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Agenda

Name of meeting	PLANNING COMMITTEE
Date	TUESDAY 5 SEPTEMBER 2023
Time	4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the Committee	Cllrs W Drew (Chairman), C Quirk (Vice-Chairman), D Andre, J Bacon, G Brodie, V Churchman, C Critchison, J Jones-Evans, M Oliver, M Price, P Spink, N Stuart E Cox (IWALC Representative) (Non-voting) Cllr P Fuller (Cabinet Member for Planning, Coastal Protection and Flooding) (Non-voting) Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

1. **Apologies and Changes in Membership (if any)**

To note any changes in membership of the Committee made in accordance with Part 4B paragraph 5 of the Constitution.

2. **Minutes** (Pages 5 - 8)

To confirm as a true record the Minutes of the meeting held on 13 June 2023.

3. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. **Public Question Time - 15 Minutes Maximum**

Questions are restricted to matters not on the agenda. Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk no later than two clear working days before the start of the meeting. Normally, Planning Committee is held on a Tuesday, therefore the deadline for written questions will be Thursday, 31 August 2023.

5. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 9 - 150)

Planning applications and related matters.

6. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 4.00pm on Friday, 1 September 2023. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Friday, 25 August 2023

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

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If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

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Minutes

Name of meeting	PLANNING COMMITTEE
Date and Time	TUESDAY 13 JUNE 2023 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs W Drew (Chairman), C Quirk (Vice-Chairman), D Andre, G Brodie, V Churchman, C Critchison, J Jones-Evans, M Oliver, M Price, P Spink, N Stuart
Co-opted	E Cox (IWALC Representative) (Non-Voting)
Also Present	Oliver Boulter, Russell Chick, Ben Gard, Neil Troughton and Sarah Wilkinson
Apologies	Cllrs J Bacon

1. **Apologies and Changes in Membership (if any)**

Apologies were received from Councillor J Bacon

2. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 25 April 2023 be approved.

3. **Declarations of Interest**

Councillor P Spink declared an interest in minute number 5 (Tapnell Farm, Newport Road, Freshwater) as he was a member of the Campaign for Rural England (CPRE) who had submitted a representation regarding the application.

4. **Public Question Time - 15 Minutes Maximum**

There were no public questions submitted.

5. **Report of the Strategic Manager for Planning and Infrastructure**

Consideration was given to items 1 - 2 of the report of the Strategic Manager for Planning and Infrastructure Delivery.

The Strategic Manager for Planning and Infrastructure advised that application ref number 21/01884/FUL (Proposed Development of 56 Dwellings, means of access off Hillway Road and Steyne Road associated landscaping and infrastructure) the site notice did not identify that the application was contrary to the development plan and therefore may not have been advertised in accordance with the LPA's standard practice. Even though this would not prejudice anyone's interest in the application the decision had been taken not to bring the application to the Planning Committee as advertised on 13 June 2023, to allow the application to be re-advertised.

Application:

22/01931/FUL

Details:

32 tourism pods and associated landscaping

Tapnell Farm, Newport Road, Freshwater

Site Visits:

The site visit was carried out on Friday, 9 June 2023.

Public Participants:

Mr D Long (Agent)

Comment:

Councillor P Spink spoke as Local Councillor for the application.

Concerns were raised regarding the figures calculated for the nitrates for the proposed development, if incorrect it could impact on the site being nitrate positive, officers advised that the information regarding nitrates was supplied by Natural England in good faith. The Strategic Manager for Planning and Infrastructure Delivery advised the Committee that they had two options, they could proceed and accept the figures as supplied by Natural England and include within the resolution that the decision was based on the figures being checked, if they were found to be flawed then the application would be brought back to the Planning Committee, the other option was to defer the item to the next meeting of the Planning Committee so that the issued could be investigated.

Following a vote it was agreed that the Planning Committee would continue with the meeting and consider the application based on the information available.

Concern was raised regarding accessibility of the site for all users, officers advised that an additional condition relating to accessibility was considered reasonable.

The Committee considered the condition which required any trees or plants which die, were removed, damaged or diseased would be replaced within a five year period, officers advised that the five year period could be extended in condition seven, or the Section 106 agreement could contain a clause which included this. However, officers advised that this would be unusual, and that the Committee may wish to debate the issue. The Committee did not debate the issue and instead, a vote was taken on

the outstanding motion to approve the development, subject to the nitrates issue being investigated.

Decision:

A proposal to approve the application to include an additional condition regarding accessibility, subject to the finalisation of a planning obligation and confirmation that the nitrates information provided by the applicant was suitable, and if not, for the application to be brought back to the Planning Committee.

RESOLVED:

The application be approved subject to an additional condition regarding accessibility, nitrate data to be confirmed and the completion of a legal agreement relating to management of the land at the site..

Additional Conditions:

Prior to any of the pods hereby approved being bought onto site details of accessibility measures to ensure that an appropriate proportion of the pods would be useable by those who may be registered disabled shall be submitted to and approved in writing by the LPA, to accord with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

6. **2022/23 Decision review, monitoring and Appeals performance report**

The Strategic Manager for Planning and Infrastructure Delivery highlighted the evaluation section of the report to the Committee.

The Committee were pleased with the report and proposed to note and thank officers which was duly seconded.

RESOLVED:

THAT the report be noted

7. **Members' Question Time**

There were no questions submitted.

CHAIRMAN

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ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 5 SEPTEMBER 2023

REPORT OF THE STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE

WARNING

1. The recommendations contained in this report other than part 1 schedule and decisions are disclosed for information purposes only.
2. The recommendations will be considered on the date indicated above in the first instance. (in some circumstances, consideration of an item may be deferred to a later meeting).
3. The recommendations may or may not be accepted by the planning committee and may be subject to alteration in the light of further information received by the officers and presented to members at meetings.
4. You are advised to check with the planning department (tel: 821000) as to whether or not a decision has been taken on any item before you take any action on any of the recommendations contained in this report.
5. The council cannot accept any responsibility for the consequences of any action taken by any person on any of the recommendations.

Background Papers

The various documents, letters and other correspondence referred to in the Report in respect of each planning application or other item of business.

Members are advised that every application on this report has been considered against a background of the implications of the Crime and Disorder Act 1998 and, where necessary, consultations have taken place with the Crime and Disorder Facilitator and Architectural Liaison Officer. Any responses received prior to publication are featured in the report under the heading Representations.

Members are advised that every application on this report has been considered against a background of the implications of the Human Rights Act 1998 and, following advice from the Head of Legal Services and Monitoring Officer, in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.

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1	21/00684/FUL	Parish: Shalfleet	
	Land at Lee Farm, Main Road, Wellow.	Ward: West Wight	Conditional Permission
	Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping		
2	22/01793/FUL	Parish: Yarmouth	
	Barnfield Solar Farm, East of Wilmingham Lane, West of Broad Lane, Yarmouth, and Parts of Broad Lane, Thorley Street, Station Lane and Warlands Lane, and Shalfleet Substation, Warlands Lane, Shalfleet, Isle of Wight.	Ward: Freshwater North And Yarmouth	Conditional Permission
	Construction and operation of a solar photovoltaic (PV) farm with all associated works, equipment, and necessary infrastructure, to include buried cable within road network (Broad Lane, Thorley Street, Station Lane, and Warlands Lane) to connect solar farm to Shalfleet Substation (revised plans and further information received) (re-advertised application).		
3	22/01585/FUL	Parishes: Wootton Bridge Newport and Carisbrooke	
	Land To the Northwest of Whiterails Road/west of Park Road + Land to the Southeast of Whiterails Road/west of Briddlesford Road, Wootton, Isle of Wight.	Wards: Wootton Fairlee and Whippingham	Conditional Permission
	Proposed renewable energy park - consisting of ground mounted solar arrays, battery energy storage system, substation building, ancillary infrastructure, means of access and associated landscaping		

