the planning permission hereby granted approval, details and locations of the security cameras shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties and impact on the character of the locality.
(Policy BE8, S.B.L.P.R).

- 5 Should the solar panels not be used for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the retention of development in the countryside that is not being used for its intended purpose.

- 6 The permission hereby granted shall endure for a period of 25 years from the date when electricity is first generated by the Solar Farm (the 'First Export Date'). Written confirmation of the First Export Date shall be provided to the local planning authority no later than 1 calendar month after the event. Within 6 months, following the completion of the 25 year period, the solar panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition.

Reason: To ensure that the development is decommissioned and to protect the character and appearance of the locality
(Policy BE8, S.B.L.P.R).

- 7 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision A prepared by Woods Hardwick dated April 2011 and the following mitigation measures detailed within the FRA:

Limiting the surface water run off generated by the development so that it will not exceed the run off from the undeveloped site and not increase the risk of flooding off site by using linear soakaways as shown in Appendix 4

Reason: To reduce the risk of flooding by ensuring the satisfactory storage and disposal of surface water from the site.

- 8 The solar panels and associated framework shall not exceed 2.5m in height unless otherwise agreed in writing with the Local planning Authority.

Reason: To protect the visual amenities of the locality.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

numbers BNL.0259, _021, E.0147_12-2,TS10-207A/1 revision 0, E.0147_10-1,E.0147_02-3,E404-23-01-0,R
E404-32-01, CBC/01,CBC/02,CBC/03,CBC/04,CBC/05 and the Flood Risk Assessment Revision A prepared by Woods Hardwick dated April 2011. or such other plans as may be subsequently agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed Solar Farm has provided Very Special Circumstances for inappropriate development in the Green Belt, which would preserve the openness of the Green Belt, would contribute towards the renewable energy and carbon reduction targets for the East of England and Central Bedfordshire, and is acceptable in all other ways. Accordingly the proposed development is in accordance with Local Plan Policies BE8 and NE10, East of England Plan Policies SS1, ENV2, ENV3, ENV7, ENG1 and ENG2 and Planning Policy Statements 1, 4, 5, 7, 9, 22 and Planning Policy Guidance 2 and 13.

The proposal does not need to be referred to the Government Office for the East of England under the Town and Country Planning (Green Belt) Direction 2005 (Circular 11/2005) because the floorspace proposed is significantly below the 1,000 sq.m threshold (the solar panels do not create a floorspace) and the development by reason of its scale, nature and location would not have a significant impact on the openness of the Green Belt.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development

ENV2 - Landscape Conservation

ENV3 - Biodiversity and Earth Heritage

ENV7 - Quality in the Built Environment

ENG1 - Carbon Dioxide and Energy Performance

ENG2 - Renewable Energy Targets

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental consideration

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. The site is located on a Principal aquifer - the Woburn Sands Formation. Principal aquifers are geological strata that exhibit high permeability and usually provide a high level of water storage. The site is also located within a Source Protection Zone 3 (SPZ3). We use SPZs as a means to protect groundwater that is abstracted for human consumption. An SPZ3 is a zone designed to cover the complete catchment area of a groundwater abstraction point. All groundwater and groundwater contaminants within this zone will eventually reach the abstraction point. The Western side of the sites area is situated within SPZ 2, of our Groundwater Protection Policy. Any pollutants entering the aquifer below this site could potentially contaminate the potable water supply within 400 days.

In accordance with our Groundwater Protection, Policy and Policy (GP3) document, we offer the following information on the design and location of sustainable drainage systems:

Direct discharges into groundwater of surface water run-off are not acceptable. All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) should be constructed to as shallow a depth as possible to simulate natural infiltration.

contamination should be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor.

Only clean, uncontaminated water should be discharged to any soakaway/ infiltration structure.

Deep bore and other deep soakaway systems are not considered by the Environment Agency to be appropriate in areas where groundwater constitutes a significant resource (i.e. where aquifer yield may support or already supports abstraction).

Drainage systems should be constructed in line with guidance provided in CIRIA C697 as well as referring to the details given in C609 referred to above. C522 replacement (prior to publication, 2006, refer to CIRIA Report 609).

5. The development of the site is subject to a Planning Obligation under

Section 106 of the Town and Country Planning Act 1990 (as amended).

6. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

NOTES

In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme