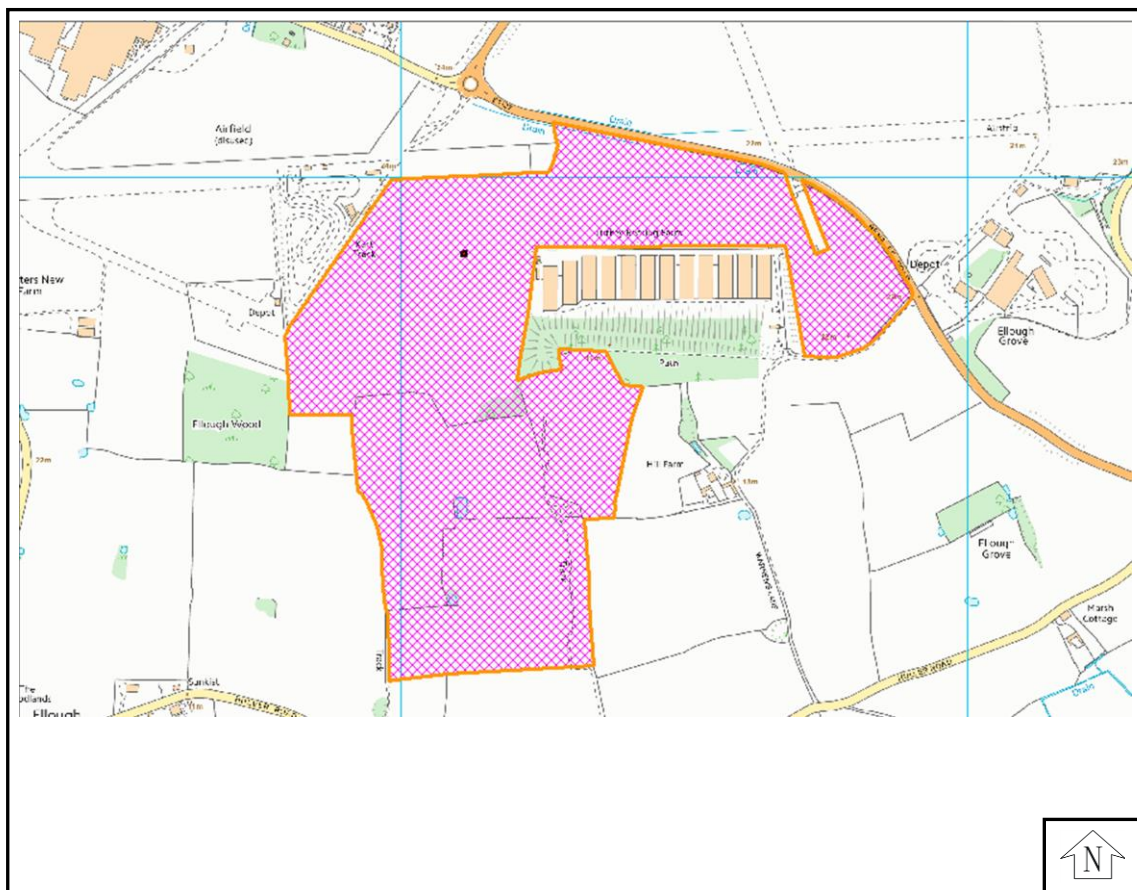


PLANNING COMMITTEE – 13 November 2018**APPLICATION NO DC/18/3685/VOC****LOCATION**Land adjacent to Ellough Airfield,
Benacre Road,
Ellough

EXPIRY DATE 4 December 2018
APPLICATION TYPE Variation of Condition
APPLICANT Next Energy Solar Holdings 3 Ltd

PARISH Ellough

PROPOSAL Variation of Condition No.4 of DC/12/1113/FUL - Installation of a 30MW solar farm and associated infrastructure - Proposed that condition 4 be amended to read: "The planning permission hereby granted is for a period from the date of this decision until the date occurring 40 years after the date of commencement of the development hereby permitted. Written notification of the date of commencement shall be given to the Local Planning Authority no later than 14 days after the event."



1 SUMMARY

- 1.1 This application proposes an amendment to the permission for a solar farm granted permission in 2015. It seeks to extend the life span of the existing solar farm from 25 years to 40 years
- 1.2 The application is referred to committee as it is a major application.

2 SITE DESCRIPTION

- 2.1 The application site comprises approximately 48ha of land to the south east of Beccles, within the former Ellough airfield.
- 2.2 To the east, south and west of the site is mainly agricultural land. To the east of the site there is also the existing Beccles Airfield, beyond which is more agricultural land. Directly to the north of the site is an industrial estate and to the north west is a karting track and Regal Tanks, an industrial storage provider. There is also a turkey farm close to the centre of the site screened for the most part by planting and bunds. Along the western edge of the site is a Public Right of Way

3 PROPOSAL

- 3.1 The application seeks to vary condition 4 of planning permission DC/12/1113/FUL to extend the length of the planning permission from 25 to 40 years from the date of commissioning.