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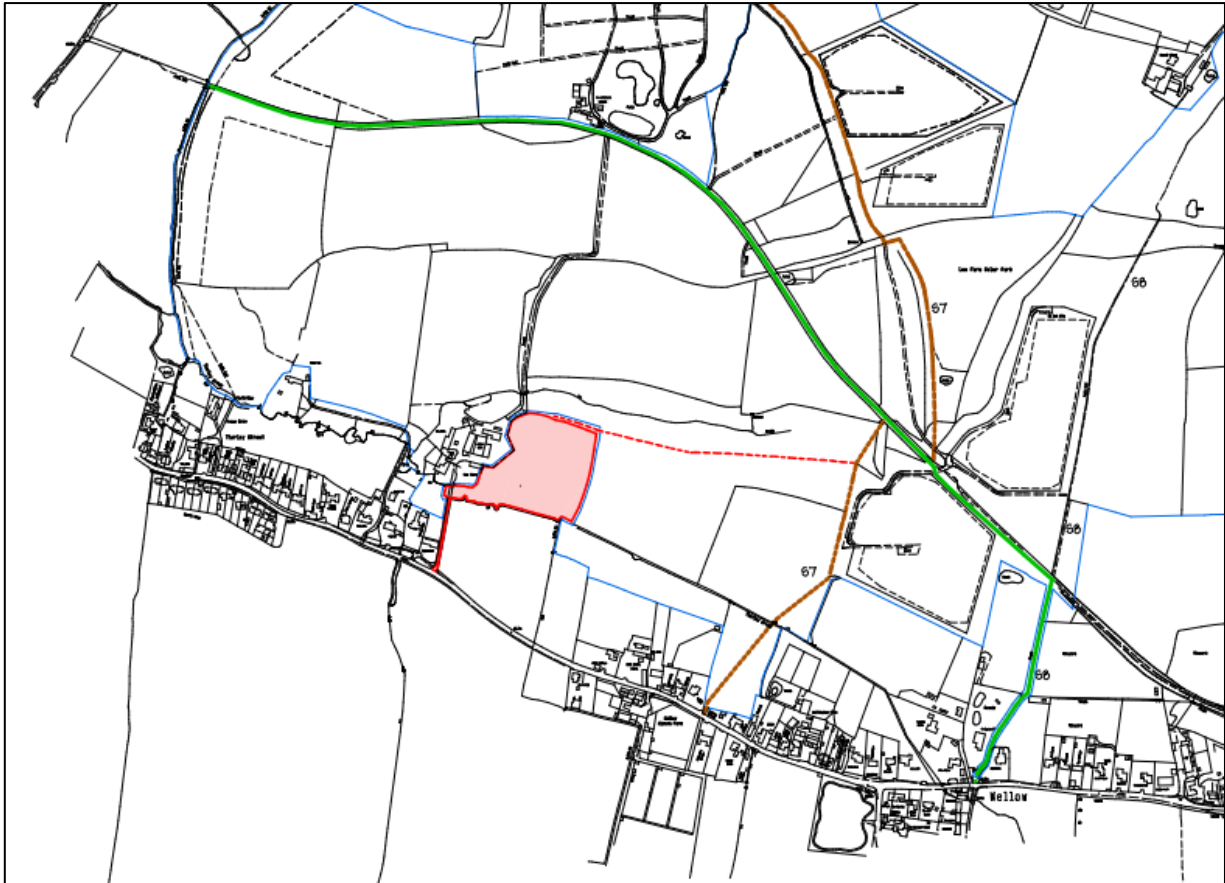
Purpose: For Decision

Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	5 September 2023
Application Reference	<u>21/00684/FUL</u>
Application type	Full
Application Description	Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping
Site address	Land at Lee Farm Wellow
Parish	Shalfleet
Ward Councillor	Councillor Peter Spink
Applicant	Mr and Mrs Steve Cowley
Planning Officer	Russell Chick

Reason for Planning Committee consideration	<p>This is an update paper for the planning application that was previously referred to the Planning Committee for consideration on 1st March 2022. The original report can be viewed by following the link below or by seeing Appendix 1 of this report. Appendix 2 of this report is an Update Paper circulated to the Planning Committee on 1st March 2022. The minutes for that meeting can be seen at Appendix 3 of this report.</p> <p><u>21-00684-FUL Lee Farm Committee report</u></p>
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Recommendation	<p>For the additional information related to nitrates impacts on Solent International Sites to be noted and for conditional approval to be granted subject to the completion of a S.106 Legal Agreement.</p>
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Main considerations

- Planning history and preamble
- The impact of the development on Solent International Sites as a result of nitrates enrichment
- Changes to the legal agreement

1 Evaluation

History and preamble

- 1.1** This planning application was considered by the Planning Committee on 1st March 2022, with the committee resolving to approve the development subject to planning conditions and the satisfactory completion of a legal agreement. Following that resolution, an update paper was referred to the Planning Committee in July 2022, to allow the Committee to consider a variation to one of the terms of the legal agreement, which involved removing a requirement for a post development appraisal of development costs and replacing it with a fixed and increased financial contribution in respect of off-site affordable housing provision. The Planning Committee resolved to agree to those changes. The July 2022 update paper can be viewed via the link below, or at Appendix 4 of this report.

[21-00684-FUL Lee Farm Update Paper 2022](#)

An Update Paper circulated to the Planning Committee on 26th July 2022 can be viewed at Appendix 5 of this report and the minutes for 26th July 2022 in relation to this application can be viewed at Appendix 6.

Following the July 2022 Committee resolution, the legal agreement was required to secure the following measures:

- A financial contribution towards the Bird Aware Solent mitigation strategy
- A requirement to construct or pay for the construction of a 1.75km section of the West Wight Greenway
- A financial contribution towards off-site affordable housing, fixed at £80,000
- A requirement to install and suitably manage the agreed 'Bio-bubble' waste-water treatment plant
- A requirement to manage additional habitat enhancements for a period of at least 30 years, in order to achieve Biodiversity-Net Gain

1.2 Since then and while the legal agreement has been negotiated, the Natural England methodology for assessing the impact of nitrates associated with foul water on designated sites within the Solent area has been updated and altered. As a result, and to comply within the requirements of the Habitat Regulations, the Planning Authority has required the applicant to carry out a revised assessment based on Natural England's current guidance. This report provides Councillors with an update on this issue. This has also resulted in a requirement for additional clauses within the legal agreement.

1.3 This report will not repeat all of the main considerations for the application, the location of the site or the details of the application, as these were set out within the original committee report and the 2022 update paper. **It is important that members of the Planning Committee read the original committee report and the 2022 update paper that are referred to above, as well as this update paper.** This update paper focusses on the key areas of difference regarding nitrates impacts and additional clauses within the legal agreement.

The impact of the development on Solent International Sites as a results of nitrates enrichment

1.4 Natural England has published advice relating to issues of high levels of nutrients within the Solent water environment, which through a process known as eutrophication have resulted in dense mats of green algae in coastal areas. The Solent and Southampton Water Special Protection Area (SPA)/ Ramsar site, Dorset and Solent Coast SPA and the Solent Maritime Special Area of Conservation (SAC), known collectively as the Solent International Sites, are important habitats for protected species of birds, which use the coast for feeding. Natural England's concern is that the nutrient levels have resulted in algae in coastal areas, which disrupt natural processes and remove native plants which then prevent protected species from feeding. This can leave the Solent International Sites in an unfavourable condition. Natural England's standing advice is that these issues are caused by agricultural practices and wastewater from housing.

- 1.5** To ensure that housing development would not add to existing nutrient burdens in the Solent and adversely impact designated SAC and SPA/Ramsar sites within it, a Position Statement has been produced by the Isle of Wight Council, in agreement with Natural England and the Environment Agency. The Position Statement outlines that it must be demonstrated that either a development is nitrate neutral or that its wastewater would be treated at Southern Water's Wastewater Treatment Works (WwTWs) at Brighstone, Sandown, Shorwell or St Lawrence, all of which discharge to the English Channel and not the Solent, thus avoiding impacts on the Solent International Sites. It has been agreed that developments that connect to these WwTWs do not have to demonstrate nitrate neutrality as wastewater from these developments would not enter or adversely affect the Solent and designated sites within it.
- 1.6** Natural England have set out a methodology on how to calculate the nutrients burdens of operational development and an approach for mitigation to ensure new development achieves nutrient neutrality. Natural England's guidance advises that forms of suitable mitigation can include the provision of new wetlands, woodland and grassland on land that previously resulted in nutrients inputs, either on site or through the purchase of off-site credits. Their guidance includes a nutrient budget calculator, which allows the pre-development nutrient burdens for a site to be compared to post development nutrient burdens. The proposed development at Lee Farm would be served by an on-site treatment plant, due to lack of access to a public sewer. Treatment plants discharge to watercourses and therefore, in this case, the site is linked to the Solent International Sites. The manufacturer's information advises that the applicant's chosen treatment plant has an efficiency rating of 88.5% total nitrogen (TN) load reduction (based on a discharge concentration of 5.5 mg/l). Natural England have ratified this calculation.
- 1.7** Based on Natural England's earlier nutrient budget calculator, when taking into account previous uses of the site, the development would have resulted in a net reduction of nutrients, at -15.88kg TN per year (see para. 6.107 of the committee report). At officer's request, a revised nitrate budget has been completed by the applicant to take account of the latest calculator issued by Natural England. This has shown that the development would result in a post development load of 4.97kg TN per year once wastewater had been treated by the applicant's on-site system. This would therefore represent an increase in nitrates being discharged from the site and, without mitigation compromise the interest features for which the SAC and SPA / Ramsar sites within the Solent area have been designated.
- 1.8** As a result, the applicant has proposed to mitigate the annual nitrogen nutrient export (post treatment) for the development through removal of productive farmland at Lee Farm, with the land to be planted with trees. Natural England's document 'Nutrient Neutrality and Nutrient Mitigation (NE776 Edition 2) confirms that acceptable mitigation measures include 'creation or restoration of new semi-natural habitats e.g. woodlands/ grasslands/ natural wetlands.' This is because land converted to semi natural habitats such as natural wetlands, woodlands, or grasslands can offer a strong outcome for nutrients when designed and sited appropriately.
- 1.9** The applicant's supporting Mitigation Statement advises that the landowner has already planted 16,000 trees on 14 hectares of arable land, as well as providing 6 metre wide field margins to prevent nitrate run-off into the Newtown and Yarmouth

Estuaries. The Mitigation Statement has however, not included these reduced agricultural activities into the calculations for the proposed mitigation land, given that these actions have already taken place. The applicant has explained that the proposed mitigation land has/ is used for growing cereal crops, with a rotation of maize and winter barley for the last 20 years. The Mitigation Statement advises that this resulted in nitrogen inputs of 150 kg per hectare for maize and 120 kg per hectare for winter barley, each year the crops were grown.

