

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT -
7 December 2015

APPLICATION NO:
P/2015 /0397

LOCATION:
LAND NORTH OF BRYN LANE HOLT
WREXHAM
LL13 9YB

DATE RECEIVED:
27/05/2015

COMMUNITY:
Holt

DESCRIPTION:
INSTALLATION OF SOLAR FARM
AND ASSOCIATED DEVELOPMENT
(SIZE 12.6 HECTARES AND UP TO
6.37MW)

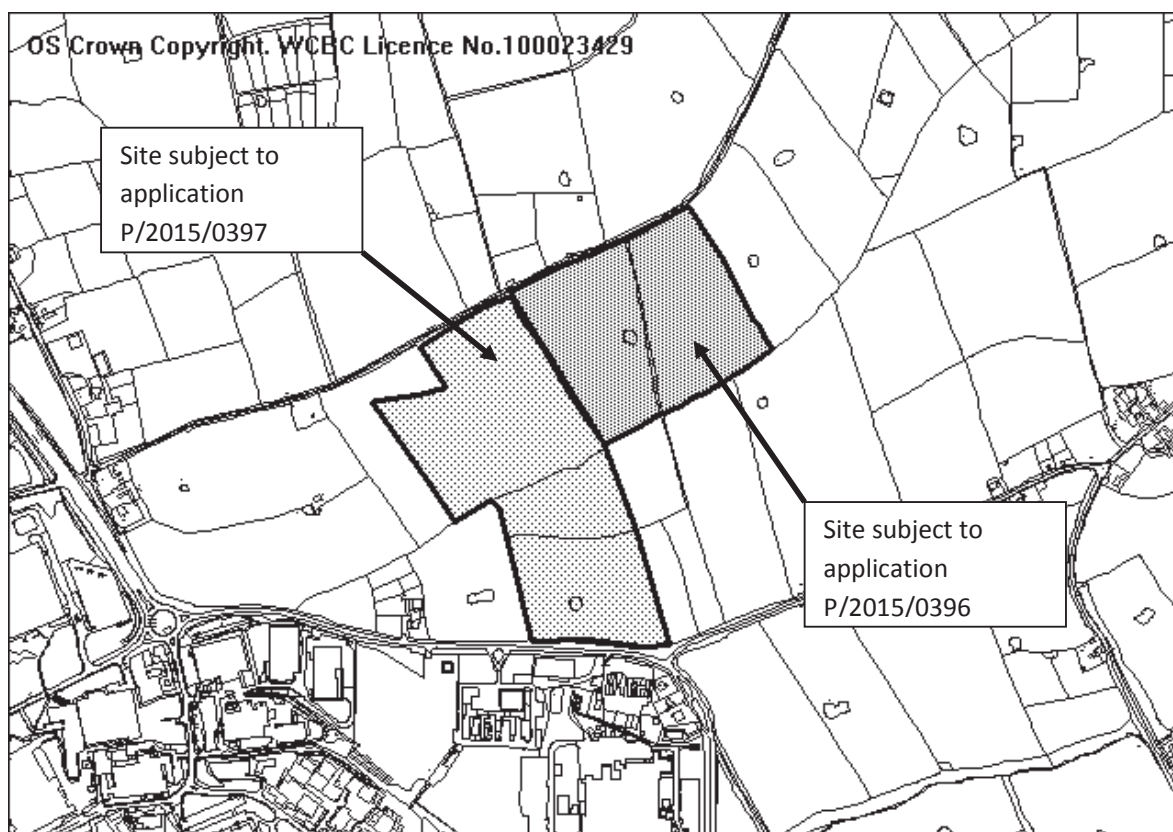
CASE OFFICER:
MP

WARD:
Holt

AGENT NAME:
TGC RENEWABLES LTD

APPLICANT(S) NAME:
TGC RENEWABLES LTD

THE SITE



PROPOSAL

Planning permission is sought for the installation of a solar farm consisting of photovoltaic panels attached to mounting frames together with 10 buildings to house associated equipment and a substation. The development will generate up to 6.37 MW of electricity.

HISTORY

Adjacent site

P/2015/0396 Installation of solar farm and associated development (size 10.2 hectares and up to 4.61Mw). Pending (see separate agenda item).

DEVELOPMENT PLAN

Outside of the settlement limit and within a Special Landscape Area. Policies PS2, PS12, GDP1, EC4 and EC6 are applicable.

