

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	15/02148/COMIND Sulhamstead Parish Council	7 th March 2016 (Extension of time until 29 th March 2016)	Mixed agricultural and solar use. Erection of a ground mounted solar photo-voltaic array and associated infrastructure. Land north and south of Stud Farm, Sulhamstead Abbots, Sulhamstead. Mulbrick Clean Energy LLP.

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=15/02148//COMIND>

Recommendation Summary: To **DELEGATE** to the Head of Planning & Countryside to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 9.1).

Ward Members: Councillor Chopping.

Reason for Committee determination: 64 letters of objection received.

Committee Site Visit: 16th March 2016

Contact Officer Details

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1. PLANNING HISTORY

15/00896/SCREEN Screening opinion request for a solar farm. EIA not required 9th June 2015.

2. PUBLICITY

Site Notice Expired: 17th September 2015
Neighbour Notification Expired: 8th September 2015

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

**Sulhamstead
Parish Council:** Strongly objects to the development.

The initial concern of the Council is the inaccuracy of the current application. There are a significant number of inaccurate statements of a fundamental nature, which make it extremely difficult to give the application credence and therefore afford it the consideration it deserves. Examples of the inaccuracies are an incorrect description of the site; lack of any detail with regard to grid connection, fencing and security. At a recent public meeting, the developers and the landowner were unable to answer any of the queries with regard to the application with any degree of confidence or apparent detailed knowledge, and this caused further concern. The Council would prefer that the current application is withdrawn, and replaced with a well researched and considered application that will stand scrutiny. However, in so far that the current application can be considered the main issues of concern are:

1 The industrial scale of the proposed site, which is to be located within a rural community. This is in direct contravention of Government Policy which states that solar farms should be on brown field sites, commercial roof space and not in attractive countryside. There is also a reference within the application that states that the land is categorised as 3b and therefore of poor quality. There appears to have been no Agricultural Land Classification (ALC) survey carried out to confirm this assumption. Indeed a previous owner of the land maintained the grazing in good condition and raised prime, award winning dairy herds. If the land were to be well maintained, the Parish Council sees no apparent reason why the Stud Farm could not easily be restored to productive agricultural land, similar to the fields that border this site.

2 Concerns over the increased level of construction traffic that will access both the area and the site, given the rural location, via country lanes, many of them single track. There are also concerns about HGV and emergency vehicle access to the site itself, again details of which are missing from the application.

3 The proximity of the installation to local housing, poor current screening and the threat of noise from the panels and inverters. It should be noted that a number of the houses within close proximity to the proposed installation are not shown on the plans that were submitted with the application. The proposed screening 'mitigation' arrangements are wholly inadequate as currently stated; although the Council acknowledges that this could be addressed by the developer.

4 The proximity of the installation to a designated Local Wildlife Site (Clayhill Copse) and a watercourse (Clayhill Brook). Both the copse and the water course have been virtually ignored in the application, and indeed the response to Question 12 regarding the proximity of the installation to a watercourse has been answered incorrectly, as the installation is within 20 metres of Clayhill Brook. Similarly, Question 13 regarding adjacency to a Designated Site is not answered correctly. Both the copse and the brook are also within a biodiversity area and the level of due consideration within the application should reflect this. The Surface and Groundwater Hydrology section does state that there will be some pollution to the brook during the installation phase, which is of concern. So as it stands at the moment, the application appears to contravene the West Berkshire Core Strategy Guidelines on Biodiversity (CS17) and Historic Environment and Landscape Character (CS19). There is no reassurance on this latter point in the application and we would hope that West Berkshire Council would seek to implement these guidelines rigorously.

Given the foregoing, the Council requests that this application is rejected.

**Sulhamstead
Parish Council
reconsultation
19th February
2016:**

Objects. Sulhamstead Parish Council is disappointed to note that the recent updates to the above application have not addressed any of the significant errors that were included in the original application. Some of the errors were typing mistakes but a significant number were fundamental factual errors. It is noted that the developer does not intend to address these issues and the application will be considered with these errors still in place.

The Council has noted the Site Selection Report, which gives details of a number of other sites within the area that were apparently considered. The report is dated January 2016, which is surprising and indicates that the report was submitted sometime after the original application. All but one of the possible alternative sites belongs to either the Englefield Estate, or the Astor Estate. Both these prominent landowners have confirmed that they did not discuss using these alternative fields for a solar farm, with Mulbrick / Greencat. This report would therefore appear to have little relevance to the application.

The Council has noted that the West Berkshire Landscape Architect

has given her view that the site is unsuitable for the proposed development. She was concerned with the Scale of the development and also the affect on the Landscape Character. The scale has not changed and the proposed planting would also completely change the Landscape Character. The Council shares her concern, and would draw particular attention to the following policies:

CS14 Design Principles state that any development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to life in West Berkshire. The Council does not believe that the proposed development meets these criteria.

CS17 - Geodiversity and Biodiversity. No development must harm, either directly or indirectly, locally designated sites. The site is adjacent to Clayhill Copse, which is a designated Local Wildlife Site and a wildlife corridor. Both fields are used by wild animals to access the Copse and Clayhill Brook.

CS19 - Historic Environment and Landscape Character. Sulhamstead Abbots is designated as an 'historic settlement', and the south field is pre 18th Century.

Given the foregoing, and our previous comments, Sulhamstead Parish Council continues to OBJECT to this planning application.

Burghfield Parish Council: Object. The proposal around the southern part of the site is not adequately screened. There is no proposed traffic management statement during the initial construction phase. We are also concerned about the impact on surrounding wildlife.

Highways: Conditional permission. Pages 13-14 of the Environmental Report outline vehicle movements during the construction period.