- 1.10** Based on these levels of use, the applicant has proposed to take 1 hectare of active farmland out of production, to offset the nitrogen loading of proposed housing development. This is based on a planting density of 100 tree per hectare, which follows previous Natural England guidance (V2 guidance) and equate to a reduction in nitrogen of 5kg per hectare per year, based on 20% canopy coverage at maturity. The applicant considers that this is a conservative estimate, because the current farming of the land would result in higher annual nitrate outputs of circa 18.31kg TN, while the woodland use of the land would produce circa 3.0kg TN per year. However, the applicant has chosen to set aside a whole hectare, to ensure that a nitrates reduction could be adequately demonstrated.
- 1.11** A plan has been provided showing the location of the proposed offset land, which shows that it is located within the north-western area of the farm. Aerial photographs show that the land is cultivated, and officers have visited the site on several occasions in the last decade, with these areas of the farm being seen to be used for arable purposes. The applicant's calculations have included conservative estimates for the efficiency of the proposed treatment plant and officers consider that the proposed woodland planting scheme would offset the nitrogen resulting from the proposed housing development, leading to nutrient neutrality.
- 1.12** The Planning Authority would seek to secure the woodland planting scheme, and stipulations on the management of the land, use of fertilisers, manure and grazing of the land via the existing legal agreement that has been drafted. The agreement would be updated to include clauses that would require the farmland identified by the applicant to be set aside for nitrates mitigation and for an agreed woodland planting scheme to be implemented prior to the occupation of the dwellings. This would allow the certainty of securing mitigation as required by the Habitat Regulations, as no immunity would apply to breaches of the planning obligation.
- 1.13** Officers have compiled the necessary Appropriate Assessment of the proposed development, and this considers the impact of the development on Solent International Sites. Natural England has commented on the Appropriate Assessment and advised that they agree with the Planning Authority's conclusions, that with the mitigation measures outlined within the Appropriate Assessment and this update report, the development would not compromise the integrity of Solent International Sites. This is on the proviso that the Planning Authority can satisfactorily secure the mitigation measures. The mitigation relating to the provision of the woodland planting scheme and its long-term management and retention would be secure via a legal agreement. The on-site drainage scheme would be secure via the planning conditions recommended within the committee report.

1.14 Taking into account the comments provided by Natural England, it is considered that the development would be satisfactorily mitigated to ensure that it would not add to the current unfavorable condition of some areas of the Solent International Sites.

2. Options

2.1 It is considered that the following options are available to the Planning Committee:

1. To agree the amended heads of terms to the legal agreement, to include provision for the nitrates mitigation land, for that land to be planted as woodland, for the land to be managed and maintained in perpetuity and resolve to permit the proposed development.
2. To require alternative mitigation.
3. Reconsider the application in its entirety.

3 Conclusions and recommendation

3.1 The application is being brought back to committee for consideration of the revised mitigation works, following the re-assessment of the impact of the development on Solent International Sites as a result of nitrates enrichment. As a consequence, there are changes to the legal agreement heads of terms as set out within the recommendation of the original report and paragraph 1.12 above. Natural England, the Government's statutory consultee for the natural environment, have supported the proposed revised mitigation measures that are set out within this update paper.

3.2 It is the opinion of officers that no other material matters have changed since the application was previously considered by the Planning Committee to justify any other elements of the proposals being reconsidered. Furthermore, officers are satisfied in light of Natural England advice, that the revised mitigation works are appropriate and acceptable so options 2 and 3 are not recommended.

3.3 Officers therefore recommend that the Planning Committee agrees the amended heads of terms to the legal agreement, to include provision for nitrates mitigation land, to be planted as woodland that the works should be undertaken and the land managed and maintained in perpetuity and resolve to permit the proposed development in accordance with the conditions outlined within the committee report, and the revised legal agreement clauses agreed by the Planning Committee in July 2022.

Reference Number: 21/00684/FUL

Description of application: Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping

Site Address: Land at Lee Farm, Main Road, Wellow

Applicant: Mr and Mrs Steve Cowley

This application is recommended for: Conditional Approval Subject to S106 Legal Agreement

REASON FOR COMMITTEE CONSIDERATION

The application is considered to raise marginal and difficult policy issues and therefore in accordance with the Council's Constitution has been referred to the Planning Committee for consideration.

MAIN CONSIDERATIONS

- Principle of the development
- Impact upon the character of the surrounding area
- Impact upon the amenity of nearby residential occupiers
- Impact on heritage assets
- Ecology and trees
- Nitrates impacts on designated sites
- Solent Protection Area Mitigation
- Highway considerations
- Drainage matters
- Flood risk
- Other matters

1. Location and Site Characteristics

- 1.1** Lee Farm is located immediately to the north east of Thorley, a rural hamlet that is located 2.4km east of Yarmouth and 14km west of Newport. The site is situated 180m north of the highway that runs between Wellow and Thorley (B3401), with an agricultural field between the site and the highway and is reached via an informal access lane that is aligned on either side by hedgerows. Thorley occupies a relatively low position with Lee Farm occupying a similar land level, although the northern section of the farm has a slightly elevated prospect.
- 1.2** Lee Farm includes a mix of historic and more modern farm buildings, with the historic sections being located on the western side of the farmstead. These

include the main farmhouse, a grade II listed building that dates from the early 17th Century. The farmhouse is arranged in an 'L' shape with coursed stone walls and a tiled roof, that includes a line of stone tiles close to eaves level. The roof is hipped at one end and gabled at the other and includes substantial chimney stacks. The farmhouse is an attractive building with a mix of sash and casement windows and dormers within the roof. The front elevation of the house faces east, and overlooks the access lane that serves the farm, with an area of orchard beyond. The south and west elevations of the farmhouse overlook private garden areas, while situated to the north of the house is a brick and tile outbuilding and beyond that is single storey stone barn with a slate roof. This barn has been converted to residential use.

- 1.3** Further north east is a small stone barn, known as Hackney Stables. This is a grade II listed building, arranged at an offset angle to the remainder of the farm, with the main elevation facing south east. There is a small yard between these older buildings, beyond and to the west of which is a complex of much larger, and more modern agricultural barns. These buildings have large rectangular footprints and gabled roofs, with elevations and roofs finished with cladding that is typical of modern barns. Further west is a collection of large linear modern barns aligned on an east-west footprint. These are generally open fronted, with corrugated iron roofs and elevations comprising a mix of timber and iron cladding. A collection of farmyards and tracks surround these buildings, some of which are informal and laid to grass.
- 1.4** Further south of the modern buildings is a detached single storey holiday unit that is let for tourism. The unit has a rectangular footprint, with the front elevation facing north. The unit has a gabled roof, under which are cream clad elevations and simple fenestration that includes casement windows. The unit is surrounded by generous grounds that are laid to lawn, with orchard planting throughout. The foundations for a further holiday unit have been laid further east. The farm complex is enclosed by hedges, and in the case of the northern boundary a line of mature oak trees. The southern boundary includes a line of less substantial trees. Beyond the site boundaries is farmland, that is characterised by regularly shaped fields that are enclosed by hedgerows. Further north is a substantial area of mature woodland, known as Lee Copse.
- 1.5** To the south west of the site is the ribbon development of housing that characterises Thorley. Houses are generally two-storey with a mix of attractive older properties set within generous plots, alongside examples of more modern infill. To the east, and beyond a gap in development, is the hamlet of Wellow. Wellow is comparable to Thorley in terms of its layout and appearance, again being characterised by generally two storey housing arranged in a ribbon style and following the alignment of the highway.

2 Details of Application

- 2.1** Full planning consent is sought for the demolition of existing industrial/commercial buildings and the removal of foundations for an approved holiday unit and their replacement with 16 new dwellings and the change of use of an existing holiday unit for residential purposes. The plans show that the existing farm buildings on the western side of the farm would be retained.

