

Item No. 16

APPLICATION NUMBER	CB/14/03419/FULL
LOCATION	Land North of Clayhill Farm, Greenfield Road, Westoning
PROPOSAL	Proposed 21MW solar photovoltaic (PV) installation
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Lisa Newlands
DATE REGISTERED	01 September 2014
EXPIRY DATE	01 December 2014
APPLICANT	Axiom Solar Limited
AGENT	Berrys
REASON FOR COMMITTEE TO DETERMINE	Departure
RECOMMENDED DECISION	Full Application - Granted

Summary of Representations

The proposed development is within the Green Belt and is considered to be inappropriate development, however, it is considered that very special circumstances exist that would outweigh the harm to the Green Belt. The site is well screened and with supplementary planting and the proposed mitigation measures would not have a detrimental impact on the character and appearance of the surrounding area. The proposed development would provide sufficient energy for some 5,800 homes. The proposal is considered to be acceptable in principle and would not have a detrimental impact on the residential amenity of any neighbouring residential properties. The proposal is therefore in conformity with the National Planning Policy Framework (2012), Policies CS13, CS14, CS16, CS18, DM1, DM3, DM4, DM14 and DM15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

Recommendation

That subject to the referral of the application to the Secretary of State as a Departure from Green Belt policy and to the completion of a Section 106 Agreement requiring the provision of community benefit, that Planning Permission be **GRANTED** subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act

1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 The planting and landscaping scheme shown on approved Drawing No. 3624_LVIA_007 Rev B dated 3rd December 2014 shall be implemented by the end of the full planting season immediately following the commencement of development (a full planting season shall mean the period from October to March). The approved landscaping 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 with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping. (Policies 43 and 58, DSCB).

- 3 **The development shall be carried out and maintained in accordance with the approved Landscape & Habitat Management Plan dated December 2014 and Ecological Mitigation Strategy dated November 2014.**

Reason: To ensure existing or new habitats affected by development are managed effectively over an established period.

- 4 Within 12 months of the completion of the development hereby approved, in the event of any complaint to the Council relating to Glint or Glare from the development, upon notification by the local planning authority, the applicant or operator of the solar farm shall within 28 days submit for approval to the Council details of a scheme of remedial measures to address the concerns raised with details of a timescale for the implementation of the works. The works shall be carried out in accordance with the approved details and timetable.

Reason: To ensure safety of users of the railway.

- 5 Should the solar panels not be used for the production of energy for a continual 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, associated buildings and cabling 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

- 7 Prior to operation the footpath known as Westoning Public Footpath No.1 and Flitton and Greenfield FP17 shall be diverted in accordance with the details submitted. At no time during the construction phase should the footpath be obstructed.

Reason: To ensure that the footpath remains open for all users during and after the construction phase.

- 8 The external finish of the inverter stations and substation shall be RAL 6020 in Matt unless otherwise approved by the Local Planning Authority.

Reason: In the interest of visual amenity and landscape character.

- 9 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, banksman and escort details. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site.

- 10 **No development shall commence until tracking diagrams have been provided and approved in writing by the Local Planning Authority for a 16.0m length heavy goods vehicle entering and exiting the site, and tracking diagrams of these vehicles passing each other at the passing area located at the junction of the access track. The development shall not be brought into use until the temporary alterations to the junction, the temporary widening of the access and the temporary passing bays have been constructed in accordance with the approved details for the duration of the construction phase only and thereafter shall be returned and reinstated to their original dimensions.**

Reason: To provide adequate and temporary access and passing of vehicles clear of the highway during the construction phase.

- 11 **No development shall commence until details of an additional temporary passing bay located within the site have been submitted to**

and approved in writing by the Local Planning Authority. The development shall not be brought into use until the additional temporary passing bay has been constructed in accordance with the approved details for the duration of the construction phase only and thereafter shall be removed and the area reinstated.

Reason: To provide adequate passing and manoeuvring of vehicles along the access.

- 12 The vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 11.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 13 The turning space for vehicles illustrated on the approved drawing no. 1029-821/A shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 14 The siting of the security cameras shall be carried out in accordance with the details shown on plan numbers; 1029-511 Rev A and 1029-113 Rev h and remain as such for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and landscape character.

- 15 The development hereby approved will not be externally lit except in an emergency. Prior to the operation of the development details of the emergency lighting, including the siting of any lighting columns, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of visual amenity and landscape character.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Site location; 1029-111-D; 1029-112/T; 1029-113/H; 1029-141/B; 1029-142/A; 1029-144/A; 1029-145/A; 1029-146/B; 1029-147/B; 1029-511/A; 1029-821/A; 14020; TS13-184L\1; TS13-184L\2; 3624_LVIA_007_B; Noise Assessment; Planning Statement; Agricultural Land Classification; Agricultural Statement; Habitat Creation; Landscape and Visual Impact Assessment; Flood Risk Assessment; Solar Photovoltaic Glint and Glare Study; Ecological Appraisal; Landscape & Habitat Management Plan dated December 2014 and Ecological Mitigation Strategy dated November 2014..

Reason: For the avoidance of doubt.

Notes to Applicant

1. 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.
2. The applicant is advised that no works associated with the construction of the widened vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the widened vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
4. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
5. The applicant is advised that no works associated with the CTMP should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under the Highways Act to be implemented.

[Notes:

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

2. In advance of the consideration of the application the Committee were advised of a correction to the report, additional/amended documents submitted and additional consultation responses as set out in the Late Sheet attached to these minutes.
3. In advance of the consideration of the application the Committee were advised of amendments to the conditions and Notes to Applicants as detailed in the Late Sheet and amended above.
4. **The Committee asked that the S106 be amended to run for 25 years and be index linked.]**