SUMMARY

1.1 This application proposes an amendment to the permission for a solar farm granted permission in 2014 which seeks to extend the permitted life of the site from 25 years to 40 years.
1.2 The application is referred to committee as it is a major application.

SITE DESCRIPTION

2.1 The site is roughly L-shaped, having a frontage to Church Road to the east and backing onto the Moor Business Park and waste transfer site fronting Benacre Road to the north. There is a bridleway on the southern boundary. The site extends to 15.26 hectares.

2.2 The solar farm was approved in July 2014 and has been completed and is in operation. The scheme comprises approximately 27,800 solar panels generating 7.2MW of electricity.

PROPOSAL

3.1 The application seeks to vary condition 3 of planning permission DC/14/1169/FUL to extend the length of the planning permission to 40 years from the date of commissioning.

3.2 Condition 3 states:

3.3 “The planning permission is for a period from the date of this permission until the date occurring 25 years after the date of commissioning of the development. Written confirmation of the date of commissioning of the development shall be provided to the Local Planning Authority no later than 1 calendar month after that event. ("Commissioning" is defined as the point at which the solar farm is put into active service or becomes "active", or is in use or useable condition)

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development”.

3.4 Prior to the submission of this application written confirmation of the date of commissioning of the development had not been received. However this application states that the solar farm was commissioned on 23 October 2015. As such the permission expires on 23 October 2040. A further condition (No. 4) requires the solar panels to be removed at this point and the site restored.

3.5 The following justification for this proposed amendment to the time limit has been provided by the applicant:

3.6 “The Climate Change Act 2008 set a legally binding target to reduce greenhouse gas emissions by at least 80% by 2050 against a 1990 base. In order to accomplish this there will be a need for renewable energy from solar farms such as that at Playters New Farm beyond this date to maintain greenhouse gas and CO2 emissions below this goal on a permanent basis and ensure a low carbon economy and healthy living environment for all of our communities. It is therefore considered that amending the condition has environmental merit as well as maintaining effective enforcement mechanisms for the ongoing management and operation of the solar farm”
3.7 It is proposed that Condition 3 be amended to read:

The planning permission is for a period from the date of this permission until the date occurring 40 years after the date of commissioning of the development (23 October 2055).

CONSULTATIONS/COMMENTS

4.1 Neighbour Consultation/representations: 45 neighbouring properties were notified of the application.

Consultees

4.2 Ellough Parish Council:

4.3 Worlingham Parish Council:

4.4 Beccles Town Council:

4.5 Weston Parish Council:

4.6 North Cove Parish Council:

4.7 Suffolk County Council Highways: The County Council as Highways Authority does not wish to restrict the grant of permission.

4.8 Suffolk County Council Archaeology: Were consulted on 26 June 2017.

4.9 Suffolk County Council Rights of Way: Were consulted on 26 June 2017.

4.10 Natural England: Natural England has no comment to make.

4.11 Historic England: Were consulted on 26 June 2017.

4.12 Waveney Byways and Bridleways Association: Were consulted on 26 June 2017.

4.13 Suffolk Preservation Society: Were consulted on 26 June 2017.


4.15 WDC – Arboricultural and Landscape Officer: No objection to this variation as the mitigating planting should be maturing well by then and I don’t anticipate any significant on-going impact.

PUBLICITY

The application has been the subject of the following press advertisement:
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**SITE NOTICES**

The following site notices have been displayed:

General Site Notice


**PLANNING POLICY**

5.1 Development Management policy DM03 deals specifically with low carbon and renewable energy and policy DM02 sets design principles for development proposals.

5.2 The Council has also adopted a Supplementary Planning Document on Renewable Energy.

**PLANNING CONSIDERATIONS**

6.1 In terms of this Section 73 application, the key considerations relate to the conditions to which the application is subject to and not the principle of development or its siting, design and layout.

6.2 When planning permission was granted for the solar farm in 2014 Condition 3 imposed a time limit of 25 years to ensure that the landscape impact of the development exists only for the lifetime of the development.

6.3 When solar farms were first introduced to Britain it was common to see a 25 year life proposed, as this was the warranty period for solar farms. Indeed the nearby solar farm at Benacre Road, Ellough and others in the District at Holton Airfield, Quay Lane, Reydon and Mill Road, Wissett were all approved with 25 year time limits.

6.4 Information provided by the applicant gives the following explanation for this application:

6.5 “The panels themselves are capable of a long productive electricity generating life greater than the 25 year linear warranty period typically offered by manufacturers (the warranties typically guarantee that after 25 years the solar panels will still be able to produce electricity at 80% of the level produced when first installed). The solar farm is therefore anticipated to be able to function effectively over a longer period than the solar panel warranty period that may have influenced the original time limit for the temporary permission.”
6.6 It is relevant to note that the time limit for the Wisset solar farm has subsequently been extended to 30 years by application DC/15/4654/VOC, on the basis that the panels will still be operating effectively.

6.7 The main issue for consideration in this application is the landscape impact of the solar farm being in place for an additional 15 years. At the time the original application was considered by the Development Control Committee on 15\textsuperscript{th} July 2014 the following is an extract from the Committee Report:

6.8 “With regard to visual impacts, in general these are very low to negligible because of the network of mature hedgerows which grow in a relatively tight network because of the small scale field pattern. Visibility from the immediate surrounding landscape is very limited, although there will be occasional glimpses from the bridleway to the south at field access points, but such glimpses are brief, and the main views along this route are to the open landscape to the south. Further afield beyond 1 km from the site, there is no visibility of the site of any significance, if any at all. Any theoretical visibility is restricted by terrain and intervening vegetation.”

6.9 Furthermore as will be noted above the Councils Arboricultural and Landscape Officer states that the mitigating planting will be maturing well which help to further screen the site.

6.10 The aim of Development Management policy DM03 is to increase the amount of renewable energy in the District. As the solar panels are expected to generate electricity for 40 years and in view of the negligible landscape impact there seems no reason why Condition 3 should not be varied to accommodate this.

CONCLUSION

7.1 Information submitted with the application indicated that the solar farm is capable of generating electricity beyond its current time limit of 25 years. The proposed extension to the lifespan will be at a time when the landscaping has become established, therefore the proposed extension will have little impact in comparison with those already accepted over the shorter lifespan. It is therefore recommended that Condition 3 be varied as requested. As the solar farm is operational there is no need to impose a time limit for commencement nor to re-impose conditions that have been discharged.

RECOMMENDATION

That permission be granted subject to the following conditions:

1. The planning permission is for a period from the date of this permission until the date occurring 40 years after the date of commissioning of the development (23 October 2055)

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.
2. If the solar farm hereby permitted ceases to operate for a continuous period of 6 months then, unless otherwise agreed in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the panels and any other ancillary equipment, shall be submitted to and agreed in writing by the Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for the restoration of the site for agriculture. The scheme shall be implemented within 12 months of the date of its agreement by the Local Planning Authority.

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.

3. The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM04. Thereafter the access shall be retained in the specified form.

Reason: In the interests of highway safety.

4. The areas within the site for the purposes of loading, unloading, manoeuvring and parking of vehicles shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

5. The development shall be carried out in strict accordance with the recommendations of the Extended Phase 1 Habitat Survey (WYG Planning and Environment, March 2014)

Reason: to mitigate any potential adverse impacts on protected wildlife.

6. The landscaping scheme shall be completed within six months from the date when the solar farm is brought into use, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

**BACKGROUND INFORMATION:**

See application ref: DC/17/2747/VOC at www.waveney.gov.uk/publicaccess

**CONTACT**

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