It is stated that standard HGV's will be utilised with 'no requirement for abnormally long, wide or heavy loads.' (page 13). It is estimated that approximately 100 HGV's will be required during the construction period for panel/mounting structure deliveries with a maximum of 3 deliveries per day (point 6 of the Design and Access Statement), plus around 7-12 cars or vans per day. It is estimated that the construction period would last approximately 8-12 weeks.

On completion of works visits will be occasional maintenance only.

As these movements will be on a temporary basis only, this is acceptable. However I would specify that HGV's do not use the two swing bridges at Tylemill Bridge from the A4, and Station Road/Hangar Road between Theale and Sheffield Bottom. The most appropriate route from the M4 would be via Burghfield Bridge.

Detailed access plans should be submitted to include swept paths to demonstrate that an HGV can adequately enter and exit from the

existing accesses. Both accesses must be surfaced with a bonded material for a minimum of 5 metres from the edge of the carriageway with gates set-back 10 metres - both of which would be conditioned.

The site compound is acceptable.

Reading Road (to the east) is a recognised haul route. Sulhamstead Road, which intersects with Reading Road, is narrow but based upon predicted HGV numbers of three per day I am satisfied that no highway implications will be created, subject to a Construction Management Survey condition.

Environmental Health:

No objections. I have reviewed the planning application with regard to noise. I understand that photo voltaic panels do not generate any perceptible noise. The only components of a solar farm that emit noise are the inverters, transformer and switch gear, all of which have an electrical hum. The cabinets in which they are housed should shield the majority of the noise produced by these components. Additionally, solar farms only operate during daylight hours, thus there is no noise generated in the evening, night and early morning, when background noise levels are typically lowest. On the proposed development there are five electrical inverters stored in four inverter housing units. The inverters are located centrally on the site; the nearest resident is approximately 145m to the West.

For these reasons, Environmental Health would not seek to add any conditions to the application.

Thames Water: No objection.

Drainage: No objection.

Archaeology: Conditional permission. The application is of some archaeological interest. The proposed solar photo-voltaic array is situated within an area that retains historic landscape features (pre 18th century fields) as designated by Historic Landscape Character assessment, indicating that there is good potential for surviving archaeological features. This appears to be the case, as crop marks visible on Google Earth display features that may represent an enclosure in the southern field and old drainage systems in the northern field.

The possible enclosure is of particular interest as its form suggests that it may be of prehistoric date, most likely dating to the Late Iron Age or Roman period - similar excavated sites in the UK have revealed settlement evidence. There is some evidence in the vicinity that activity during this period has taken place, such as finds of Roman pottery to the North West of the development area. While the presence of these possible features would not be a barrier to the solar farm, it would be advisable to establish whether or not these crop mark features are archaeological in nature and ensure that any buried features or deposits are not destroyed without appropriate recording and while the arrays themselves would have minimum

ground impact, the proposed access road in the southern field would cut through the possible enclosure.

As such, I would suggest that the applicants be asked to commission a programme of archaeological supervision (watching brief) during any ground works associated with the access roads.

Tree officer: Conditional permission. No major objection to the application as the impact to the trees is very minimal, although the details on the tree protection and the possible use of the security fence as the protection need to be confirmed, along with any tree works for the access.

The possibility of additional landscaping around the perimeter of the site, namely the southern and westerly boundaries which run along Ash Lane and Sulhamstead Road should include additional hedging and some evergreen species to reduce the visual impact in the winter months.

Natural England: No objection.

Ecology: Conditional permission.

Environment Agency: No comment.

Emergency Planner: No objections. This application is outside the Detailed Emergency Planning Zone for both AWE Aldermaston and Burghfield and therefore I have no adverse comments to make.

ONR: The proposed development does not present a significant external hazard to the safety of the nearby nuclear site.

Therefore, ONR does not advise against this development.

Minerals and Waste: No objections. Having reviewed the geological information that I hold it is my understanding that the application site is not underlain by any construction aggregates. Therefore there are no objections from a mineral sterilisation perspective.

Campaign to Protect Rural England: Objection. We consider this proposal to fill two large fields, situated one each side of the 'Stud farm' and totalling some 30 acres would have too great and unacceptable impact on this pleasant rural setting by a narrow country lane.

The field to the South is opposite a number of established dwellings and is bounded that side by large old Oak trees which would most likely shadow some of the PV array in the afternoon and could therefore be at risk of being felled which would be an unacceptable loss to this fine landscape and the rich Fauna associated with such trees.

The field to the North is surrounded by large hedges and is more

isolated. Given the general need for more 'renewable' energy, if WBC is minded to be in favour we request that only the North field be approved. At some 15 acres this would be very economically viable.

Landscape consultant:

The development in both fields (with the introduction of the extensive panels, a substation and fencing) would result in a large scale development in a valued pasture with woodland landscape in close proximity to and affecting the landscape setting of quiet rural lanes, the Clayhill Brook and Clayhill Copse.

The landscape strategy from both LCAs is to conserve the landscape features and rural character found on the site. As noted in GLVIA3, a strategy of conservation is regarded as an indicator of the value of the landscape in the absence of local landscape designations as in West Berkshire. The conservation of the landscape elements of trees, hedgerows, woodland and pasture (under the panels for the most part) does not prevent the valued character and appearance of the rural landscape being significantly affected by the development.

The impact as a result of the development in the south field is clearly greater in visual terms, with a much higher number of visual receptors affected and the character of Ash Lane altered.

There is therefore a strong presumption in landscape and visual terms against this development. As with other cases of similar development, a well designed landscape mitigation scheme to properly screen and integrate the development may weigh in the balance if the Council consider that there is a need for such development in planning terms.