- 3.2 Condition 4 states:

“The planning permission hereby granted is for a period from the date of this decision until the date occurring 25 years after the date of commencement of the development hereby permitted. Written notification of the date of commencement shall be given to the Local Planning Authority no later than 14 days after the event.”

- 3.3 It is proposed that Condition 4 be amended to read:

“The planning permission hereby granted is for a period from the date of this decision until the date occurring 40 years after the date of commencement of the development hereby permitted. Written notification of the date of commencement shall be given to the Local Planning Authority no later than 14 days after the event.”

- 3.4 There is no record of the commencement of the application that this application is in relation to. A commencement letter was however sent to Waveney District Council for the application DC/13/0239, which proposed a solar farm within the northern area of this development on 30th April 2014.
- 3.5 It is understood that works for the development of the solar farm under application DC/12/1113/FUL commenced in October 2015, and therefore this application for the variation of condition 4 would extend the lifespan of the Ellough Solar Farm from October 2040 to October 2055.

4 CONSULTATIONS/COMMENTS

- 4.1 **Neighbour Consultation/representations:** 41 properties were notified of the application. No responses have been received.

Consultees

- 4.2 **Henstead with Hulver Street Parish Council:** The Parish Council has no objection to this application.
- 4.3 **Shadingfield, Sotterley, Willingham & Ellough Joint Parish Council:** I am instructed by the Shadingfield, Sotterley, Willingham & Ellough Joint Parish Council to advise that there are no objections to this application.
- 4.4 **Mutford Parish Council:** The Parish Council has no objections to this application.
- 4.5 **Suffolk County Council Highways:** No comments received.
- 4.6 **Suffolk County Council Archaeology:** No comments received.
- 4.7 **Suffolk County Council Rights of Way:** No comments received.
- 4.8 **Natural England:** No comments received.
- 4.9 **The Ramblers Association:** No comments received.
- 4.10 **Suffolk Preservation Society:** No comments received.
- 4.11 **Suffolk Wildlife Trust:** No comments received.
- 4.12 **Environment Agency:** No comments received.
- 4.13 **Civil Aviation Authority:** No comments received.

PUBLICITY

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Major application Public Right of Way Affected	21.09.2018	12.10.2018	Beccles and Bungay Journal
Major application Public Right of Way Affected	21.09.2018	12.10.2018	Lowestoft Journal

SITE NOTICES

The following site notices have been displayed:

General Site Notice Reason for site notice: Major application. In the Vicinity of Public Right of Way. Date posted 14.09.2018. Expiry date 5.10.2018.

5 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 as does Policy WLP8.27 of the replacement Final Draft Local plan.

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

6 PLANNING CONSIDERATIONS

6.1 This application is in relation to the variation of a condition regarding the extension of time for the existing development. Therefore, principle of development, siting, design or layout is not for consideration in this application.

6.2 The applicant has provided the following statement in support of the application:

“Through the Climate Change Act 2008, the Government set itself a binding target of reducing the country’s carbon emissions by at least 80% of 1990 levels by 2050 and the levels of carbon emissions will need to be retained at least at this target level thereafter as part of the Act. In order for the Government to meet this target, many energy generating developments that produce high levels of carbon emissions are being shut down. This has consequently led to an increase in the demand for low carbon and renewable sources of energy.

Renewable energy provision, and specifically solar farm development, has normally been granted permission for a temporary period of 25 years. This has been mainly influenced by the nature of the Government’s regime of energy subsidies through the Renewable Obligation (RO) to encourage the development of renewable energy, but also the initial expectations of the useable life of the solar panels reflected in manufacturers’ warranties.

Ellough Solar Farm is one of a number of solar farms granted on a 25 year temporary basis arising from a RO subsidy that was closed at the end of 2014 to new investments. Accordingly it will need to cease operation both before the target date set out in the Climate Change Act 2008 is reached and before the useful life of the existing hardware expires.

This proposal therefore seeks to extend the operating period of the Ellough Solar Farm by an additional 15 years to a total of 40 years from the date of the original permission.

There are considered to be a number of material benefits in so doing, without prejudice to the expectation that the land may revert to its original use, which is for agriculture, once the operating life of the solar farm is reached.

Firstly it has regard to the fact that the RO subsidy closed to new business at the end of 2014 and so all those solar farms granted under that regime will reach the end of their consented operating lives well before the target date for the reduced carbon emissions target set out in the Climate Change Act. This implies that there will either need to be an extension of the operating period of some or all of the existing sources of renewable energy in order to meet the carbon reduction target, or that alternative locations will need to be permitted to replace capacity lost when existing energy sources close.

By extending the time period that Ellough Solar Farm can operate, it will ensure that the site is still generating electricity up to and beyond the Climate Change Act target date.

