REF. NO. «AltRef»

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/13/71880

DESCRIPTION/ ADDRESS	Installation of two ground mounted solar arrays within existing grounds of distribution park (site area 1.05ha) Chalcroft Distribution Park Burnetts Lane West End Southampton SO30 2PA

Description of application

1. The proposal is to create a solar farm on two separate areas (totaling 1.05 hectares) of enclosed grass land within an operational distribution park. The solar farm would generate in total 555,000 KW of electricity used to power the distribution park from 2,445 freestanding solar panels mounted on tables arranged in east to west rows. Each panel would be raised 0.8m above ground level at the front 2.2m to the rear. The panels would be tilted at 25 degree angle facing south and positioned in rows with a gap of 4.5m between each row. The site would be bound by the existing 2m high security fencing. No additional inverter buildings or point of connection facilities are required due to the small size of the development and availability of structures on site already to house the equipment. The majority of the energy produced would be used to power the buildings within the distribution park although discussion are advancing with a national energy provider to feed excess electricity back in to the grid.

2. The application is accompanied by the following supporting documents;

   - Flood Risk Assessment (FRA) has been undertaken in accordance with guidance issued by the Environment Agency. The FRA notes the site is outside of areas at risk of flooding. The land is drained naturally via land drains and the report concludes the installations of the panels would have minimal impact on the permeability of the site.

   - Design & Access Statement which summarises the development, the policy position for such development, flood risk, landscape/visual impacts and ecological impacts.

   - Landscape & Visual Impact Assessment which sets out the methodology for assessing the "impact", noting the site is within the South Hampshire Lowlands Joint Character Area (no.128) as produced by Natural England in 1996 and in the Horton Heath Undulating Farmland character area as defined in the Landscape Character Assessment for EBC.

Site area

3. 1.05ha

Residential development (net)

4. Not applicable

Topography

5. The land is relatively level although across the site as a whole there are some areas of undulation as a result of human activity/infill. The site has no topographical features of note

Trees

6. There are no trees on site but woodland, a Site of Importance to Nature Conservation(SINC), abuts the boundary to the site to the north and west of the two areas identified. .

Boundary treatment

7. Two metre high fencing.

Site characteristics

8. Part of the developed Chalcroft Distribution Park, the two areas are currently mown grassland.

Character of locality

9. The site forms part of the larger distribution park, with numerous large warehouse style buildings to the south and south east. Northeast is the residential area of Horton Heath, whilst to the east are the properties scattered along Burnetts Lane. North of the site is Chalcroft Farm, with its farmhouse and farm shop, and to the north of that is the recently permitted solar array development on 16ha of agricultural land. To the south is the main park and the railway embankment/line.

Relevant planning history

10. On the land in question, there have been no relevant planning applications.

11. To the north F/12/71522 Construction of solar array development with access tracks, buildings, security fencing and CCTV on 16ha of farmland was permitted in December 2012

Representations received

12. No representations received.

Consultation responses

13. Head of Regeneration & Planning Policy –. No objection

The sites lie within the area defined on the Local Plan proposals maps as the Chalcroft Distribution Park. While this lies in the countryside it is covered by a special policy in both the adopted Local Plan Review and the emerging new Local Plan. The proposal is for the development of solar panels on these sites.

National Planning Policy Framework (NPPF) - Paragraphs 97 and 98 of the NPPF support the development of renewable energy whilst requiring that any landscape and visual impacts are addressed satisfactorily.

Development Plan - The South East Plan generally encourages development of facilities for generation of renewable energy (policy CC4). Policy NRM15 requires that proposals for renewable energy development should be informed by landscape character assessment. Policy NRM16 provides criteria for development of renewable energy, which include, "…the potential to integrate the proposal with existing or new development". The proposed development is integrated with existing development on the Chalcroft Distribution Park site.