**Landscape consultant
reconsultation 7th
January 2016:**

The new proposals should be adequate to mitigate the visual impact, leaving a possible objection on landscape grounds on the introduction of an industrial type of development. The latest mitigation plan does not address the amount of development which stays the same, about which I am concerned.

3.2 Representations

64 letters of objection received concerned with;

- Traffic implications
- Harmful impact on wildlife
- Impact on neighbouring amenity
- Impact on views from within open countryside
- Flooding implications
- Health and safety implications
- Potential increase in crime
- Noise pollution
- Impact on hydrology and flood management
- Impact on water quality
- Scale of the development too large
- Proposed landscaping 'alien' to surrounding environment

- Proposed landscaping will not screen development from view
- Impact on the quality of the landscape

9 letters of support stating;

- Sustainable energy welcomed
- Development will improve biodiversity
- The topography will hide much of the infrastructure
- Unobtrusive
- Sustainable
- Will not lead to any significant adverse impact
- Well suited site for solar use

4. PLANNING POLICY

4.1 The statutory development plan comprises policies in the West Berkshire Core Strategy 2006 – 2026, July 2012 and those saved policies within the West Berkshire District Local Plan 1991-2006, Saved Policies 2007.

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Policy Guidance (March 2014) (PPG)
- By Design: urban design in the planning system: towards better practice (DETR/CABE)

4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:

- ADPP1: Spatial Strategy
- ADPP6: The East Kennet Valley
- CS5: Infrastructure Requirements and Delivery
- CS10: The Rural Economy
- CS13: Transport
- CS14: Design Principles
- CS15: Sustainable Construction and Energy Efficiency
- CS16: Flooding
- CS17: Biodiversity and Geodiversity
- CS18: Green Infrastructure
- CS19: Historic Environment and Landscape Character

4.4 The following policies from the West Berkshire District Local Plan, Saved Policies 2007 are relevant to this application:

- OVS5: Environmental Nuisance and Pollution Control
- OVS6: Noise Pollution
- TRANS1: Meeting the Transport Needs of New Development

4.5 In addition, the following locally adopted policy documents are relevant to this application:

- Supplementary Planning Document (SPD) Planning Obligations (December 2014).
- West Berkshire Supplementary Planning Document: Quality Design Part 2.

5. Environmental Impact Assessment (EIA)

- 5.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). Prior to submitting the application the applicants requested an EIA screening opinion from the Council (reference 15/00896/SCREEN), where it was determined that the proposed development was not EIA development and therefore EIA was not required.

6. DESCRIPTION OF DEVELOPMENT

- 6.1 The site comprises of two agricultural fields situated to the north and south of Stud Farm, Sulhamstead Abbots, Sulhamstead. These fields are currently used for the grazing of horses. The site area is approximately 11.15 hectares. The applicant has confirmed that the agricultural land classification is Grade 3b. This is defined as moderate quality agricultural land which is capable of producing moderate yields of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.
- 6.2 The site is situated outside of a defined settlement boundary within the open countryside. The area is characterised by green pasture land with rolling hills. Sulhamstead Road runs to the north and west of the northern field, and the west of the southern field. Ash Lane is situated to the south of the southern field. Open countryside is located to the north and west of the northern field. Clayhill Copse (a dense area of mature woodland) and Clayhill Brook are situated to the eastern boundary of the north and south fields. Clayhill Copse is designated a 'biodiversity opportunity area'. A small number of residential dwellings are situated directly to the west and south of the southern field. A large number of dwellings are situated within the Burghfield settlement boundary to the south of Ash Lane, and to the east of Clayhill Copse.
- 6.3 The land gently slopes to the east. The north field is considerably well screened to each boundary. The south field is well screened to the north and east with open gaps with views towards the site in the south-west corner. Vehicle access is situated via Sulhamstead Road to the north-west of the northern field, and to the south-west of the south field.
- 6.4 Permission is sought to erect ground mounted solar photo-voltaic array and associated infrastructure for a temporary period of 25 years. Agricultural grazing is intended to operate alongside the proposed development.
- 6.5 The solar array will have a peak capacity of 4.9896MW, equivalent to approximately 1000 homes. 17820 modules are proposed, these will consist of 48 rows that will face in a southerly direction. The solar arrays will measure 990mm by 1640mm and be fixed onto a metal frame at a 25 degree angle. The maximum height of the solar panels will be 2.58 metres. There will be a 5.36 metre distance between each row of solar arrays. The panels will be connected to five inverter modules which are housed in four inverter stations in the middle of each field.

- 6.6 Vehicle access will remain as existing. Access gates and security fencing will be constructed around the perimeter of each field. The fencing will be 2 metres in height with a 100mm gap to allow small wildlife to move freely. The security fencing will be constructed of wooden posts and wire. Additional infill hedgerows are proposed to the south and west of the southern field. The solar site is proposed to be connected underground to a grid connection point approximately 23 metres to the north of the north field. The applicants propose an infra-red motion detection security system within the solar site.
- 6.7 A temporary construction compound is proposed to be sited to the south of the north field. This will measure 60 metres by 60 metres and be secured by a 2.2 metre temporary fence. Within this area will be 20 car parking spaces, vehicle turning area, toilets, washing facilities, a canteen, generators, 6x 9.3 metre by 3.1 metre storage containers, and an office. The storage containers will be the tallest structure with a height of 2.97 metres.

