

PLANNING AND RIGHTS OF WAY COMMITTEE

Report of: Director of Development

Date: 27 November 2012

Application No.: 12/0050/PA

Proposal: Construction of photovoltaic park

Location: West Farm, Cosheston

Applicant: KS SPV6 Ltd

THIS APPLICATION WAS REPORTED TO THE COMMITTEE OF 30 OCTOBER 2012 WHERE A DECISION WAS DEFERRED PENDING A SITE INSPECTION TO TAKE PLACE ON 21 NOVEMBER.

1. Recommendation:

1.1 It is recommended that the application be APPROVED subject to the following conditions:

- Standard time limit for implementation
 - Development to be limited to a period of 25 years
 - Restoration of site following end of life of development
 - Restoration of site if in-operative for more than 6 months
 - Development to be carried out in accordance with recommendations of Traffic and Construction Management Plan to be submitted prior to the commencement of development.
 - Details of landscape mitigation scheme for approval
 - Implementation of recommendations of ecological report
 - Programme of archaeological investigation before works commence
 - Method statement, detailing pollution prevention measures for the construction phase
 - 3 metre buffer zone for a gully in the south east corner of the site to protect biodiversity.
 - Sustainable drainage in accordance with submitted assessment and plan
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This application was considered by the Planning and Rights of Way Committee on 30 October 2012 where it was resolved to defer a decision pending a site inspection. The site inspection was arranged for 21 November 2012. The original report, which has been updated to take account of representations received following a revised consultation and publicity period, is set out below for Member's information.

2. Main Issues

2.1 The main issues raised by this application are:

- Acceptability of the principle of development (Policy 62)
- Whether the landscape and visual impact is acceptable (Policies 9, 62, 66, 68, 71, 78, 79, 81, 85 and 86)
- Whether there are any transportation implications (Policy 100)

3. Description of site

3.1 An application was originally submitted for a larger scheme. The application has been amended such that the site now comprises 6 agricultural fields covering 16 hectares extending west to east along a south facing slope. This is a significant reduction in size from the original application which comprised 8 fields covering an area of 25.56 hectares. West Farm, to the south is midway between the eastern and western boundaries. The fields are bounded by hedgerows and slope down from north to south meeting Point Lane, which runs from the centre of Cosheston Village down to Cosheston Point to the west and forms part of the southern boundary of the site. Point Lane is a metalled road through Cosheston Village, becoming a track and bridleway from West Farm continuing west.

3.2 The site is south facing and benefits from a relatively elevated position on a small peninsula which falls away to the north, west and south towards the Daugleddau River. The Pembrokeshire Coast National Park boundary lies to the north, Cosheston Village to the East and Pembroke Dock west across the Daugleddau River approximately 1.5 km distant. The A477 Trunk Road lies 900 metres to the south. The site is directly accessed from Point Lane.

3.3 The immediate surrounding area is mainly rural and agricultural in character and appearance although to the west, across the Daugleddau River, the industrial areas of East Llanion and Waterloo Industrial Estate can be seen from the site. The site is visible from the rear of a few properties in Cosheston and south of the A477 on the opposite side of the valley. The site falls within the Milford Haven Water Way Landscape of Outstanding Historic Interest and is close to Cosheston Hall Historic Park and Garden which lies to the north.

4. Proposal

4.1 The application seeks full planning permission for the creation of a solar farm covering an area of 16 ha (six fields) which would provide a generating capacity of 7.5 MW from modules of fixed photovoltaic cells. Each panel would have a blue/black appearance although this would vary according to weather conditions. The current proposal is an amended scheme reduced in size and with added landscaping. The original, 25 hectare 13 MW, scheme was to be considered by the Planning and Rights of Way Committee on 2nd October 2012. A report prepared for that committee recommended refusal on the grounds of adverse visual impact. The report was withdrawn following a commitment from the applicant to significantly amend the scheme to overcome the landscape impact concerns.

- 4.2 The solar farm would be formed with photovoltaic cells grouped together in frames set out in rows (arrays). The mounting structure is composed of two rows of modules angled at 25 degrees. The panels would be supported by metal posts driven directly into the ground to depths of 1.5 to 2.5 metres. The arrays would have an overall height of 2.2 metres and would be set apart in aisles of varying widths depending on the slope. Conduits would run along the rows of panels to house the connecting underground cables. Eight inverter stations would be placed on 8.2 metres by 4.02 metres concrete slabs with transformer stations (steel enclosures 1.6 metres high x 3.0metres x 2.4 metres) and inverter cabinets (2.3 metres high x 2.6 metres x 0.9metres). They would be painted green to reduce their visual impact and accessed by roads comprising compacted gravel left to grass over. A sub station comprising three prefabricated buildings would be located at the northern edge of the park, which would have a height of some 2.8 metres. The ground would be retained as managed grassland.
- 4.3 The solar arrays would be enclosed within the existing field hedges by a fence with a height of 2.5m. Access to the site would be from existing tracks adjacent to West Farm and West Farmhouse.