Planning Policy Wales (particularly Chapter 12) and Technical Advice Note 8 (TAN) Renewable Energy are also directly relevant.

CONSULTATIONS

Community Council:

Members wish to object to both applications P/2015/0396 and P/2015/0397 for the following reasons:

- a) They are in a very flat rural location and the buildings on P/2015/0396 would be visible from the main A534 and very visible from nearby properties also in the case of this application and we believe in the case of P/2015/0397 that there is a property very near;
- b) The planning if granted would result in an extension to the Industrial estate and this has already extended enough in what was a very rural area;
- c) These plans if granted could result in a cumulative effect in the very near future we fear;
- d) There is always the risk in the future of the sites becoming a derelict eyesore should anything happen financially or the use no longer be viable;
- e) What plans are there in the case of point d) for restoration of the land?;
- f) There is also the case in P/2015/0396 Francis Lane site of the problem of access which would result in further problems for residents who purchased properties in a rural area where there are narrow lanes, because they wanted to live in the countryside and certainly not have to look out at hundreds of unsightly solar panels.

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Local Member:	Notified 1.6.15
Public Protection:	Recommend a condition be imposed requiring a noise report to be submitted prior to first use of the substation.
Highways:	Have made the following comments: - Adequate visibility from the site access is achievable subject to cutting back/maintenance of the existing verges and trees; - Recommend the existing access is widened to 7.3m for a distance of 20m behind the adjoining highway. The access should be hard surfaced for 20m behind the highway and no gates erected within 20m of the highway; - Construction will take place over a 14 week period. Typical vehicle movements will be approximately 10-22 per day, although the site would experience higher volumes of traffic in the initial stages when establishing the site compound; - The proposed number of traffic movements is considered to have not significant impact on the adjoining highway (Bryn Lane) providing the required highway access improvements are implemented. I assume that this access will also serve the site for maintenance purposes; - Details of proposed warning signs during construction on the approaches to the site accesses will be needed. Please ask the applicants to include this detail; - It is anticipated that up to 20 vehicles could be on site at any one time. The submitted parking and turning details appear acceptable;
NRW:	Have made the following comments: - Object as insufficient information has been provided to rule out potential adverse effect on Great Crested Newts; - Significant soil compaction could reduce natural infiltration rates and increase surface water runoff rates from the sites. It may be appropriate to include a planning condition requiring a Soil Management Plan to be implemented to mitigate against soil compaction and

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	help ensure the soil structure is kept in a good condition; - The development, at over 4km from the Maelor landscape of special historic interest would not affect the visual setting of the historic landscape; - The applicant should ensure that appropriate pollution prevention measures are followed; - A Site Waste Management Plan should be drawn up prior to the scheme's commencement.
Wales and West Utilities:	No objection but their equipment may be at risk during construction. The promoter of the works is advised to contact Wales and West Utilities prior to commencement of development.
Welsh Government (Land Use Planning):	Low probability of Best and Most Versatile land – predicted subgrade 3b. The sites are located close to a site which was surveyed in accordance with the MAFF 1988 guidelines. This was identified as subgrade 3b and was on very similar soils to the site subject of this application.
Press Notice:	Expired 26.6.15
Site Notice:	Expired 24.6.15
Neighbours:	The owners/occupiers of 48 properties notified 8.6.15 and 1 property on 12.6.15. 4 representations received objecting to the application and expressing the following concerns. - Glare; - Many suitable places for solar farms that do not include beautiful countryside and arable land; - Claims that livestock can graze under the panels turns out not to be the case; - Ecological/wildlife impacts; - Additional traffic along Francis Lane; - Unclear if the site will be lighted; - Rainfall from the site will put huge demand on ditches; - Industrial Estate would be a more suitable location; - Plenty of empty land/buildings on the Industrial Estate that could be used; - Loss of green belt land;

- What is to stop the owner creating more solar farms;
- Visual impact;
- Will encourage applications for other developments;
- Cumulative impact – two solar farms proposed adjacent to each other;
- Loss of amenity to the users of Francis Lane;
- Access during construction is feasible via Bryn Lane;
- Considerable planting will be needed. What guarantees are there that this will take place;
- What guarantees will be put in place to ensure the panels are removed after 25 years;
- Who will take responsibility for decommissioning if the TGC are no longer in business;
- Loss of good agricultural land

SPECIAL CONSIDERATIONS

Policy: The most up to date planning policy relevant to this type of development is Planning Policy Wales (PPW) (Chapter 12) and TAN8. PPW states that the Welsh Government is committed to playing its part in helping the UK to achieve its target of generated 15% of energy from renewable sources by 2020. As such it is supportive of this type of development subject to the impact of them being minimised.