7. APPRAISAL

The main issues for consideration in the determination of this application are:

- Principle of the development
- The impact upon the character and appearance of the surrounding area
- The impact upon neighbouring amenity
- Traffic implications
- Impact on local wildlife
- Flooding implications and impact upon Clayhill Brook
- Archaeological impact
- Other matters
- Community Infrastructure Levy (CIL)
- The presumption in favour of sustainable development

7.1 Principle of the development

- 7.1.1 Policy ADPP1 of the West Berkshire Core Strategy 2006 - 2026 (WBCS) designates the site as being within the open countryside. This states that only appropriate limited development in the countryside will be allowed.
- 7.1.2 Policy ADPP6 of the WBCS re-emphasises Policy ADPP1. It sets out the criteria for the principle of development within the East Kennet Valley in which Sulhamstead is situated. Policy ADPP6 permits such development providing it accords with the surrounding environment. It seeks to conserve and enhance the character of the area, ensuring that any development responds positively to the local context.
- 7.1.3 The Spatial Strategy forms the starting point for determining this planning application. West Berkshire Council has not identified suitable areas for renewable and low carbon energy in plans at the current time. According to the Core Strategy, progress on the implementation of decentralised renewable energy will need to be investigated through a future Local Plan Document, which will highlight the potential in West Berkshire for commercial scale renewable energy. The Core Strategy states that in order to reduce local carbon emissions and meet national targets, a

policy approach that supports and reflects the significant challenge ahead needs to be adopted, and that any renewable energy schemes should be efficient.

- 7.1.4 Other than these broad principles in the Spatial Strategy, and policies related to the impacts of development, there are no Development Plan policies which are considered to specifically preclude or manage solar renewable energy in principle. It is therefore considered appropriate to have due regard to the NPPF presumption in favour of sustainable development in addition to the Spatial Strategy of the Development Plan.
- 7.1.5 There is a large body of relevant UK energy policy, beyond planning-specific policies and guidance. This includes:
- UK Renewable Energy Strategy (July 2009)
 - Memorandum of Understanding between DECC and LGA (9 March 2011)
 - The Promotion and Use of Energy from Renewable Sources Regulations 2011
 - Energy Act 2010
 - Energy Security Strategy (November 2012)
 - Annual Energy Statement (October 2013)
 - UK Solar PV Strategy Part 1 – Roadmap to a Brighter Future (October 2013)
 - Renewable Energy in 2013 (June 2014)
 - Digest of United Kingdom Energy Statistics 2014 (July 2014)
 - Renewable Energy Roadmap Update (November 2013)
- 7.1.6 The overall theme of these policies is to support the growth of renewable and low carbon energy to help mitigate climate change and shift the UK to a low carbon economy. These policies underpin the specific planning policy and guidance relating to renewable energy developments.
- 7.1.7 The NPPF and Core Strategy are both generally supportive of low carbon energy in order to mitigate the effects of climate change. One of the core planning principles of the NPPF is to “support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”.
- 7.1.8 Specifically with respect to energy development, Paragraph 98 of the NPPF advises local planning authorities to approve applications for renewable and low carbon energy (unless material considerations indicate otherwise) if the impacts are, or can be made, acceptable. Paragraph 98 of the Framework also states that 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.
- 7.1.9 Paragraph 13 of the section on Renewable and Low Carbon Energy of the Planning Practice Guidance states the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Paragraph 13

identifies particular factors relating to ground-mounted solar farms a local planning authority will need to consider:

- (1) Encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value.*
- (2) Where a proposal involves greenfield land, whether: (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.*
- (3) That solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.*
- (4) The proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety.*
- (5) The extent to which there may be additional impacts if solar arrays follow the daily movement of the sun.*
- (6) The need for, and impact of, security measures such as lights and fencing.*
- (7) Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.*
- (8) The potential to mitigate landscape and visual impacts through, for example, screening with native hedges.*
- (9) The energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

7.1.10 These considerations are examined below;

7.1.11 The application site is undeveloped land, and the applicant has demonstrated that the land is poor quality (grade 3b) agricultural land as confirmed in an agricultural land classification report prepared by Luscombe Maye dated October 2015.

7.1.12 The impact upon the landscape character will be discussed in the following section however the land is not designated as within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), unlike most parts of West Berkshire's rural areas. This accords with criteria (2) above. The agricultural land has been shown to

be poorer quality land, and has been used in preference to higher quality land. This is demonstrated in Green Cat Renewables 'Alternative Sites and Site Selection report' dated January 2016. This report provides details on the alternative site selection process and details of the alternative sites considered. The report states the selection process determined at an early stage; it states that areas of pasture and grazing were preferred to arable land given the potential for loss of land used for food production. Furthermore, the proposal allows for mixed agricultural grazing use alongside the solar array development whilst biodiversity improvements are proposed via a landscape mitigation scheme. Natural England, the Councils' ecologist, tree officer and landscape consultant have raised no objections from a biodiversity perspective.