5. Planning History

- 5.1 There is no relevant planning history for this site. A Screening Opinion has been adopted that the development is not Environmental Impact Assessment Development.

6. Evaluation:

Principle of Development

- 6.1 Policy 62 (Renewable Energy) of the Joint Unitary Development Plan for Pembrokeshire (JUDP) supports the development of renewable energy projects subject to compliance with a number of criteria. The criteria require there to be i) no significant harm to the built, historic or natural environment, ii) there to be no significant adverse impact on amenity, iii) there to be no significant adverse impact, either individually or cumulatively, to important landscapes and iv) there to be no significant adverse impact on agriculture or forestry. The criteria will be considered in turn in the following sections of this evaluation.
- 6.2 With regard to the impact of the proposal on the historic environment the application is supported by a Historic Environment Assessment and an Assessment of the Impact of Development on the Historic Landscape (ASIDOHL). The Historic Environment Assessment concluded that the archaeological potential is restricted to place name evidence suggesting that there may have been a hill fort on the site. Dyfed Archaeological Trust has recommended, in the first instance, a desk based assessment followed by a walkover survey to establish the likelihood of archaeological interest on the site. If the desk based assessment concludes that there may be archaeological remains on site a geophysical survey should be carried out. If

important buried remains are identified then an alternative means of construction can be employed which would avoid the need for below ground disturbance. The proposal site lies 50 metres to the south of Coshaston Hall Historic Park and Garden which lies within Pembrokeshire Coast National Park. Existing hedgerow boundaries within the proposed site, and tree cover associated with the Park, would screen out the solar farm which would therefore have no adverse affect on the character of the Historic Park and Garden or its setting. The proposed solar farm is well screened from Coshaston Conservation Area and listed buildings within the village and would have a negligible impact on them or their setting.

- 6.3 The ASIDOHL assessed the impact on five Historic Landscape Character Areas within a 3 km radius of the site: Coshaston; Carew Milton and Nash; Houghton; Pembroke Dock and Neyland concluding that there would only be a slight impact on these areas. It was further concluded that: planting would mitigate some of the impacts; the impacts would be temporary and reversible and only affect parts covered by the scheme or intervisible with it. Overall it was concluded that most of the Historic Landscape would be unaffected. Dyfed Archaeological Trust and Countryside Council for Wales commented that they broadly agree with the conclusions that the impacts on the historic environment would be acceptable.
- 6.4 With respect to the impact of the proposal on the natural environment an ecological survey has been submitted which indicates that, with the exception of a damp gully in the south east corner of the site, there are no habitats of ecological interest or conservation concern. The Council's Ecologist has confirmed that if the mitigation and recommendations in the Ecological Report are followed then the impact of the solar array would be minimal and would not adversely impact on local species and the surrounding habitat. The Countryside Council for Wales has confirmed that it has no objection to the proposal on the basis that it would not be likely to adversely affect any features of nature conservation interest. Subject to appropriate conditions in respect of implementation of the mitigation and recommendations in the Ecological Report the proposal would not cause significant harm to the natural environment.
- 6.5 Based on the assessment carried out in paragraphs 6.2 to 6.4 of this evaluation the proposal would not cause significant harm to the built, historic or natural environment and therefore it would comply with criterion i) of policy 62.
- 6.6 Criteria ii) and iii) of policy 62 relate to amenity and landscape and these are dealt with as discrete issues in other parts of this evaluation.
- 6.7 Criterion iv) of policy 62 requires the development to have no significantly adverse impact on agriculture or forestry. The supporting Design and Access Statement suggests that the layout provides suitable access to the site for agricultural grazing. As the solar array and the agricultural activity can co-exist on the site the proposal would not have a significantly adverse impact on agriculture and no adverse impact on forestry.