The adopted Eastleigh Borough Local Plan Review 2001-2011 policy 38.E indicates that proposals for renewable energy schemes will be permitted subject to criteria relating to siting, design, visual intrusion, community benefits, use of best technology and viability. The proposed development appears to meet these criteria. Other policies (18.CO, 59.BE) require landscape and visual impacts to be acceptable. The proposals appear unlikely to have visual impacts of any significance beyond the confines of the Distribution Park. Policy 123.E relates specifically to the Chalcroft Distribution Park, and indicates that proposals for change of use of existing land within the business park will be permitted subject to criteria which require no extension of the site beyond its existing boundaries, no increase in HGVs and no impact on the adjoining SINC. The proposed development appears to meet these criteria It is assumed that the trees along the north-eastern boundaries of the sites will not cause shading or other issues likely to give rise to demands for pruning/ felling.

Emerging Eastleigh Borough Local Plan 2011-2029: - Policy DM3 indicates that the development of infrastructure to develop zero or low carbon energy will be permitted subject to general development criteria and other policies of the Local Plan relating to protection of the countryside. Policy WE3 is the same as policy 123.E of the adopted Local Plan, applying the same criteria to development proposals within the Chalcroft Distribution Park.

Design comments - No issues re landscape impact. No objection on design grounds. I note that the panels are mounted above mown grass, could be useful to confirm the future maintenance regime.

Conclusion - The proposal appears to accord with national, regional and local policies for the site and for generation of renewable energy, and there are therefore no policy objections to the development.

14. Head of Transportation and Engineering – No objection

In terms of construction, as a distribution centre, the site is suitable to cater for the anticipated vehicles involved. Post construction, trips to / from site will be infrequent and of no calculatable value. As such no transport DC's will be required. In order to avoid additional traffic through Horton Heath and Moorgreen Road residential areas, it is suggested a routeing agreement is stipulated about vehicles travelling to/from site via the recognised signed HGV route to Chalcroft DP along Tollbar Way /Bubb Lane to southern end of Burnetts Lane.

15. Head of Housing & Environmental Health – No comments received.

(Comments made on previous scheme at Chalcroft Farm - The site preparation could give rise to some disturbance through noise or dust therefore conditions are recommended on amenity grounds).

16. Head of Countryside and Trees (Biodiversity) – No objection subject to condition set out below. The application is supported by the following documents:

    - Ecological Phase 1 Habitat Survey (Dr Alison Strange & Dr Fergus Mould, December 2012)

    Species: The application sites are composed of two sections of mown grassland. I agree that no protected or BAP priority species are likely to be affected by the proposal.

    Local Wildlife Sites: There are two Sites of Importance for Nature Conservation (SINCs) directly adjacent to the proposed solar panels, Round Copse SINC and Chalcroft Distribution Park SINC. Both are designated for Ancient Woodland features. Although both SINCs in the vicinity of the solar panels are fenced, areas of both SINCs in the wider site are unfenced. The following condition should be applied:

    Condition 1: Machinery, equipment or construction materials must not be stored, moved or used within the adjacent Sites of Importance for Nature Conservation either during or after construction. *Reason: to protect the SINC & to comply with Policy 23.NC of the LPR adopted May 2006*

    SSSI and Habitats Regulations Assessment (HRA): There are a series of drains on and around the site forming part of the River Itchen SSSI/SAC catchment. Therefore a Habitats Regulations Assessment should be undertaken of this proposal. The site has hydrological connectivity with the River Itchen SAC and has the potential to affect water quality and introduce invasive non-native plants. If any further fences are required there is the potential for otter movement corridors to be impeded. Water quality - Clarification should be sought on the location and design of any swales and drainage features to ensure that water quality and existing flow into the river catchment will not be affected. Invasive non-native species/plants - All landscaping/grass seeding should be of native local stock only. Any planting strategy should be compatible with ancient woodland flora of the adjacent SINCs. Otter movement corridors - It appears unlikely that further fencing is required and that otter movement corridors (eg hedges, ditch and tree lines) will be affected. Clarification should be sought to confirm this. If the above three criteria are met then I agree that an Appropriate Assessment will not be required.