- 7.1.13 The LPA acknowledges that the solar arrays are temporary (for a 25 year period). A condition is recommended to remove the solar arrays and return the land to its former state either after 25 years or when no longer in use, whichever is before. Following restoration, the land would not be classified as previously developed land because it has not been occupied by a "permanent structure".
- 7.1.14 The visual impact of the development will be discussed in the following section. The impact on neighbouring amenity will be discussed in section 7.3. The applicants have undertaken a glint and glare assessment. This has been assessed at officer level. The assessment states that solar panels will be manufactured with anti-reflective coatings. It concludes that the existing and proposed landscaping will result in a minimal impact towards neighbouring properties with regards to glint and glare. A condition can be imposed stipulating that the solar panels be constructed using materials as described above, in order to limit the likelihood of unwanted glint and glare. The proposed solar panels do not track the daily movement of the sun, and therefore there are no such additional impacts that need to be taken into account.
- 7.1.15 The arrays would be enclosed by a 2 metre security fence, together with an infrared motion detection security system within the solar site. The visual impact of these features has been taken into account in the assessment of the landscape and visual impacts. No lights are proposed. A condition can be imposed to restrict the use of lighting at the site due to the sensitive rural location and to protect the dark night sky.
- 7.1.16 The application is of some archaeological interest. The proposed solar photo-voltaic array is situated within an area that retains historic landscape features (pre 18th century fields) as designated by Historic Landscape Character assessment, indicating that there is good potential for surviving archaeological features.
- 7.1.17 The Council's archaeologist has confirmed that the site may likely date to the late Iron Age or Roman period. There is some evidence in the vicinity that activity during this period has taken place, such as finds of Roman pottery to the North West of the development area. A condition can be imposed for an archaeological watching brief to be undertaken during any ground works associated with the access roads. This will preserve the heritage asset
- 7.1.18 According to the submitted Planning Statement, it is anticipated the development would export up to 4.9896 MWh per annum, although the final output would be

dependent on panel/manufacturers specification. This equates to the annual energy consumption of approximately 1000 households.

- 7.1.19 The Council's Energy Efficiency Officers confirm that the size of array should produce electricity in line with the stated predictions, according to current industry standards and dependent on materials used and prevailing weather conditions at any given time; and the levels of shading suggested should have no adverse impact on generation.
- 7.1.20 This output of decentralised low-carbon energy generation is considered to make a significant contribution towards renewable energy targets and overall climate change mitigation. The benefits of the development should therefore attract significant weight in the overall consideration of this proposal.
- 7.1.21 The principle of development is therefore considered acceptable subject to other development control matters.

7.2 The impact upon the character and appearance of the surrounding area.

- 7.2.1 Recognising the intrinsic character and beauty of the countryside is one of the core planning principles of the NPPF. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 7.2.2 Planning Policies CS14 and CS19 of the WBCS are relevant in this instance. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 7.2.3 The criteria contained within the policy state that development shall contribute positively to local distinctiveness and sense of place. This is achieved by making efficient use of land whilst respecting the density, and character of the area.
- 7.2.4 Policy CS19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be informed by and respond to features identified in various settlement character studies including the Quality Design West Berkshire Supplementary Planning Document, and community documents which have been adopted by the Council such as Parish Plans and Town Design Statements.
- 7.2.5 Kirkham Landscape Planning, the Council's Landscape Architect Consultant, has reviewed the application and reported on the landscape and visual impacts of the proposal. In summary, it was considered that the original proposal would visually harm the landscape. The landscape consultant recommended that the applicant prepare an effective landscape mitigation scheme to overcome these concerns. The landscape consultant concluded that the impact as a result of the development in

the south field is clearly greater in visual terms, with a much higher number of visual receptors affected and the character of Ash Lane altered.

- 7.2.6 In response to the landscape consultants concerns the applicants submitted an amended landscape mitigation scheme and planting plan. Having reviewed the amended landscape mitigation scheme the landscape consultant has stated that; “the new proposals should be adequate to mitigate the visual impact, leaving a possible objection on landscape grounds based on the introduction of an industrial type of development. There is a presumption in visual terms against the development. As with other cases of similar development, a well designed landscape mitigation scheme to properly screen and integrate the development may weigh in the balance if the Council consider that there is a need for such development in planning terms.”
- 7.2.7 The case officer and landscape consultant have discussed the landscape mitigation plan and landscape proposals in some detail. It was agreed that the industrial nature of the proposed development would be out of keeping with the rural context of the surrounding area. However, it is considered that the mitigation plan will sufficiently screen the development from the nearby views around the perimeter of both fields without harming the character and appearance enjoyed from Sulhamstead Road, Ash Lane, or Clayhill Copse. This approach to screening solar panels is in line with Government advice on making solar farms acceptable.
- 7.2.8 Unlike similar proposals in the district, the site is not within the AONB, or adjacent to a public footpath. The visual impact of the development is therefore able to be addressed. With regard to the industrial nature of the proposed solar farm it is out of keeping with the surrounding rural area and therefore conflicts to an extent with CS19. However, the proposed landscape mitigation would significantly screen the development from views outside of the site. This needs to be taken in the overall balance of this proposal.
- 7.2.9 Having carefully considered all the issues it is considered to be acceptable on balance. This decision is based upon the landscape mitigation proposals which would preserve the nearby visual impact around the perimeter of each site. A condition will be recommended for additional landscape details to be submitted noting planting species to be reviewed by the Council’s tree officer prior to commencement of development.

7.3 Impact upon neighbouring amenity

- 7.3.1 Planning Policies CS14 and CS19 of the WBCS are of importance with regard to the potential impact upon neighbouring amenity. Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire.

Glint and glare

- 7.3.2 The applicants have undertaken a glint and glare assessment. This has been assessed at officer level. The assessment states that solar panels will be manufactured with anti-reflective coatings. It concludes that the existing and proposed landscaping will result in a minimal impact towards neighbouring properties with regards to glint and glare. A condition can be imposed stipulating that the solar panels be constructed using materials as described above, in order to

limit the likelihood of unwanted glint and glare. The proposed solar panels do not track the daily movement of the sun, and therefore there are no such additional impacts that need to be taken into account.