Impact on Amenity

- 6.8 The scale of the proposed development is large but the height of the proposed solar arrays is relatively low as they would not exceed 2.2 metres above ground level. The transformer stations and control cabins would be slightly above the maximum height of the arrays measuring 2.3 metres and 2.8 metres in height respectively. The surrounding security fence would be 2.5 metres in height. The distance between these features and the nearest residential properties is such that the proposal would not have a significant adverse impact on the visual amenity enjoyed by residents of those properties. Furthermore the applicant prepared an assessment of the potential for light pollution which concluded that glare from light reflected from the panels would only occur between April and August and in the early morning between 4.30 am to 7.30am. The report suggested changing the angle of tilt for some of the panels to avoid glare and plans have been subsequently amended. The proposal would not generate a significant amount of noise during the construction (including noise associated with construction traffic) or operation phases and the nature of the development is such that there would be no significant adverse impact associated with light, air or water pollution. As such the proposal complies with policy 78 (Amenity) of the JUDP and the requirements of criterion ii) of policy 62.

Impact on Landscape

- 6.9 The application includes a Landscape and Visual Impact Assessment (LVIA) which identifies and evaluates the current landscape character of the site and its surroundings, determines the sensitivity of the landscape to the type of development proposed, identifies potential visual receptors, identifies any effects of the development on landscape character and proposes mitigation. The proposed development retains key landscape characteristics such as boundary hedges, trees and field patterns. The LVIA included four zones of theoretical visibility, and assessed the impact from 18 viewpoints identifying the scale of the impact on receptors and its significance. The assessment concluded that the potential significance of visual impacts from most views would be slight, not significant or neutral with four exceptions. The exceptions were view points 2, 3 and 5, which were footpaths and bridleways adjacent to the proposed site, and Myletts Hill 1.3km south of the site (viewpoint 9). From all these viewpoints the significance of the visual impact was assessed to be moderately significant but with that level dropping to not significant or slightly significant following mitigation. That mitigation included filling in hedgerow gaps and managing the hedges to increase their height, density, and thickness and setting panels back away from the boundaries where they meet footpaths. Although no view points were taken from residential areas in Pembroke Dock, particularly Pennar from which the proposal would be visible, the LVIA concluded that the alignment of dwellings would mean that most would not have direct views facing the site and that the visual impact would not be significant. Finally views from the A477 were assessed as not being significant as they would be glimpses and limited by the drivers attention not being focussed towards the site. Following site visits it was considered that the significance of visual impacts, particularly from Pennar, Mylett's Hill, properties south of the A477 and between the A477 and Coshaston Pill were

underestimated and would be of more than moderate significance. A report was prepared recommending refusal on the grounds of adverse landscape impact. The applicant asked for the application to be removed from consideration by the Planning and Rights of Way Committee meeting on 2nd October 2012 pending significant amendments. Those amendments have been made to remove two fields from the proposal and to improve planting to screen and break up the visual impact of the proposal. The remaining fields are less open to longer views and are on less of a slope than the removed fields. As such the visual impact is less significant as demonstrated in an addendum to the LVIA and additional photomontages (for viewpoints 5, 9, 15 and 18) submitted since committee met on 30 October 2012. In particular the reduction in size addresses previous concerns over views from Myletts Hill and Pennar. As such the amended scheme is now considered acceptable in terms of landscape impact and therefore meets the requirements of policies 9 (Environment and Landscape) 66 (Landscape Diversity and Traditional Landscape Features) criterion iii) of policy 62 (Renewable Energy) and Policy 85 (Historic Landscapes).

Transportation Implications

- 6.10 The applicant has stated that over the four month construction period traffic would, on average, consist of 10 lorries (20 movements) a day. Local residents and the Community Council have raised concerns on the ability of the local road network to accommodate traffic, particularly HGV and articulated lorries turning into Point Lane and passing the School. The applicant has confirmed they are willing to import panels and store them off site so that they can be transhipped to the site on smaller trucks. The Head of Highways and Construction has commented that this would be an acceptable solution recommending a construction phase management plan be agreed, to ensure road safety and avoid conflict with school activities, to include details of: maximum vehicle sizes; numbers of vehicles; routes to be taken; and delivery times. Subject to a condition requiring the production and implementation of a Traffic and Construction Management Plan, the proposal would comply with the requirements of Policy 100 (Access to Development) of the JUDP.