17. Natural England – No objection. Confirmed an Appropriate Assessment is not required.

18. Southampton Airport – No objection

19. Borough Energy Manager – No comment received

20. Borough's Sustainability Team – No comment received

21. Environment Agency – No comments to make

22. West End Parish Council – No objection

23. Fair Oak Parish Council – No comments received

Policy context: designation applicable to site

- Outside Built-Up Area Boundary
- Special Policy Area – Chalcroft Distribution Park

Development plan policies

Eastleigh Borough Local Plan Review (2001-2011) Saved Policies

1.CO Development in countryside not supported unless its (iii) essential for the provision of a public utility service.

18.CO Development to respect intrinsic character of landscape

25.NC Development must not adversely affect important habitat/features of flora/fauna unless benefits outweigh adverse impacts and mitigation included.

26.NC Development to enhance biodiversity of the site.

34.ES Development only permitted where it makes appropriate contributions towards reducing carbon dioxide and other greenhouse gases including (iii) maximising the proportion of energy that is generated from renewable sources.

36.ES Well designed lighting necessary.

59.BE General guidance on good design.

101.T Contributions towards sustainable transport measures

123.E Chalcroft Distribution Park

190.IN Development only supported where adequate services or infrastructure available or arrangements for its provision made.

Although not set out in a saved policy paragraph 3.31 of the adopted Local Plan states "..the Council would, in principle, support the provision of facilities which generate heat and power from renewable resources, provided such proposals meet the requirements of the policies within this plan".

Eastleigh Borough Local Plan Review (2011-2029) Pre Submission Emerging Policies

Although limited weight can be given to the emerging local plan as it has not been before an Inspector, nor or is there a firm timescale for its submission, the following policies are to be considered.

S1 Encourages sustainable development including (iv) having regard to the potential impacts of climate change, and need to limit greenhouse gas emissions by promoting measures to minimise energy use and the generation of renewable energy.

S5 Seeks to improve green infrastructure including (iii) accessible countryside and (iv) areas of biodiversity value.

S8 seeks to protect the countryside from new development unless (viii) essential public utilities and when support schemes it (a) avoids adverse impact on their rural character and (b) secures long-term beneficial management practices that enhance the landscape and biodiversity.

DM1 General guidance on good design

DM3 The Borough Council will support development that (i) generate zero or low carbon energy subject to general development criteria and protection of the countryside.

DM7 development is not supported if it causes unacceptable environmental impacts through any form of pollution.

DM8 Development for essential new utilities infrastructure to meet the needs of new and existing communities will be supported in principle.

DM9 Development should secure opportunities to create or enhance habitats and features of nature conservation interest. .

DM23 Contributions towards sustainable transport measures

WE3 Chalcroft Distribution Park

<u>Adopted Supplementary Planning Documents</u>

Supplementary Planning Guidance: Quality Places
Supplementary Planning Document: Biodiversity
Supplementary Planning Document: Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development

National Planning Policy Framework

Para 6 – The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 17 – Sets out core principles including (v) recognition of the intrinsic character of the countryside; (vi) support the transition to a low carbon future in a changing climate; and (vii) conserving and enhancing the natural environment.

Para 93 - Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development

Para 97 - To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

Para 98 - When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

The South East Plan (2009)

24. The South East Plan at present remains in force and is a material consideration, however the recent ministerial statement clearly sets the out the imminent revocation of this document. The relevant policies are NRM13 which sets a minimum regional target for renewable energy generation to 2026 of 16% of electrical energy generated. For the sub-regional level of Hampshire and the IOW, policy NRM14 sets a target of 122 MW of renewable energy production. NRM15 provides guidance for local council's on policies that encourage the development of renewable energy, not least in advising "priority should be given to development in less sensitive parts of the countryside. The location and design of all renewable energy proposals should be informed by landscape character assessment where possible". NRM16 builds on this requiring LPA's to draft policies that consider amongst other criteria, the contribution the development will make towards achieving national, regional and sub-regional renewable energy targets and availability of a suitable connection to the electricity distribution network.

Policy commentary

25. The above policies combine to form the criteria on which this application will be assessed with particular regard to character, ecology, highway network, landscaping, residential amenity and renewable energy needs.