- 2.2** The replacement dwellings would be arranged around farmyard style courtyards, with a smaller group of 7 dwellings on the western side of the development, a larger cluster of 9 dwellings occupying the eastern side of the site and a farmhouse style dwelling within the centre of the site. The development would include 6 x 2-bedroom dwellings, 9 x 3-bedroom dwellings and 1 larger 4-bedroom dwelling.
- 2.3** The group of dwellings on the western side of the site (units 1 to 7) would be arranged as two pairs of semi-detached dwellings and short terrace of 3 dwellings. These would be arranged as a quadrant, with the pairs facing one another and the short terrace occupying the north side of the quadrant, with the dwellings overlooking the central courtyard, which would include a mix of lawns, tree planting, parking and turning areas. The dwellings would be two-storey and be finished with a mix of red brick, sawn timber cladding and red tiled roofs.
- 2.4** The remainder of the units would be arranged as either detached or pairs of semi-detached dwellings. These would be arranged around the central farmhouse style unit (*unit 15). The farmhouse would be a two-storey dwelling, with traditional elevations and single storey out-shuts to the rear (west) and side (north). The property would comprise a cart-shed style garage.
- 2.5** Units 8 & 9 would be arranged as a pair of semi-detached one and half storey properties and occupy the northern side of the eastern cluster. These have been designed to appear as threshing barns, with barn hipped roofs, timber elevations and front entrances to reflect the typical cart entrances to barns on the Island. The dwellings would be joined by a cart-shed garages between each unit. Unit 10 would be located to the east of units 8 & 9 and occupy the north east corner of the cluster of dwellings. This would be a 3-bedroom detached house, with one and a half storeys. Like the remainder of the dwellings, the unit has been designed in a traditional rural manner, with timber and brick elevations under a tiled roof. A cart shed garage would be located on the southern elevation of the dwelling, to continue the style of the farmstead.
- 2.6** Units 11 & 12 would occupy the eastern side of site. Unit 11 would be designed to appear as a detached threshing barn, following the design ethic of units 8 & 9. Unit 12 has been designed to appear as a detached cart shed and would be a single storey building. Elevations would be simple and be finished with a mix of timber cladding and brickwork, below a tiled roof. An open cart shed would be located on the southern elevation of the dwelling, to be used for parking vehicles.
- 2.7** The southern boundary of the site would be occupied by units 13, 14, 16 and an existing holiday unit, which would be changed to a dwelling. Units 13 and 14 would be arranged as a pair of semi-detached, single storey barns. Again, these would comprise simple brick and timber elevations and gabled tiled roofs. A pair of cart-shed style garages would be included between the units and gabled hay loft feature would be provided on the front and rear roof slopes, between the units. Louvre features have been added to the roofs. Unit 16 would be designed in the same manner as units 11 and 12. No changes would be made to the exterior of the existing holiday unit.
- 2.8** The site plan shows that the development would include significant areas of landscaping. The open spaces between the units, which would form the farmyard

areas, would be laid to lawn, with access, turning and parking areas between. The access roads would be finished with concrete, while the access and turning areas within the farmyards would be finished with a mix of resin bound gravel and brindle block paving. These areas would be landscaped to include a mix of trees and hedgerows, with boundaries between properties delineated by 1.2m high post and rail fencing. Rear gardens would be separated by 1.2m high post and wire fencing.

- 2.9** The site would be accessed via the existing farm lane, that adjoins the northern side of the B3401. This lane currently splays off to the east to serve the existing holiday unit, and this route would serve the proposed development. The existing orchards and hedges either side of the access would be retained. A passing bay would be provided at the midpoint of the main access lane.

3 Relevant History

- 3.1** Appeal APP/P2114/C/11/2146144 – concerning the use of the land and buildings as a bus and coach operation centre. The appeal was allowed on 27th July 2011 and confirmed that the site could be used lawfully as a mixed use of agriculture, holiday let and the parking of buses and coaches.
- 3.2** P/00218/13 - Erection of stable block; conversion of farm buildings into stables & workshops; formation of access track; construction of sand school; outline for 3 holiday lodges & swimming pool (revised application area & relocation of swimming pool) (readvertised application) – Granted planning permission on 8th August 2003

4 Development Plan Policy

National Planning Policy

- 4.1** The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. It refers to three interdependent social, environmental and economic objectives, which need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across all of these different objectives.
- 4.2** Paragraphs 10 and 11 of the NPPF set out a presumption in favour of sustainable development, so that this is pursued in a positive way. Paragraph 11 explains that for decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i). the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii). any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 4.3** Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It adds that where an application conflicts with an up-to-date development plan, permission should not usually be granted, unless material considerations indicate otherwise.
- 4.4** Section 4 of the NPPF states that local planning authorities should approach decisions in a positive and creative way, referring to the use of pre-application discussions, brownfield registers and the provision of the right information to allow good decision making.
- 4.5** Section 5 of the NPPF outlines the Government's objective of significantly boosting the supply of homes, setting out requirements for planning authorities to identify land for required housing within their area, the delivery of the size, type and tenure of homes needed and the importance of small and medium sized housing and windfall sites. Section 5 refers to rural housing, and the need to respond to local circumstances and needs.
- 4.6** Section 8 of the NPPF refers to the need for healthy, safe, accessible and inclusive places to live, with access to high quality open spaces and opportunities for sport and physical activity.
- 4.7** Section 12 of the NPPF refers to the need for high quality and sustainable buildings. This section reasons that good design is a key aspect of sustainable development, creating better places in which to live and work.

Local Planning Policy

- 4.8** SP1 - Spatial Strategy
 SP3 - Economy
 SP4 - Tourism
 SP5 - Environment
 SP7 - Travel
 DM2 - Design Quality for New Development
 DM3 - Balanced Mix of Housing
 DM4 - Locally Affordable Housing
 DM11 - Historic and Built Environment
 DM12 - Landscape, Seascape, Biodiversity and Geodiversity
 DM14 - Flood Risk
 DM17 - Sustainable Travel
 DM22 – Developer Contributions

Supplementary Planning Documents and other guidance

- 4.9** The Affordable Housing Contributions Supplementary Planning Document (SPD).
- 4.10** The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD).
- 4.11** The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD).

- 4.12 LPAs Position Statement on Nitrogen neutral housing development.
- 4.13 The Isle of Wight Council Housing Strategy 2020 – 2025.
- 4.14 The Bird Aware Solent Strategy sets out the mitigation for impacts on the Solent Special Protection Area as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas.
- 4.15 The Yarmouth and Thorley Community Plan SPD was adopted by the Isle of Wight Council following a delegated decision (reference 48/12) and came into force on 14 January 2013. This sets out the local distinctiveness and history of the area, the importance of the local economy and employment, supporting, encouraging and maintaining local shops, cafes and other businesses and also concerns of coastal defence, future sea levels rise and resultant flood risk, with a working group set up.
- 4.16 The Yarmouth and Thorley Housing Needs Survey 2015 – 2020. This was adopted in April 2015 and sets out the housing needs for the Yarmouth and Thorley areas.
- 4.17 Isle of Wight Council Health and Wellbeing Strategy 2018 to 2021. This strategy sets out a shared vision using a ‘life course’ approach for improving health and wellbeing on the Island. It is now generally acknowledged that a life course approach that promotes a holistic view of an individual’s total health and wellbeing is an effective means of reviewing public health in a community. This approach emphasises social perspective looking back across an individual’s or group’s life experiences for clues to current patterns of health and disease, while recognising that both past and present experiences are shaped by the wider social, economic and cultural context.
- 4.18 Isle of Wight Council Regeneration Strategy.
- 4.19 Isle of Wight Council Rights of Way Improvement Plan 2018.
- 4.20 Cycle Wight Cycling Strategy (2017- 2019) contains a collection of principles, and proposals for the development of the cycle network, that work together to promote cycling and provide appropriate cycling facilities throughout the Isle of Wight. Cycle Wight’s vision is to make the Isle of Wight a place where people of all ages and abilities feel able to cycle safely and easily and to enjoy the experience. Believing the Isle of Wight can be a beacon of good practice in creating an environment that encourages cycling.

5 Consultee and Third Party Comments

Internal Consultees

- 5.1 The Council’s Environmental Health Officer has raised no objection to the development but advised that a condition should be imposed to control the impacts of the construction phase of the development.

- 5.2** The Council's Tree Officer has raised no objection to the development and recommended conditions to secure a tree protection scheme and a soft landscaping scheme.
- 5.3** The Council's Ecology Officer has raised no objection to the proposed development and advised that recommendations within the applicant's ecology report should be secured by condition.
- 5.4** The Council's Archaeological Officer has confirmed no concerns regarding below ground remains.
- 5.5** The Island Roads Highway Engineer has not objected to the development and confirmed that the access and parking arrangements for the site would be acceptable, subject to minor changes that could be secured via conditions. The Highway Engineer has recommended that off-site improvements to bus stops are secured by condition and concluded that the proposals would not compromise the highway network as a result of traffic.
- 5.6** The Council's Rights of Way Officer has advised that the proposed development would provide additional and enhanced rights of way through the provision of a section of the proposed West Wight Greenway. The Rights of Way Manager has advised that this route was previously a popular footpath that was secured under a Natural England Stewardship scheme, that ended in 2020.