Other Matters

- 6.11 A flood risk assessment was submitted in support of the application concluding that the impact of the proposal on surface water run off rates would be small, but recommending 412 metres of swales collecting water across the lower part of the site from a 910 metre long system of scrapes running diagonally down the sloping site (depression in the ground running north south underneath the panels). The proposed sustainable drainage system would reduce run off rates to less than pre-development rates and prevent any run off to Point Lane and Coshaston Village.
- 6.12 Paragraph 12.10.1 of Planning Policy Wales Edition 4 (February 2011) states that when determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account, amongst other things, the contribution a proposal will play in meeting identified national, UK and European targets and potential for

renewable energy, including the contribution to cutting greenhouse gas emissions. The proposal's contribution towards meeting this objective is a significant material consideration in favour of the scheme.

- 6.13 The applicant has offered a financial contribution to the local community. This offer is voluntary and has no bearing on the merits of the proposal and carries no weight in considering the application.
- 6.14 Since committee considered the application on 30 October 2012 the public consultation period for the amended scheme closed (5th November 2012). Further representations were received both in support and objecting to the proposal as summarised in A.2.6 below. No new material planning issues were raised.

Conclusion

- 6.15 The proposal would have an acceptable impact on the landscape and visual amenity of the locality and therefore is in accordance with the requirements of policies 9, 62, 66, 68, 71, 78, 79, 81, 85 and 86 of the JUDP. The development would not have a major impact on the local highway network in compliance with policy 100.

Conditions

- 6.16 A standard time condition would be required. Conditions requiring removal of the panels and restoration of the site when the site becomes inoperative is recommended. Given the proximity of the proposal to the Daugleddau River, a condition recommended, by the Environment Agency Wales, requiring a method statement for the construction phase detailing pollution prevention measures is reasonable.

Annex

- A.1 The Development Plan/Other Material Considerations.

- A.1.1 The Joint Unitary Development Plan

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| Policy 9 | Environment and Landscape |
| Policy 62 | Renewable Energy |
| Policy 66 | Features Landscape Diversity and Traditional Landscape Features |
| Policy 68 | Development and Landscaping/Habitat Enhancement |
| Policy 71 | Protection of Trees and Hedgerow |
| Policy 78 | Amenity |

- Policy 79 Development in a Conservation Area**
- Policy 81 Listed Buildings**
- Policy 85 Historic Landscapes**
- Policy 86 Historic Parks and Gardens**
- Policy 100 Access to Development**
- Policy 111 Sewage and Surface Water Disposal Facilities**
- Policy 113 Development and the Risk of Flooding**

A.1.2 Other Material Considerations/ Weight Attached

None

A.2 Consultation Responses.

A.2.1 Head of Highways and Construction

Highways – Recommends Conditions
Drainage – No objections

A.2.2 Environment Agency Wales

Recommend a condition requiring a method statement, detailing pollution prevention measures for the construction phase, be prepared and implemented.

Recommend a 3 metre buffer zone for a gully in the south east corner of the site to protect biodiversity.

A.2.3 Dyfed Archaeological Trust

Recommend a programme of archaeological investigation is carried out before works commences.

A.2.4 Countryside Council for Wales

No objection

A.2.5 Pembrokeshire Coast National Park Authority

No objection

A.2.6 Coshaston Community Council

Object on the grounds of:
Access – problematic left hand turn onto Point Lane and poor quality of

the lane, which would need upgrading particularly near the school. An alternative access from the north would be preferred. Suggest Traffic Management Study be undertaken before a decision is made.
Visual Impact – Critical of the LVIA and suggest the impact on views in particular from the west and south would adversely impact on the landscape character of the area. Also express concern over the loss of agricultural land.

A.2.7 Representations

36 representations were received, 13 in support of the scheme, 21 objections and 2 comments, raising the following issues:

- Important to support sustainable energy generation in Wales
- Will benefit local school pupils in understanding the renewable energy
- Long term benefits outweigh short term inconvenience
- Property will be devalued
- Adverse landscape impact
- Out of scale with the village
- Reflection could be a danger to aircraft
- Noise impact during the construction phase
- Point Lane cannot accommodate construction traffic
- Safety of school children and pedestrians during the construction phase
- Bridge at Coshaston Pill too narrow to accept traffic
- Industrialisation of the countryside
- Impact on amenity of those using public footpaths in the locality
- Loss of agricultural land
- Scale of development
- Glare would make the site highly visible
- Will be visible from the A477
- Should be located on brownfield land
- Closure of a public footpath should be resisted

Background Documents:

- Consultation replies of Head of Highways and Construction, Environment Agency Wales, Dyfed Archaeological Trust, Countryside Council for Wales, Pembrokeshire Coast National Park Authority, Coshaston Community Council.
- 36 Letters of representation