Noise

- 7.3.3 Neighbouring objectors have raised noise pollution concerns. Environmental Health have been consulted with regards to this matter and have raised no concerns. Environmental Health have confirmed that photo voltaic panels do not generate any perceptible noise. The only components of a solar farm that emit noise are the inverters, transformer and switch gear, all of which have an electrical hum. Environmental health have confirmed that the cabinets in which the inverters, transformer and switch gear are housed should shield the majority of the noise produced by these components. Additionally, solar farms only operate during daylight hours, thus there is no noise generated in the evening, night and early morning, when background noise levels are typically lowest. There are five electrical inverters stored in four inverter housing units at the site. The inverters are located centrally on the site, with the nearest resident distanced approximately 145m to the West.
- 7.3.4 The distance between the solar arrays and neighbouring properties should alleviate any additional noise omissions from the site. A condition will be recommended to restrict the hours of construction to alleviate any noise created during development.
- 7.3.5 In view of the above the proposed development is considered to comply with Planning Policy CS14 and CS19 of the WBCS and OVS5 of the West Berkshire Local Plan Saved Policies 2007.
- 7.3.6 There are not considered to be any issues relating to sunlight and daylight, overbearing development or loss of privacy as a result of this development.
- 7.3.7 The proposed development will conserve the amenity of neighbouring occupiers and land users therefore complying with policies CS14 and CS19 of the WBCS.

7.4 Traffic implications

- 7.4.1 Planning Policy CS13 of the WBCS concerns transport. It emphasises that road safety in West Berkshire is a key consideration for all development. Particular focus should be given to the safety of pedestrians, cyclists, and other vulnerable road users.
- 7.4.2 Policy CS13 states that development generating a transport impact will be required to; reduce the need to travel, improve and promote opportunities for healthy and safe travel, mitigate the impact on the local transport network and the strategic road network, and prepare transport assessments to support planning proposals in accordance with national guidance.
- 7.4.3 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. It states that transport assessments must; ensure safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. It further states that, development

should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 7.4.4 Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies, and give priority to pedestrian and cycle movements. Proposed development must have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and avoid street clutter.
- 7.4.5 The Council's Highways Service have reviewed the proposed plans raising no objections subject to condition. During its operational phase, the development would generate minimal vehicle movements, limited to occasional servicing which can normally be carried out by a small van. The greatest transport and highway impacts would therefore be experienced during the construction and de-construction phases. Highways officers have recommended a Construction Traffic Management Plan is submitted via a planning condition prior to work commencing. This will allow the construction traffic to be managed.
- 7.4.6 Adequate car parking and access is available. It is therefore considered that the proposed development will comply with the criteria contained within Planning Policy CS13 of the WBCS and the NPPF.

7.5 Impact upon local wildlife

- 7.5.1 Concerns have been raised that the proposed development would harm the local wildlife habitat. The site is adjacent to the west of a biodiversity opportunity area. Local residents are concerned that the proposed solar arrays and security fencing will prevent wildlife from accessing the site.
- 7.5.2 The NPPF seeks to conserve and enhance the natural environment. Policy CS17 of the WBCS states that habitats designated as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species, will be protected and enhanced. The degree of protection given will be appropriate to the status of the site or species in terms of its international or national importance. Development which may harm, either directly or indirectly, locally designated sites (Local Wildlife Sites and Local Geological Sites) will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable.
- 7.5.3 As set out in Policy CS17 of the WBCS in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan. Opportunities will be taken to create links between natural habitats and, in particular, strategic opportunities for biodiversity improvement will be actively pursued within the Biodiversity Opportunity Areas identified on the Proposals Map in accordance with the Berkshire Biodiversity Action Plan.

- 7.5.4 Biodiversity Opportunity Areas have been identified by the Berkshire Nature Conservation Forum and agreed by the South East England Biodiversity Forum (SEEBF). There are 17 which have currently been identified, either whole or in part, across the District. Biodiversity Opportunity Areas do not represent a statutory designation or a constraint upon development, rather, they are the areas where biodiversity improvements are likely to have the most beneficial results at a strategic scale. The Council will therefore pursue net gains for biodiversity in and around these areas and projects which seek to enhance biodiversity within West Berkshire, particularly based on Biodiversity Opportunity Areas, will be supported.
- 7.5.5 Natural England and the Council's ecologist have been consulted with regards to the proposed development and the potential impact upon local wildlife. No objections have been received. The Council's ecologist has requested a condition requiring a detailed Landscape and Ecological Enhancement/Management Plan to be submitted and approved by the Council prior to commencement of development.
- 7.5.6 The proposed development is considered to comply with the NPPF and Policy CS17 of the WBCS in respect of biodiversity matters and having regard to the impact of the development on local wildlife habitats.

7.6 Flooding implications and impact upon Clayhill Brook

- 7.6.1 The proposed infrastructure at Sulhamstead Solar Field is not located within Flood Zone 2 or 3 and as such defaults to being classed as Flood Zone 1. Since the site is greater than one hectare a Flood Risk Assessment (FRA) has been compiled in accordance with the NPPF requirements.
- 7.6.2 The Council's drainage officers have assessed the application, and raise no objections with regards to flooding or surface water runoff into the nearby brook. Subject to the implementation of measures contained within the FRA, it is considered that the proposed development complies with the NPPF and Core Strategy Policy CS16 of the WBCS.

7.7 Archaeological impact

- 7.7.1 The NPPF states that local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Policy CS19 of the WBCS also seeks to preserve and enhance heritage assets and their settings.
- 7.7.2 The Council's archaeologist has indicated that there is good potential for surviving archaeological features within the development site. This includes an enclosure in the southern field and old drainage systems in the northern field.
- 7.7.3 The possible enclosure is of particular interest as its form suggests that it may date to the Late Iron Age or Roman period. There is some evidence in the vicinity that activity during this period has taken place, such as finds of Roman pottery to the North West of the development area. While the presence of these possible features would not be a barrier to the solar farm, it would be advisable to establish whether or not these crop mark features are archaeological in nature and ensure that any buried features or deposits are not destroyed without appropriate recording.