External Consultees

- 5.7** Historic England have confirmed that they do not wish to comment on the proposals.
- 5.8** Following the submission of further information, the Environment Agency have confirmed no objection to the proposed development in relation to flood risk and have recommended a condition to control the floor levels of the southern units.
- 5.9** Natural England have raised no objection to the development, following the submission of additional information relating to the treatment of foul drainage from the development.
- 5.10** Southern Water raised no objection to the proposed development and advised that the Environment Agency should be consulted. Southern Water provided standard advice relating to the use of Sustainable Urban Drainage systems, although it should be noted that the applicant does not propose to use this approach given the geology of the area.

Parish/Town Council Comments

- 5.11** Shalfleet Parish Council raised no objection to the proposed development but asked for any artefacts found to be reported to the Council's Archaeology department.

Third Party Representations

- 5.12** The Planning Authority has received 36 letters of objection to the proposed

development, which raised the following concerns:

- There are plenty of other brownfield sites to build on first
- It would be nice to see stone buildings built in keeping
- Wellow has few work opportunities, no school and no pub/ lack of infrastructure and services/ poor broadband/ no mains gas or sewer
- Lack of street lighting
- Wellow is a small and pretty village with few facilities and people have to travel elsewhere to the nearest Post Office or shop
- Wellow is not one of the regeneration zones
- Enough development has been permitted to cater for housing on the Island, but developers have not implemented them
- No evidence of a need for housing
- The justification is because the development plan is old and in need of change
- The site is within the wider rural area/ the site is outside of a settlement boundary
- The site should provide for affordable housing
- Given the older population of the Island it would make sense to make more bungalows available
- The new development at Shalfleet covers the housing need for the area
- Will new residents use the Greenway?
- This is not a brownfield site
- The village lacks mains drainage
- A viability report is mentioned but is not on the website
- The development would set a precedent for the area and overdevelop the West Wight
- The site is in fields with no other buildings
- Impact on existing residents
- Noise, traffic and pollution
- The development would impact on the quality of Wellow and its surrounding countryside and have an urbanising effect
- The site is totally surrounded by the AONB – **Officer comment** – the site is 500m from the nearest AONB at Bouldnor
- The area is important for dark skies
- The development would not be in keeping with nearby listed buildings/should enhance listed buildings
- The access should be widened/ is a poorly maintained track
- Can understand building more properties onto the main road, but not down a long track
- Impact of construction traffic on the highway safety/ state of the highway
- The figures within the TRICS statement are wrong
- Moving bus stops would impact on visibility within the B3401
- Roads in the area are narrow with a risk of accidents and there are no pavements/ congestion issues when large vehicles meet
- The amount of traffic that would be generated would not be conducive to the roads in the area
- If the Greenway is approved, it should be given proper legal designation and be a restricted byway, or a bridleway
- It is not clear whether there is a project for the Greenway

- The Greenway is premature
- The section of the Greenway proposed would be limited/ trade off would be limited
- Further research should be carried out in respect of the history of the site and potential for archaeology
- Increase in water going to the Thorley Brook, with potential for flooding to nearby properties/ flood risk
- A sequential Test should be sought
- Impact on wildlife and designated sites
- No evidence of a wildlife survey having been carried out – **Officer comment** – the submitted information includes the results of 2 site surveys
- It is sad that the holiday unit will be lost
- The current 30mph zone should be moved eastwards towards Wellow to slow traffic
- The Island is a UNESCO Biosphere reserve
- Impact on tourism
- Potential contamination
- Unsuitable drainage system
- An Environmental Impact Statement should be sought
- The site should be used for agriculture
- Issues of ill health should be considered

5.13 The Planning Authority received one comment that did not object to the housing, but that stated that affordable housing should be provided at the site.

5.14 A comment was received from the Open Spaces Society that neither supported or objected to the development but that stated that the development should not be used as a bargaining tool to provide the section of the Greenway and that if approved, the route should be secured by way of a legally enforceable agreement that was not dependant on the housing development. The Society did confirm support for the Greenway route.

5.15 Robert Seely MBE MP objected to the proposed development for the following reasons:

- Lack of affordable housing at the site
- The housing is likely to be for retirees
- There would be no benefit to the West Wight and its young people
- Support farm diversification but this is a step too far
- Where does concreting over the countryside stop
- The site is between two rural hamlets but soon there will be no hamlets or villages left because the spaces between them will be filled with housing
- We need housing to be built on brownfield land ideally in town centres
- Welcome the fact that the applicant is prepared to offer up land to extend the West Wight Greenway, which is something I am very keen to achieve, this offer should not come at such a big cost to our landscape and quality of life of rural residents

5.16 The Isle of Wight Ramblers Association state that they fully support the Right of Way Manager's comments and the principle of the establishment of a route linking Newport and the West Wight.

5.17 Cycle Wight supported the provision of the Greenway and commented that it should be integrated with the rest of the route, with the timing for delivery of the section at Lee Farm determined and for the applicant to provide a financial contribution.

5.18 The British Horse Society confirmed that it endorses the provision of the right of way, commenting that the loss of the permissive right of way at Lee Farm has been keenly felt by horse riders.

6 **Evaluation**

Principle

Housing need

6.1 Policy SP1 of the Island Plan outlines that unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the Key Regeneration Areas, Smaller Regeneration Areas or Rural Service Centres will not be supported. The Yarmouth and Thorley Community Plan covers the area of the application site but contains no policies directly relating to housing provision, although it does mention a need for affordable housing within the Parish. While the site is within a rural area and therefore not within a location generally considered to be acceptable for housing, this policy position should be taken in the context of the most recent housing needs assessment, Strategic Housing Land Availability Assessment (SHLAA) and the Council's Five-Year Land Supply Update 2018. The latter of these documents outlines at paragraph 7.18 that "the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1 April 2018."

6.2 Further to this, the Housing Delivery Test (published 14th January 2022) shows that 58% of the housing need (when using the Government's Standard Method Calculation) has been delivered on the Isle of Wight over the three-year period to 31 March 2021. This means the Council has failed to meet the 75% delivery threshold expected by national policy and, due to the level of housing delivery, is required to operate under the NPPF's presumption in favour of sustainable development.

6.3 Paragraph 11 of the NPPF outlines that plans, and decisions should apply a presumption in favour of sustainable development which for decision-taking means:

"(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 6.4** The importance of the above paragraph relates to the footnote attributed to ‘out-of-date’ associated with section (d) which states: “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”
- 6.5** The Council’s annual monitoring reports and the Housing Delivery Test demonstrate that delivery over the last three years has been 58% and we therefore fall within both categories. In light of this it is considered that it is not necessary for the applicant to demonstrate a need for housing, as this element of policy SP1 is considered to be out of date.
- 6.6** In addition, the requirements of policy SP2 in terms of the number of houses to be delivered in specific areas of the Island is considered to be out of date, due to the advice contained within the NPPF regarding housing delivery. This policy is therefore not currently considered to be relevant to the determination of housing proposals, meaning that the settlement boundaries set out within the Island Plan are not currently relevant in terms of the distribution of housing.
- 6.7** While policy SP1 is a strategic policy in terms of housing, it does give important locational guidance in terms of focussing housing in the most sustainable areas and settlements, the use of brownfield land and economic led regeneration. Thus, while currently no longer relevant in terms of local need, the overall approach advocated within the policy in terms of focussing development in the most sustainable locations is considered to be relevant in terms of the NPPF and its requirement to apply a presumption in favour of sustainable development.
- 6.8** The Council’s Annual Monitoring reports show that housing delivery is significantly below required levels (only 54% of required housing delivered in 2020). The table below demonstrates the delivery issues that the Council has faced in recent years:

Table 1: Homes required vs Homes delivered on the Isle of Wight, 2015/16 to 2020/21

Monitoring year	homes required	Source	homes delivered	
2015/16	523	Core Strategy	417	
2016/17	523	Core Strategy	324	
2017/18	531	Core Strategy	371	
2018/19	675	Standard method	354	
2019/20	616*	Standard method	253	*Reduced by 1 month due to impact of Covid
2020/21	458*	Standard method	411**	*Reduced by 4 months due to impact of Covid

Data Source: [Housing Delivery Test - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/housing-delivery-test)

**IWC AMR for 20/21 shows 445 homes delivered due to historic under reporting of 34 – no material impact on HDT result (60% instead of reported 58%)

Between 2018 and 2020, delivery on the Island has decreased, with the percentage of housing delivered representing 71% in 2018, 61% in 2019, 54% in 2020 and a slight increase for 2021 of 58%. Every year that the Council fails to achieve required housing numbers, this results in the number of housing required for the following year to be increased, hence the increases seen for the last four years within the

table. Because of the lack of delivery, the Council has three sanctions imposed. Firstly, the Council must produce a Housing Delivery Action Plan, secondly it must add a 20% buffer to its Five-Year Land Supply for sites and finally, as set out above, must apply the presumption in favour of sustainable development.