TAN8 advises that other than in circumstances where the visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar arrays should be supported. Further practice guidance was issued by the Welsh Government in 2011 and advises that this type of development should be carefully designed and sited to minimise their impact.

Policy PS12 of the Wrexham UDP deals specifically with renewable energy development. It states that proposals will be supported provided that the wider environmental benefits are not outweighed by any detrimental impacts of the proposed development (including any electrical transmission facilities needed) on the landscape, public safety and the local environment.

There are no UDP policies that seek to prevent this type of development in rural locations but proposals must be considered in light of policy GDP1 in respect of visual and landscape impact.

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Visual Impact: The site sits within a relatively flat rural landscape and is bounded by hedgerows and mature hedgerows. The solar panels will be sited in rows that extend across the site from west to east.

Initially the applicants proposed to install rows of solar panels right up to the boundary with Bryn Lane. I was concerned that this would blur the distinction between the built up area of the Wrexham Industrial Estate and the countryside beyond. In response the proposals have been amended to provide a landscaped buffer with no solar panels or ancillary buildings sited within 45 metres of the southern boundary of the site. In addition a new hedgerow and trees will be planted within the buffer. I am satisfied that these amendments will ensure that there is a clear visual break between the solar farm and Wrexham Industrial Estate. Indeed the landscaped buffer will mean that the solar farm is not readily visible from Bryn Lane.

The solar panels will, at their highest, be 3 metres above ground level and set at a 25 degree angle. Whilst tops of the panels will be visible when passing the site boundary along Francis Lane, the existing trees and hedgerows surrounding the site together with trees and hedgerows found on adjoining land means the development will not be prominent nor will it have a significant impact upon the wider rural landscape. The visual impact of the development when viewed from Francis Lane can be minimised by allowing the existing field boundary hedges to increase in height – something that could be secured as part of a landscape management plan.

With the exception of the proposed substation, the buildings associated within the development will have flat roofs and none exceeds 3.2 metres in height. They are all located in excess of 100 metres from the Francis Lane boundary of the site and 45 metres from the Bryn Lane boundary. The substation will be located in the south-west of the site and will have a footprint of 6.9m x 5.7m and a pitched roof 4.9m high. None of the buildings will be readily visible from outside of the site, being screened by the solar panels and/or the existing trees and hedges bounding the site and, in the case of the buildings at the southern end of the site, the proposed landscape buffer referred to above.

In light of the above I am satisfied that by itself the proposed development will not have a significant impact upon or detract from the wider rural landscape surrounding the site. However I appreciate that this development is not be proposed in isolation but has been put forward in conjunction with proposals for another solar farm on land to the east. The impact upon the wider landscape of both developments of both developments being implemented will not however be significantly greater than if only one were to be.

The adjoining proposal is over 300 metres from Bryn Lane and will not be readily visible from it, being screen by existing trees and hedgerows. As such both sites together will not be visible together from Bryn Lane. I appreciate that both developments means that more solar cells will be visible when passing the site boundaries with Francis Lane, however as note above it will

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only be the tops of the panels that will be visible and this impact can be mitigated by allowing the boundary hedges to grow.

In light of the above I am satisfied that the cumulative impact of both developments both upon near and distant views will not be significant.

Amenity: The nearest dwellings to the site are around 50 metres away. The development will not generate significant noise and at that distance it will not prove overbearing. I also consider it unlikely that the noise of construction will be particularly harmful to amenity.

The nearest dwellings all front onto Bryn Lane and are located adjacent to or opposite commercial/industrial premises of the Wrexham Industrial Estate. Bryn Lane is one of the main routes through the Industrial Estate and the construction traffic to/from the site is likely to represent a relatively small increase in the number of daily movements by HGVs/larger vehicles along it. As such it is unlikely construction traffic will have a significant or detrimental impact upon residential amenity.