Secondly, improvements in the economics of solar provision means that whilst Government assistance is no longer available in the form in which it was originally given, solar development is now capable of being funded from regular tariffs on electricity sales. This is because the technology surrounding the efficiency of solar panels has significantly increased whilst the unit cost of the hardware has continued to fall. Notwithstanding these considerations, the photovoltaic cells that have been installed within this solar farm are capable of a longer productive electricity generating life than the 25 year time limit set by this decision. Such considerations indicate that it would be logical to reinvest in existing solar farm sites to maximise their efficiency and output as a priority over the delivery of alternative or additional sites.

An extension in the life of the scheme will also encourage reinvestment in the site to ensure that it operates at peak efficiency or is facilitated to produce greater amounts of energy resulting from ever more up to date technology and hardware. This again will be beneficial to ensuring that national energy targets are met whilst potentially reducing the overall land take for such schemes in future.

Overall, by increasing the life span of this solar farm it will allow for the continuation of a valuable supply of renewable energy to cut greenhouse gas emissions and help tackle climate change. The levels of carbon emissions will need to be retained at this target level as part of the Act. It should therefore be considered that the amendment to this condition will provide environmental merit whilst not detracting from the commitment to return the site to agriculture in the event that future generations determine that agricultural production should then take priority over this form of energy generation or the reflection of newer and more efficient alternative energy sources elsewhere”.

6.3 It is considered relevant to note that similar applications to this one have been approved on other solar farm sites within the District at Bonners Farm, Wissett and the nearby Playters Solar Farm, Ellough.

6.4 Furthermore the Final Draft Local plan can be afforded some weight in the determination of this application. Paragraph 8.128 states:

“The planning system can respond to climate change by limiting increases in greenhouse gases through supporting renewable energy development”

and paragraph 8.153 states:

“Planning plays a key role in reducing greenhouse gas emissions. One way in which planning can achieve this is by being supportive of well conceived renewable energy developments.”

- 6.5 With regards to the visual impacts of the proposal it is considered that the existing scheme is now established and has matured into its landscape setting and will continue to do so. By the time the current expiry date of 2039 is reached the solar farm will have become a developed part of the landscape, and it is considered that it’s presence for a further 15 years will not be detrimental to the landscape character as the surrounding hedges will have matured to reduce the visibility of the site even more.
- 6.6 The aim of Development Management policy DM03 and Draft Policy WLP8.27 is to increase the amount of renewable energy in the District. As the solar panels are expected to generate electricity for at least 40 years and in view of the negligible landscape impact there seems no reason why Condition 4 should not be varied to accommodate this.

7 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 4 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 hereby granted is for a period from the date of this decision until the date occurring 40 years after the date of commencement of the development hereby permitted (October 31 2055).

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

2. The development shall be carried out in accordance with the following approved plans: planning layout (1:4000 scale drawing No. Ver 15A), as amended by the solar panels details specified on the 1:20 scale drawing (Ref. Frame) for the northern part of the site ie, the arrays coloured blue on the planning layout and the solar panel details specified on the 1:20 and 1:40 scale drawings (No. Ellough/DWG002-V15) for the southern part of the site ie, the arrays coloured purple on the planning layout; temporary site access (drawing No. SF114T-002- 01) and; permanent site access details (drawing No. SF114T-003-01).

Reason: To ensure a properly planned development.

3. No later than 12 months prior to the end of this permission, a site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The

scheme shall include a programme of works to remove the solar panels and related equipment, and shall be fully implemented within 12 months of the expiry of this permission.

Reason: To ensure the site is restored in a satisfactory manner.

4. If any of the individual solar panel(s) ceases to export electricity to the grid for a continuous period of 12 months then a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar panel(s) and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within 6 months of that written approval being given.

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

5. The solar panels shall not exceed 3 metres above ground level on the northern part of the site (ie, within the area coloured blue on the planning layout drawing) and shall not exceed 2 metres above ground level on the southern part of the site (ie, within the area coloured purple on the planning layout drawing). The security/perimeter fence shall not exceed 2.25 metres above ground level and no other equipment/apparatus shall exceed 4 metres above ground level.

Reason: To ensure the satisfactory appearance of the development.

6. The rating level of the noise emitted from the site shall not exceed the existing daytime background noise level (determined to be 32 dB as a LA90 1 Hour) by more than +2dB between 07.00 hrs and 23.00 hrs Monday to Sunday. The noise levels shall be determined at the facade of the nearest noise sensitive receptor which is Warrens Farm. The measurements and assessment shall be made according to BS 4142:1997.

Reason: In the interests of residential amenity.

7. The inverter cooling fans shall not operate between the hours of 23.00 to 07.00.

Reason: in the interests of residential amenity

BACKGROUND INFORMATION:

See application ref: DC/18/3685/VOC at
www.waveney.gov.uk/publicaccess

CONTACT

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