Comment on consultation responses

26. See below

Comment on representations received

27. None received

Assessment of proposal: Development plan and / or legislative background

28. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states: "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

International and National Policy and Obligations

29. In addition to the planning policies referenced above, a host of international and national policy documents all lend support to the reduction of greenhouse gases and to the support of energy production from renewable resources. Under the 2009 EU Directive 2009/28/EC on Renewable Energy, the UK was set a target of 15% of all its energy consumption to come from renewable sources by 2020. In 2009, the actual figure was 3%. A further EU Directive in 2009 set a target of 16% reduction in greenhouse gas emissions by 2020. These targets have been enshrined within the UK's Renewables Obligation, the UK Renewable Energy Strategy (2009), National Renewable Energy Action Plan for the United Kingdom, National Policy Statement EN1: Overarching National Policy Statement for Energy (2011).

Environmental Impact Assessment & Habitat Regulations Assessment

30. The proposal falls within Schedule 2, classification 3a as set out in the EIA Regulations 2011, as it involves the generation of electricity and a site larger than 0.5ha. Criteria are set out in the Regulations to determine whether Schedule 2 developments need EIA. The LPA have carried out a screening opinion and have concluded that the development would not have a significant effect on the environment and a full Environmental Statement would not be required. The development is close to tributary streams that feed the River Itchen Special Area of Conservation (SAC) and the LPA has screened the development under the Habitats Regulations (HRA), concluding there would not be a significant effect on designated features of the River Itchen SAC. Natural England has agreed with this conclusion.

Principle and Site Selection

31. Neither the adopted Eastleigh Borough Local Plan Review (2001-2011) nor the Eastleigh Borough Local Plan Pre-submission (2011-2029) have explicitly designated land within the borough as being suitable for a renewable energy scheme. Saved policy 34.ES supports maximising the proportion of renewable energy generated by developments in general. Paragraph 3.31 "..the Council would, in principle, support the provision of facilities which generate heat and power from renewable resources, provided such proposals meet the requirements of the policies within this plan". The emerging LP offers greater policy support for renewable energy development through strategic policy S1, as well the more detailed development management policy DM3. The policy support at a national, regional and local level clearly highlights the obligation the UK are under to reduced greenhouse gases and increase energy created from renewable resources. It is reasonable to apply the same policy considerations to this energy development as to that used for a public utility supplier, as such the principle of a "utility provider" developing within the countryside is supported by saved policy 1.CO (iii) and emerging policy S8.

32. It is unlikely that land of sufficient size could be identified within the urban edge for a development of this size, thus a site outside of the urban edge is considered the only reasonable option. However this is not a rural site, but a designated industrial/distribution

site within the countryside, thus restricting development to brownfield land and ensuring the undeveloped countryside is not eroded. The applicant has advised the electricity produced would mostly be used to provide power to the distribution park, as such an alternative location is not reasonable or feasible.

33. Overall the proposals accords with national and local policies on site selection; however regard must be had to the impact of the development on the character and appearance of the locality, ecology and residential amenity.

Landscape and visual impact

34. Saved policies clearly seek to protect the character and appearance of the countryside (1.CO, 18.CO) and this theme continues within the emerging policies S8 and DM1. National policy through the NPPF places importance on protecting the countryside for its own sake (para 109 – 125).

35. The site lies within Landscape Character Area 9: Horton Heath Undulating Farmland as designated within the Landscape Character Assessment for Eastleigh Borough Council (December 2011). The key characteristics of this wider area are an undulating land form; medium sized fields usually with good hedges and hedgerow trees; intrusive urban edge and unmanaged or inappropriately managed agricultural land. Although the application site is within this designation it clearly is set within the distribution park, positioned inside the security fencing and bound by the mature woodland, thus contributes little to the wider rural character.

36. The development of 1.05 has with solar panels set at a height of 2.2m would not be imposing on the landscape nor would it be visually intrusive. A detailed assessment of the landscape and visual impact has been undertaken by the applicant, considering the sensitivity of the landscape to change, as well as the impact of the development when viewed from varying locations. The landscape and visual appraisal concludes the site is not located within a locally or nationally area designated for its landscape value and by virtue of the existing warehouse buildings to the south and the woodland to the north and west, the lack of any public views of significance of the development, the proposal is absorbed in to the local area. No further screen planting is required. Officers agree with the report's findings and are of the opinion the visual impact of the development would not cause harm to the visual amenities of the nearby residents or users of the highway network.