Glare: The solar panels are made up of photovoltaic cells encased in a glass treated with an anti-reflective coating. The purpose of the coating is to maximise the amount of light that reaches to photovoltaic cells and in turn the amount of electricity produced. I am therefore satisfied that the development will not give rise to significant glare.

Agricultural Land: The applicants commissioned an assessment of the site which concluded it is grade 3b agricultural land. The Welsh Government's Land Use Planning Unit have reviewed the details submitted and advised that the assessment was not carried on in accordance with the appropriate guidance. However the Land Use Planning Unit has advised that there is a low probability of the site being Best and Most Versatile (BMV) agricultural land – it is likely to be grade 3b. In light of this advice I conclude the development is therefore unlikely to result in the loss of BMV land. Accordingly policy EC2 (which seeks to protect BMV land) is not applicable.

Ecology: The application is accompanied by a habitat assessment which recommends that further surveys of the site be carried out in respect of Great Crested Newts (GCN). Whilst the applicant has submitted a GCN Method Statement has been provided as far as I am aware no further detailed surveys have been conducted.

The population of the GCN within and in the vicinity of the Wrexham Industrial Estate is considered to be of national importance and whilst the Method Statement proposed some habitat creation within the site I am not satisfied that sufficiently detailed mitigation proposals have been submitted to demonstrate that the development will not adversely impact upon that population. Indeed in the absence of adequate mitigation proposals the development does not accord with policy EC6.

Highways: The site will be accessed via Bryn Lane. Subject to ensuring hedges and verges are maintained both accesses have adequate visibility in both directions.

The submitted plans confirm that the access will be 6 metres wide for the first 10 metres from the boundary with Bryn Lane. The submitted plans do not confirm whether any gates will be erected. Whilst noting that Highways have asked for the access to be 7.9m wide this seems excessive when large vehicles will only be accessing the site for a 14 week period during construction. Once construction works are completed the site will be accessed once a month by a transit van or similar for maintenance purposes. In any case the submitted traffic management plan demonstrates that the largest vehicles expected to visit the site (16.5m long articulated lorries) can safely enter and exit the site.

During construction there will be between 12 and 22 additional vehicle movements per day on Bryn Lane. Highways have confirmed that this will not have a significant impact upon the highway and as such I have no reason to believe the proposals will pose a danger to road users.

Other Matters: The Council is currently in the process of preparing its Local Development Plan to replace the Unitary Development Plan. As part of this process, the Council have commissioned a review of employment land within the County (the Employment Land Review, ELR) which is a key piece of evidence that will be used to inform the emerging LDP strategy, policies and land allocations.

Wrexham Industrial Estate is the key strategic employment area in the County Borough and is identified as a Key Business Sector Area in the Wales Spatial Plan (2008 update). It follows therefore that the focus for future employment development over the lifetime of the LDP (2013 – 2028) will be the Industrial Estate. In order to meet future employment land requirements, the ELR recommends that there is a need for an extension to the WIE of between 20-30 hectares exclusive of ecological mitigation.

Work is currently underway to select the most appropriate site(s) to accommodate the identified need for an extension. Were the solar farms proposed for this site and the adjoining ones to proceed, the land could not be considered for allocation which in turn would significantly reduce the number of potentially suitable sites for the extension.

Whilst it is not inevitable that this site will be allocated, if no other suitable sites are identified then the proposed solar farms would prevent the future expansion of the industrial estate and in turn severely restrict the ability to evaluate the most sustainable options to accommodate future growth. Given the importance and strategic nature of the need for an extension on the WIE, it is considered to be integral to the formation of the emerging preferred strategy and key to delivering the agreed vision and objectives for the LDP in respect of economic growth.

CONCLUSION

In the absence of adequate ecological mitigation proposals the development conflicts with policy EC6 of the Wrexham Unitary Development Plan. The proposed development will also prejudice the forthcoming LDP by preventing proper consideration being given to the suitability of all potentially available sites on the edge of the Wrexham Industrial Estate.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. Insufficient information has been submitted to demonstrate that the development can take place without adverse impact upon Great Crested Newts, a statutorily protected species. In the absence of such information, the development conflicts with policy EC6 of the Wrexham Unitary Development Plan.
 2. The proposed development will prejudice the forthcoming LDP by preventing proper consideration being given to the suitability of all potentially available sites on the edge of the Wrexham Industrial Estate for allocation for employment use.
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