7.7.4 As such, the archaeologist has recommend that a programme of archaeological supervision (watching brief) is submitted via a planning condition during ground works associated with the access roads.

7.8 Other matters

7.8.1 Concerns have been raised with regards to health and safety implications and potential crime increase as a result of the proposed development. Paragraph 69 of the NPPF states that development should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. This is also supported by Policy CS14 of the WBCS which states that development proposals will be expected to create safe environments, addressing crime prevention and community safety.

7.8.2 Environmental health officers have confirmed that they raise no concerns with regards to public health and safety. The site will be secured via 2 metre high security fencing whilst the development proposes infra-red security which would alert the management company of any intruders. This is considered acceptable.

7.9 Community Infrastructure Levy (CIL)

7.9.1 Planning Policy CS5 of the WBCS states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015. Planning applications which are decided after 1st April 2015 may be liable to pay the levy.

7.9.2 The proposed development will not be liable to pay the Community Infrastructure Levy.

7.10 Sustainable Development

7.10.1 When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

7.10.2 The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The development will improve the local economy creating additional construction and maintenance jobs. The environmental considerations are strong. The development will generate clean renewable energy for up to 1000 local homes. Social considerations are considered acceptable on balance. This has been discussed in terms of amenity. As these have been found acceptable the development is considered to constitute sustainable development.

8. Conclusion

- 8.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF constitutes Government guidance for local planning authorities as a material consideration. It encourages approving development proposals that accord with the development plan without delay, or where the development plan is silent on a matter, granting planning permission unless there is significant and demonstrable harm or clear conflict with NPPF policies.
- 8.2 It is considered that the relevant policies of the development plan are generally supportive of renewable energy generation, but development at this location is generally restricted. The development plan is silent on the appropriate locations for delivering renewable energy schemes in West Berkshire, and therefore each case must be considered on a case-by-case basis. The development plan does, however, provide a clear framework for balancing the relevant considerations, including policies on landscape character, visual impact, green infrastructure, ecological impacts, and heritage conservation.
- 8.3 In the absence of specific policies guiding the location of renewable energy development in West Berkshire, due weight must be given to the NPPF presumption in favour of sustainable development, and Paragraph 98 of the NPPF that advises local planning authorities to approve applications for renewable and low carbon energy (unless material considerations indicate otherwise) if the impacts are, or can be made, acceptable.
- 8.4 The application site is undeveloped agricultural land and therefore should be avoided where there are preferable sites available. The application has been supported by an alternative site search that demonstrates that there are no suitable alternative sites within a reasonable search area. It has been demonstrated that the land does not constitute the best and most versatile agricultural land.
- 8.5 Following amended drawings, it has been demonstrated that the development would not have an adverse visual impact on the surrounding area because the solar panels would be well-screened by new planting. The industrial appearance of the proposed solar farm is out of keeping with the surrounding rural area. Given that the proposed landscaping sufficiently screens the development from the views outside of the site, it is considered that the level of harm is relatively limited. There is some degree of conflict with Policy CS19 of the WBCS; however it is not considered to be significant enough to warrant a refusal.
- 8.6 The development would make a significant contribution towards renewable energy generation in the local community and within West Berkshire. The carbon displacement attracts significant weight in this decision.
- 8.7 In the final balance, it is considered that the significant contribution the development would make to renewable energy generation, and the absence of suitable alternative sites in the surrounding area, outweighs the identified harm to the local landscape character. The visual impact of the development can be made acceptable by the planting of new, and the enhancement of existing, hedgerows.

- 8.8 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered that, although the considerations are finely balanced, the development proposed is considered to be acceptable and a conditional approval is justifiable for the following reasons:
- 8.9 There is some degree of conflict given the concerns regarding the appearance of the proposed solar farm. However, this is not considered to be significant as to warrant a refusal on this basis. This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP6, CS5, CS10, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026, OVS5, OVS6, and TRANS1 of the West Berkshire Local Plan Saved Policies 2007, and the National Planning Policy Framework.

9. FULL RECOMMENDATION

DELEGATE to the Head of Planning & Countryside to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 9.1).

9.1 Schedule of conditions

1. Full planning permission time limit

The development shall be started within three years from the date of this permission.

Reason: To enable the Local Planning Authority to review the desirability of the development to comply with Section 91 of the Town and Country Planning Act (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) should it not be started within a reasonable time.

2. Standard approved plans

The development hereby permitted shall be carried out in accordance with drawing numbers PV-0224-01, PV-0224-02, PV-224-03, PV-0224-04 Access Plan & PV Elevations, PV-0224-04 Inverter Station Sections, PV-0224-06, PV-0224-07, PV-0224-08, PV-0224-09, PV-0224-10, and L01B received on 17th August 2015, 18th August 2015, 3rd November 2015, and 11th March 2016.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Materials

The materials to be used in this development shall be as specified on the plans or the application forms. No other materials shall be used unless prior permission in writing has been obtained from the Local Planning Authority in respect of a planning application.

Reason: In the interests of amenity in accordance with Policy CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

4. Lighting

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no external lighting shall be installed within the

application site during the construction, operational and decommissioning phases of the development unless details have first been submitted to and approved in writing by the Local Planning Authority pursuant to this condition. Any external lighting shall be installed in accordance with the approved details.