Ecology

37. The saved policies of the adopted local plan seek to protect important habitat features of flora and fauna whilst ensuring developments improve the biodiversity value of the application site (25.NC and 26.NC). This policy stance is supported by emerging policy DM9.

38. The site is not within a statutory designated or non-statutory designated nature conservation site. The ditches to the north and west are tributaries to the River Itchen Special Area of Conservation (SAC) and there is potential for a development on this site through its drainage arrangements to impact on the SAC. The site naturally drains through land drains and this arrangement is to be maintained. Neither the construction method (piles) nor the end use are considered to result in pollutants entering the watercourses nor would additional run off be

experienced. The SINCS would not be affected by the construction or operational phases of the development.

39. An Phase 1 Habitat Survey has been conducted identifying the site as comprising of two areas of mown grassland (mostly rye grass) adjacent to two Copses (SINC). The grassland adjacent to the Round Copse was quite wet in places with many raised areas, probably through infill at some time in the past. The land is not of significant value however through this application it is proposed to enhance the biodiversity value of the site through suitable native planting and a management regime. The site was considered to be of very little value to protected species.

Highway

40. Burnetts Lane has experienced significant levels of HGV movements in recent years, largely associated with the Chalcroft Distribution Park. Development that further impacts on the highway network through increased traffic flows is unlikely to be supported. The development once operational would generate minimal traffic, through the 2- 3 visits per year from a maintenance company. The largest amount of traffic generation would be associated with the construction of the solar farm with 5 - 10 HGV vehicle movements proposed over a 4 - 6 week period. Additional movements of smaller vehicles would be generated by the construction team during this period. Due to the limited construction time, the movement of lorries being restricted to day time hours and securing a lorry routing to direct HGVs south along Burnetts Lane, the development would not cause undue harm to the vehicular network.

41. Overall the scheme meets the requirements of saved policies 59.BE (v) and 145.OS and emerging policies S5(iii) and DM1.

Residential Amenity

42. The nearest residential properties outside of the park are to the east, and are in excess of 400m from the boundary of the solar farm, whilst the property to the north on Chalrcroft Farm is 230m away. As set out above, the development would not cause harm to the outlook from these properties due to existing woodland and buildings

43. The development once operational would generate minimal noise and would not cause disturbance to the residential properties within the locality. Each solar panel is constructed from toughened glass beneath which is a non-reflective layer so that the panels absorb sunlight and do not reflect it or cause glare. No additional lighting is proposed for the site, thus avoiding light pollution in an otherwise generally unlit area. The existing security measures are considered sufficient to protect the site.

44. By virtue of the above, the development would not be harmful to residential amenity and complies with saved policy 59.BE (vii) or emerging policy DM1.

Community Engagement

45. There was been no community engagement prior to the submission of this application. This is always disappointing but due to the site being within the existing distribution park, the limited impact of the development on the area and the negligible increase in highway traffic, the lack

of community engagement is not considered a significant drawback. The LPA has carried out full pubic consultation, which has generated no comment from nearby residents.

Planning obligation /considerations

46. The development is not considered to result in an additional pressure on existing facilities such that contributions towards community facilities and public open space are not considered necessary. Highway impacts associated with traffic movements are minimal, but the applicant has agreed to facilitate the relocation of the rights of way as well erect additional footpath signage in conjunction with the requirements of the County Rights of Way officer.

Other material considerations

47. It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and / or legislative background.

Conclusion

48. The scheme complies with national, regional and local planning policies. The development will assist in meeting the sub-regional need to generate 122MW of renewable energy by 2020 without causing harm to the landscape characteristics of the area, ecological interests or residential amenity. On the basis of the information provided and the additional landscaping to be secured through condition, the scheme accords with the Development Plan and is recommended for approval.