- 6.9** To achieve the required housing delivery levels and relinquish itself from the presumption in favour of sustainable development, the Council must deliver a greater level of housing (75% of planned housing numbers) and/ or adopt an up-to-date development plan and still deliver 75% of its new yearly target. While the Council is currently in the process of delivering the Island Planning Strategy (IPS), this is not yet at a stage at which material weight can be applied to it. However, for example, in 2022 to deliver Government targets for housing, the Council would be required to deliver 668 homes, and the Council would need to deliver 75% of this target, which would be 411 homes. Should the IPS meet the test of soundness and therefore be adopted in 2023, then there would be a requirement to deliver 486 homes per year, with 75% of this equating to 425. It is therefore readily apparent that the lack of housing delivery across the Island, must result in a requirement to cast the net further for suitable and available sites to deliver the housing that is required.
- 6.10** But this lack of delivery does not simply result in statistical issues for the Council. This also impacts on the ability for local people to purchase or rent the home of their choice. The Council's Housing Strategy advises that 'housing affordability and housing supply are and are set to remain the most challenging issues that the Island needs to address during the lifetime of this strategy and beyond. These fundamental issues are more important than ever to tackle against the backdrop of the current pandemic, the predicted economic recession to come, and the negative or positive impacts of Brexit which will inevitably result in continuing uncertainties in the housing market generally.'
- 6.11** The Strategy goes onto state that 'Currently, we envisage there will be further significant negative housing and wellbeing impacts for older, vulnerable, low income, and homeless households unless we intervene and prevent the housing situation becoming worse for these groups, whilst ensuring the delivery of high-quality homes that are genuinely 'affordable' for Island people across all tenures to increase their housing options and choice in the market.'
- 6.12** The Strategy also advises that 'We know there is a particular need to recruit and retain skilled people to work in essential public services and local industries including construction for the longer-term recovery and economic sustainability of the Island. The lack of suitable housing to meet this aspiration has long been identified as a barrier to this and needs to be addressed urgently.' The Strategy also advises that around 15,000 Island households, about 25% of all Island households, struggle to accommodate themselves in the local housing market. Therefore, there is clearly a need for housing, both for local residents and to attract skilled people to the Island and prevent those already here, from leaving.
- 6.13** Paragraph 60 of the NPPF states that it is a Government objective to significantly boost the supply of housing. In addition, paragraph 69 of the NPPF reasons that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, because these are often built-out relatively quickly. The paragraph goes onto to confirm that planning authorities should support the

development of windfall sites through their policies and decisions. Paragraphs 77 and 78 of the NPPF explain that planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs and to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It adds that where there are groups of smaller settlements, development in one village may support services in a village nearby.

6.14 The Council's 2018 Housing Need Assessment (HNA) does evidence that for the West Wight housing sub-market area (within which the site is located) there is an annual requirement of 41 new homes. However, the Council's statistics show that delivery within the area has been lower than required, with the following number of yearly completions:

2020/21: 19
2019/20: 8
2018/19: 39
2017/18: 15
2016/17: 9

Total: 90 units

For the 5 years prior to this, data is held by Regeneration Area (as defined in the Core Strategy), and for the West Wight (Freshwater & Totland) Smaller Regeneration Area the totals are:

2015/16: 80
2014/15: 39
2013/14: 5
2012/13: 52
2011/12: 25

Total: 201 units

As a result, there is a clear need for the housing proposed, given the lack of delivery within the area over the last decade.

Use of brownfield land and sustainability

6.15 It should be noted that there are not considered to be sufficient brownfield sites available to accommodate the level of development required to deliver the housing needs for the Island and therefore, in many cases new housing development will take place on undeveloped land. However, it is noted that the application site is previously developed, having operated as a bus storage depot for several years. The wider site is agricultural in nature, however in August 2003 a wide-ranging planning permission was granted (P/00218/03) that allowed the buildings at the site to be used as workshops and permitted 3 new tourism units (one has been built). The red line area for the planning permission covered the whole of the farm complex, including all buildings and the various yards between them. Moreover, an appeal relating to the use of the land for the storage of buses confirmed that the use was lawful due to the extent of the 2003 planning permission. The proposed housing would take place within the confines of the site area for the 2003 planning

permission, and thus all of the housing would be located on previously developed land, a matter which weighs in favour of this planning application given the emphasis set out within both the Island Plan and the NPPF for locating housing on brownfield sites.

- 6.16** Thorley, while a Hamlet in a rural area, is nonetheless a built-up area of housing and for planning purposes considered to be a settlement, in the context of the NPPF. This is an issue that has been debated previously in planning cases and in particular, during a Court of Appeal decision that concerned proposed development on the edge of a village that was made up of linear housing development. In the judgement of *Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd (2017)* the Judge advised that ‘Whether a proposed new dwelling is, or is not, ‘isolated’ in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.’
- 6.17** The Judge went onto reason that paragraph 55 of the NPPF, which considered the avoidance of new isolated homes on the countryside ‘Simply differentiates between the development of housing within a settlement - or village - and new dwellings that would be ‘isolated’ in the sense of being separate or remote from a settlement.’ The advice previously contained within paragraph 55 of the Framework is now set out at paragraph 80, which again seeks to avoid isolated dwellings in the countryside. However, Lee Farm is located within Thorley and close to Wellow, which both comprise numerous houses laid out in a linear manner. The farm is linked to these developed areas, but more specifically Thorley and therefore it is considered that the site at Lee Farm is not isolated.
- 6.18** Nonetheless, this would not mean that the site is within a sustainable location for housing development. The site is within a rural area and there is a lack of services that are required for everyday needs. However, Thorley does comprise a local Church, while nearby Wellow includes a community hall (Wellow Institute), a public open space and play area and a café/ bistro. There is a primary School (Shalfleet Primary School) located beyond Wellow, in Ningwood. These matters provide some moderate benefits towards the sustainability credentials for the scheme. However, it is apparent that residents of the proposed houses would need to travel beyond Wellow and Thorley for their everyday needs.
- 6.19** Yarmouth contains a range of facilities that would cater for the surrounding rural area, acting as a Rural Service Centre. The town includes a bus station, public houses and various cafes and restaurants, a convenience store, a chandlery that sells a wide range of products and various shops, some of which sell bespoke items. There is also a ferry port that allows hourly travel to the mainland. In addition, nearby Freshwater contains a greater mix of services and facilities and includes a large doctor’s surgery, a primary school that is currently being replaced with a new building and a sports centre that contains swimming pools, a sports hall, café, gym and a hairdressers. The village also includes convenience shops, two supermarkets, two pharmacies, beauty salons, a fishmonger’s shop, a butcher’s shop, takeaways, three estate agencies, a hardware store, garden centre, a Council householder waste recycling site, a petrol station/ repair garage and various other shops. Freshwater also includes various employment sites that combine with the outlined uses to deliver a substantial number of jobs within the West Wight Area.

- 6.20** Transport links to the services and facilities within nearby Yarmouth and Freshwater are a key issue for this planning application, given the need to provide travel choice for residents. Paragraph 105 of the NPPF advises that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF advises that this can help to reduce congestion and emissions and improve air quality and public health. But the NPPF also advises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that this should be taken into account in both plan-making and decision-making.
- 6.21** The application site is accessed via a farm lane, which opens on to the northern side of the highway that connects Wellow and Thorley. There is a wide grass verge that appears to be a village green immediately east of the farm access and beyond this, bus stops that provide access to Newport, Yarmouth and Freshwater on an hourly basis via the number 7 route. The service runs between approximately 08.00 to 23.30 daily and therefore would provide a convenient alternative choice to the car, that would allow access to the services and facilities and places of work in Freshwater and Yarmouth, as well as Newport.
- 6.22** In addition, the application proposes to provide a significant section of the West Wight Greenway, a scheme that aims to provide a safe walking, horse riding and cycling route between the western edge of Newport, through to Freshwater Bay. This would utilise the former Isle of Wight railway track bed, thus providing a direct and level route for users. The scheme has the full support of the Council, with aspiration 43 of the Council's Corporate Plan being a commitment to develop sustainable transport options with a focus on infrastructure to encourage active travel, stating that it is a key aim to annually increase by 20 per cent from April 2022, the number of towns, parish and community councils with local walking and cycling infrastructure plans which can be used to support capital funding bids. The Greenway has the support of the Council's Rights of Way Manager. In recent years, the agency working on behalf of the Council has sought and secured the agreement of landowner's, over whose land the route would cross. As a result, the planning authority has secured significant funding via legal agreements for the project and a Local Development Order is being prepared, that would allow the Council to implement the route.
- 6.23** The permits of the Greenway are discussed later in this report however, it is apparent that once constructed the route would allow a convenient cycle route to Yarmouth and Freshwater for residents of Wellow and Thorley, with the journey time being around 5 to 10 minutes to Yarmouth and around 20 minutes to Freshwater (see appendix 1 for the planned route and the western section of the route). This would allow a further alternative choice to the car for residents of the proposed development, thus increasing the sustainability of the site to an acceptable level in terms of providing a choice of transport modes so that residents would not be wholly reliant on car travel. As outlined below, the application site has a unique set of circumstances, being a brownfield site that also includes a section of the Greenway.