Reasons: To protect the rural character of the area and local wildlife from inappropriate lighting. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

5. **Landscape management plan**

No works shall take place on site until a detailed Landscape and Ecological Enhancement/Management Plan has been submitted to and permitted in writing by the Local Planning Authority via a discharge of condition application. Such a plan will include (but not be limited to) detailed habitat creation & management prescriptions (including costings) for the life of the solar array. The approved plan will be implemented in full.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 of the West Berkshire Core Strategy 2006 - 2026 and to accord with the NPPF.

6. **Arboricultural works**

No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority by a condition discharge application.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

7. **Landscaping**

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority by way of a condition discharge application. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the policy CS18 of the West Berkshire Core Strategy 2006 - 2026.

8. **Tree protection**

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority by way of a condition discharge application. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2012. Such fencing shall be erected prior to any development works taking place. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority by way of a condition discharge application. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority by way of a planning application.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy CS18 of West Berkshire Core Strategy 2006 - 2026.

9. **Construction method statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) The haul route
- (c) Method of control for accessing and egressing HGVs to mitigate against HGVs passing on Sulhamstead Road
- (d) Loading and unloading of plant and materials
- (e) Storage of plant and materials used in constructing the development
- (f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (g) Wheel washing facilities
- (h) Measures to control the emission of dust and dirt during construction
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS 1 of the West Berkshire District Local Plan Saved Policies 2007.

10. **Construction compound**

No solar photovoltaic panels, mounds, plant or other associated equipment shall be delivered to the site until the temporary constructors' compound and parking arrangements have been provided in accordance with the approved details.

Reason: In the interest of road safety, to ensure that there is sufficient parking within the site before development takes place. This condition is imposed in

accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

11. **Security fencing construction**

No solar photovoltaic panels, mounds, plant or other associated equipment shall be delivered to the site until either (1) the approved security fencing, or (2) a temporary construction fencing approved as part of the Construction Method Statement has been provided. No works shall take place outside the fenced areas except for those necessary to connect the development to the National Grid and for landscaping purposes.

Reason: To ensure that the construction activities are contained within the fenced area, in the interests of safeguarding surrounding ecological assets. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

12. **Hours of work (construction)**

No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

13. **No alteration of ground levels**

There shall be no alteration of existing ground levels.

Reason: To ensure that ground levels are not altered in order to protect the character and amenity of the area, and to prevent any potential pathways being created to contaminated land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

14. **Decommissioning**

No electricity shall be generated by the development hereby permitted until 14 days notice has been submitted to the Local Planning Authority in writing. The development hereby permitted shall be removed in its entirety and the land restored to its former condition within 25 years and six months of the date that electricity was first generated by the development, or within six months of the development failing to generate electricity for 12 consecutive months, whichever occurs first. The land shall be restored to its former condition in accordance with a scheme of decommissioning work and land restoration that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the land is restored to its original undeveloped condition following the expiry period or once the development fails to generate electricity, in the interests of protecting the amenity of the open countryside. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

15. **Removal of operational development following decommissioning**

As part of the decommissioning process, all operational development in, on, over or under the land enclosed by the red line on drawing number PV-0224-02 associated with the development hereby permitted shall be completely removed from the application site within 25 years and six months of the date that electricity was first generated by the development, or within six months of development failing to generate electricity for 12 consecutive months, whichever occurs first. The operational development to be removed includes, but is not necessarily limited to: photovoltaic modules, supports, transformer stations, internal access track, security fencing, security measures, access gate, all cables and cable trenches.

Reason: To ensure that the land cannot be classified as previously developed land by virtue of the retention of any structures on a permanent basis. This condition is imposed in the interests of ensuring a sustainable pattern of development and to protect the open countryside from inappropriate future development. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

16. **Permitted development restriction (fences)**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no gates, fences, walls or other means of enclosure (except those expressly authorised by this permission) that would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected within the application, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the inappropriate means of enclosure within the site in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

17. **Solar panel height limit**

No solar PV equipment shall exceed a height of 2.58 metres from the adjacent ground level.

Reason: To protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

18.

Spoil

No development shall commence on site until full details of how spoil arising from the development will be used and/or disposed of have been submitted to and permission in writing by the Local Planning Authority in respect of a planning application. These details shall:

- a) Show where any spoil to remain on the site will be deposited,
- b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels),

- c) Include measures to remove the spoil from the site.
- d) Include a timescale for the spoil removal and associated works.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that any raising of ground levels on the site will not harm the character and amenity of the area. In accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

19. **Details of infra-red security system**

The development shall not be operated until details of the infra-red security system have been submitted to and approved in writing by the local planning authority via a condition discharge application. These details shall include plans to show the location of the proposed units and written specifications of the proposed security system operation.

Reason: To protect neighbouring amenity in accordance with the NPPF and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

20. **Archaeological watching brief**

No development shall commence until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This is in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

21. **Surfacing of access**

No development shall take place until details of the surfacing arrangements for the vehicular accesses to the highway have been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. Such details shall ensure that bonded material is used across the entire width of the accesses for a distance of 5 metres measured back from the carriageway edge. The transportation of solar photovoltaic panels and associated equipment shall not commence until the surfacing arrangements have been constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

22. **Set back of gates**

Any gates to be provided at accesses where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least

10 metres from the edge of the highway.

Reason: In the interest of road safety and to ensure that heavy goods vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

Temporary construction access before development (details required)

23. No development shall take place until details of the temporary construction access into the site has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. The temporary construction vehicular access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the temporary construction access into the site is constructed before any deliveries in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

Informatives:

1. **Decision to grant permission**

The decision to grant planning permission has been taken because the development is in accordance with the development plan and would not have a detrimental impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

2. **Sustainable development**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.

3. **Thames Water**

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

4. **Groundwater**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit

is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.