Mix of housing

- 6.24** Policy DM3 of the Island Plan states that the Council will support proposals that deliver an appropriate mix of housing types and size. The policy requires proposals to accord with the most up to date Strategic Housing Market Assessment. In April

2015 the Yarmouth and Thorley Housing Needs Survey (HNS) was published, covering the period 2015 to 2020. While now beyond its planned duration, the document gives interesting local information regarding the need for housing. The HNS confirms that there were 434 households in the areas in 2015, although this will have increased as a result of more recently development, such as the housing at Bouldnor Mead, on the eastern edge of Yarmouth. The HNS confirms that its response rate was 36.6% and therefore advises that outputs within it should be considered as minimum estimates.

6.25 The results of the survey confirmed that 7.5% of households in the area covered by the HNS planned to move, with 20% of households also including someone who planned to move. Of the people who confirmed plans to move, 80% (35 households) stated that they were hoping to move within the Parish. The HNS advises that there is a need for 3 x 2-bedroom houses, 1 x 3-bedroom bungalows, 3 x 2-bedroom flats/maisonettes, 2 x 2-bedroom bungalows and 1 x 2-bedroom houses in sheltered accommodation.

6.26 The HNS provides some evidence of the housing required in 2015. However, the plan period of the survey has now expired and since it was carried out, the Council has become subject to the presumption in favour of sustainable development owing to lack of housing delivery. Moreover, as the survey states, its results can only be taken as minimum estimates, given the low return rate for the survey. Nonetheless, it does show a housing need for a mix of 1, 2 & 3-bedroom houses, the majority of which should be single storey.

6.27 The Council's Housing Needs Assessment (HNA) undertaken in 2018 advises that the following mix of housing sizes should be sought for the West Wight area:

- 1-bedroom – 7%
- 2 bedroom – 33%
- 3-bedroom – 44%
- 4-bedroom – 16%

Regarding the mix of housing proposed, the submitted plans show that the development would comprise the following mix of open market housing:

- 6 x 2-bedroom houses – 35%
- 9 x 3-bedroom houses – 52%
- 1 x 4-bedroom houses – 6%

The HNA advises that it should be noted that this is an indicative mix only and does not constitute a policy starting point for mix negotiation which should remain at the strategic level. The site would not deliver 1-bedroom properties however, it should be noted that the above mix refers to the whole sub-market area, with some sites more suitable for certain housing sizes. The plans show that the site would deliver a mix of 4 single storey, 5 one and a half storey and 8 two-storey houses. It is considered that the proposed mix would generally comply with that set out within the HNA, which demonstrates that there is a clear need for 2 and 3-bedroomed properties, while also delivering a proportion of the single storey houses referred to within the Yarmouth and Thorley HNS. The site would deliver a substantial proportion of these sizes of property and therefore comply with the requirements of policy DM3.

Viability and the delivery of the Greenway.

- 6.28** Policy DM4 (Affordable Housing) states that in rural areas, developments of 10 units and above should provide 35% site affordable housing, with the final mix of tenure to be agreed with the Planning Authority. For this application affordable housing would not be provided on site, but a contribution of £27,120 for off-site provision would be secured. Although this would not be a directly comparable financial provision to on-site delivery, it has been assessed against viability of the scheme and the balance of other required contributions and the vital role the land would play in the delivery of the West Wight Greenway and the financial implications of this on the project. The West Wight Greenway would provide a right of way that would allow a safe sustainable transport connection between the west of Newport and the West Wight. The applicant owns a large section of the former railway line that previously connected Newport to Freshwater, which is shown as a key section of the proposed Greenway route and is proposing to undertake the works required for its delivery as part of this application/project.
- 6.29** The applicant's viability assessment predicts build cost against the nationally recognised Building Cost Information Service (BCIS) and follows the residual method of valuation, which is the recognised method for assessing sites proposed for new development. The residual method lists the costs of the completed development, along with the estimated returns of the completed development. The costs are deducted from returns to arrive at the value for the site (termed the residual land value). Appendix 2, below, is a section of the Government guidance for viability assessments, which outlines typical costs to be considered. It is considered that the assessment follows this guidance.
- 6.30** The assessment has been updated at the request of officers, to reflect current build costs for housing, noting increased costs for materials, and current house prices over the course of the pandemic. The costs have now been reviewed and they are considered to be accurate, taking into account BCIS. In addition, likely returns for housing are also considered to be suitable, given current market conditions. The viability assessment also includes the costs of constructing the 1.75km section of the Greenway. The total cost of the works has been agreed at £154,500 and alongside this, the land required for this section of the Greenway would be provided at no cost to the Council. These costs have been discussed and agreed with the Rights of Way Manager. When comparing the costs of developing the site, including the Greenway, without the provision of affordable housing, the viability assessment shows a surplus of £27,120. It has been agreed that this surplus should be secured via a legal agreement, to be used for affordable housing in the local area, but that any further contribution or on-site provision would be unviable.
- 6.31** It should be noted that the Greenway is a council scheme that now benefits from committed capital funding of circa £0.5 million, with the estimated cost of the whole route being circa £1.5 million. In addition, the Planning Authority has secured a £43,500 planning contribution towards sustainable transport from developments in Gunville. In addition, the Planning Authority secured a section of the route at nearby Newbridge via an approved solar park (P/00607/14), resulting in a 1km section being built and a connection between Gunville Road and land west of Alvington Manor View has been secured via a planning permission.

- 6.32** The Yarmouth and Thorley Community Plan confirms community support for a route between Freshwater and Newport. The Plan states that ‘We would like to improve provision for cyclists by supporting the extension of the Freshwater/ Yarmouth public bridleway through to Newport to allow for a safe off road cycle route.’ In addition, the Island Plan at Policy SP7 (Travel) states that the Council will support proposals that increase travel choice, provide alternative means of travel to the car and help reduce the impact on air quality and climate change. Policy DM17 (Sustainable Travel) builds on this and states that development proposals will be required to provide and improve accessibility for pedestrian, cycling, equestrian and public transport, especially when they:
- a. Create sustainable routes between urban and rural areas
 - b. Retain former railway line routes for future sustainable transport use
 - c. Provide new cycle routes as part of the national and/ or local cycle network, and
 - d. Provide safer routes to schools
- 6.33** Policy DM17 advises that proposals that create sustainable routes between urban and rural areas that can be adopted as a public footpath or bridleway, will be strongly encouraged and supported and that as part of this approach, the utilisation of former railway routes to deliver such provision is also encouraged. In addition, Section 8 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. Section 8 advises that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for health and wellbeing of communities and can deliver wider benefits for nature and support efforts to address climate change. Section 8 reasons that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- 6.34** The Isle of Wight Council’s Health and Wellbeing Strategy promotes a whole life approach for the health of all Island residents, seeking healthy lifestyles to reduce the potential for illness and health treatment. The Strategy advises that people who live in thriving and resilient families and communities enjoy a sense of belonging, of being cared for and valued. These feelings provide the foundations for better health, a sense of wellbeing and foster the conditions which support people to thrive and aspire to their potential. However, the Strategy advises that the percentage of adults completing less than 30 minutes of activity per day is 33.2 per cent, which is significantly worse than the national average of 22.7 per cent. This means one in three adults on the Island are inactive. It is estimated that 66.2 per cent of adults on the Island have excess weight which is similar to the national average. The Strategy states that the Council’s place-shaping role is crucial to creating the structural environment and directing how sport, physical activity and active travel can join-up to create a more integrated approach to increasing physical activity on the Island. Officers have considered the need for affordable housing against the need to promote active lifestyles to improve health and wellbeing, together with the unique circumstances represented by this site and the vital area of land that can be secured and laid out, as part of the development to deliver the Greenway, without which the project could not be delivered. The approach taken would allow for all of these things, albeit with a reduction in affordable housing provision.
- 6.35** The Isle of Wight Council’s Regeneration Strategy advises that better transport was the number one issue highlighted in the Wight We Want survey. The Strategy

reasons that working in partnership with transport providers, the Council will aim to make the transport network more accessible to a greater number of people, thus reducing the need for personal vehicles on the road and improving sustainable modes of travel. The Strategy confirms that this includes the public transport network as well as the Island's world class walking and cycling network.

- 6.36** The Council's Rights of Way Improvement Plan sets out the actions required to improve the right of way network on the Island. These include seeking opportunities to improve the network by making it more accessible and safer to use, for all users. The Council's Rights of Way Manager has advised officers that the Greenway project has been a long standing and much wanted West Wight community regeneration priority (note the comments within the Yarmouth and Thorley SPD above). It was to be the signature project of the West Wight Landscape Project (2008-2011) and the focus of repeated regeneration meetings/workshops. The Isle of Wight is the nation's "Bicycle Island" and is the premier destination for walking and cycling, previously voted as one of the top 10 places in the world to explore by bike by Lonely Planet. The Island is recognised as part of the National Cycle Network (NCN) but there is only one complete route (NCN 23, Cowes to Sandown), and part of another route (NCN 22 Ryde to Yarmouth) on the Island.
- 6.37** The Rights of Way Manager has advised that there are 517 miles (827 km) of public rights of way, the most concentrated public right of way network in England, but only 27.5 miles (5% of public rights of way) of this is suitable cycle and horse-riding routes. There is not a safe or direct cycling route between Newport and the West Wight, meaning that cyclists wishing to travel between these areas must rely heavily on roads, some of which are indirect and unsafe for cycling. Clearly this would deter people from choosing to cycle within the area. In addition, there are many rights of way routes that traverse the West Wight in a north to south direction, and yet accessibility to these is limited by the lack of a strategic connection in an east west alignment and a lack of locations to begin and end these walks. The Greenway would provide such a link and therefore not only allow foot, cycle and equestrian access between the West Wight and Newport, it would link existing footpaths within extremely scenic areas and make them more accessible to local communities, wider Island residents and tourists.
- 6.38** It should be noted that the Island economy relies heavily on tourism, with the sector being worth around £0.5 billion per year, attracting 2.4 million tourists per year. It is considered that the Greenway would significantly contribute to the Island's profile as a cycling and walking destination, particularly as it would allow NCN 22 to be extended to Yarmouth, the termination of the route on the Island. The Council's plans to increase daily exercise for Island residents means providing access to a range of different exercises, so that residents of all ages can improve or maintain their health. The promotion of daily walking and cycling is a key means of staying healthy and it is considered that the Greenway would provide much improved access to a range of settlements and communities across the West Wight, due to its position through the centre of this part of the Island, thus linking numerous existing rights of way, that can be difficult to access due to a lack of opportunities for parking, or lack of connection to towns and villages. The Greenway would also allow a realistic alternative route for people wishing to commute between the West Wight and Newport for employment, allowing cycling as a realistic alternative to the car.

- 6.39** Officers are aware that it has been concluded that at least 8,420 residents would potentially make use of the Greenway (source: Cyclewight). This would include local residents who would have the opportunity to cycle or walk between the various villages along the route, to rural service centres such as Yarmouth and Freshwater. Yarmouth and Freshwater are already well connected via the cycle route between these two locations, however the Greenway would connect with the Yarmouth cycleway at its current termination point at Wilmingham Lane, where cyclists must then rely on the highway network for onward journeys. In addition, to this, the proposed Greenway would also benefit the environment through reduced car journeys, with the National Travel Attitudes Survey recording that half of the adults surveyed stating that they would be encouraged to cycle more if more off-road cycle paths were available.
- 6.40** In September 2021 the Council approved a Climate and Environment Strategy, which outlines the options for a pathway to net zero emissions for the Island, by 2040. Included within the Strategy are a range of actions aimed at reducing reliance on car travel by up to 60%. This includes objective 3A – Walking and cycling to make up 41.5% of journeys by 2040. The Climate and Environment Strategy notes that the Island Planning Strategy includes proposals for new cycling routes on the Island, including the Greenway.
- 6.41** It is considered that the provision of the Greenway is a substantially important element of green infrastructure for the Island, and the objective to move away from reliance on the car. As set out above, the route would contribute towards the Council's aims to improve the health and wellbeing of residents while also contributing to the objectives for reducing carbon emissions and protecting the environment, therefore supporting the Island's UNESCO Biosphere status. The route would also connect a range of footpaths throughout the West Wight, providing a safe and accessible route for local residents to explore and enjoy the scenic areas of landscape between Newport and Calbourne, Newbridge and Wellow and Thorley and Yarmouth, areas that lack accessibility. Moreover, the route would allow chiefly off-road access for walkers and cyclists, providing the local community with not only a leisure route, but allowing a choice to walk or cycle to Yarmouth and Freshwater or Newport.
- 6.42** Officers consider that the section of the route at Lee Farm would be essential to allow the Greenway to be considered a safe route. While there would be sections of the route that would use rural lanes (Quarry Lane Newbridge and Wellow Top Road) these are quiet rural lanes, that are generally straight in alignment and considered to be safe, quiet roads for cyclists. The remainder of the whole route would be off-road. The section of the route at Lee Farm would mean that the majority of the route would be off-road and therefore offer a safe leisure route and an alternative choice to car travel. Without this section, much of the western section of the Greenway would be reliant on using the existing highway network.
- 6.43** The application site is in a unique position of being able to provide a large section of the Greenway route, while also delivering much needed rural housing using brownfield land. As a result, officers consider that the lack of on-site affordable housing, but the provision of a contribution, based on the viability of the project instead, would reach an appropriate balance, while acting as a catalyst for the remainder of the route and the delivery of a long wished for project. Having assessed the submitted viability information officers are satisfied that the application

would comply with policies DM4 and DM22.

Loss of holiday accommodation

- 6.44** Policy SP4 (Tourism) of the Island Plan seeks to protect existing high-quality units of holiday accommodation. The site includes a single holiday unit, that was permitted in 2003. While located within an attractive rural area, the development of the site would change the overall outlook of the unit, from one set within rural fields and close to existing commercial/ industrial buildings, to one more readily related to a residential development. While this would not be likely to wholly compromise the quality of the unit, its change to residential accommodation would be more in keeping with the predominant use of nearby development, if approved. Therefore, it is considered acceptable to allow the use to be changed to full residential, given the benefit of providing a dwelling in a rural location, that is considered to be sustainable.

Conclusion on principle

- 6.45** The application site is located within a rural area, beyond the rural service centres that are outlined within the Island Plan. However, the site represents a brownfield site within a small settlement and therefore, the proposed housing would not be isolated for the purposes of the NPPF. In addition, the Council is the subject of the presumption in favour of sustainable development, and as a result, there is a recognised overarching need for new housing across the Island. Therefore, the Council must strive to provide housing within sustainable sites across the Island. The NPPF states that it is a Government objective to significantly boost the supply of housing and the application site would provide an opportunity for a medium sized rural development, utilising previously developed land and regenerating a brownfield site that has become disused.
- 6.46** While within a rural area, the site would benefit from pedestrian access to a regular bus route and by virtue of provision of a sustainable transport link (the Greenway) would be made more sustainable, in accordance with the guidance contained within the NPPF. The site would therefore benefit from a genuine choice of transport modes, reducing reliance on car use. The site would be within an easy cycling and moderate walking distance of the services and facilities within nearby Yarmouth and Freshwater, giving new residents access to them, and in turn, increasing their use. The mix of housing is considered to be appropriate.
- 6.47** While affordable housing would be provided by way of a contribution, this is due to the significant section of the West Wight Greenway, which would be provided and funded by the developer. This would realise significant social benefits, by not only providing off-road access to services and facilities for residents of the site, but also for the existing wider rural community, and moving the aspiration of the Greenway a stop closer. This in turn would provide health benefits for the local population and increase the choice of rights of way throughout the West Wight, by allowing safe access to them. Moreover, the route would realise environmental benefits, through reducing car use and contributing towards carbon reductions.
- 6.48** As the report notes, this is a unique set of circumstances that relate to the application site rather than setting a precedent for similar schemes within the West Wight, due to the brownfield nature of the site, and the extent of the Greenway that

would be provided. As a result, it is considered that on balance the proposals would be acceptable in principle and therefore comply with the guidance set out within the NPPF in respect of housing delivery and the requirements of policies SP1, SP7, DM3, DM4 and DM17 of the Island Plan and the Yarmouth and Thorley SPD.

The impact of the development on the character of the surrounding area

- 6.49** Policy SP5 (Environment) of the Island Plan Core Strategy states that the Council will support proposals that protect, conserve and/or enhance the Island's natural and historic environments. All development proposals will be expected to take account of the environmental capacity of an area to accommodate new development and, where appropriate and practicable, to contribute to environmental conservation and enhancement.
- 6.50** Policy DM2 (Design Quality for New Development) states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the Island's existing environment while allowing change to take place. The policy states that development proposals will be expected to provide an attractive built environment, be appropriately landscaped and compliment the character of the surrounding area.

Landscape impacts

- 6.51** The West Wight Landscape Assessment identifies the site as being within Landscape Type 9: Rolling Farmland and the Calbourne Rolling Farmland Landscape Character Area. The Assessment states that the following are key characteristics of this area:
- Gently rolling landscape underlain by Hamstead Beds Clay, Silt and Sand geology
 - Undulating topography gives varied views with glimpses of the sea and the downs
 - Peaceful, highly rural, pastoral landscape of irregular medium scale fields
 - Fields bounded by thick hedges with frequent hedgerow trees giving a semi-enclosed, ambiance and providing important corridors for wildlife such as red squirrels and dormice
 - Network of copses and woodland including ancient woodland (some maintained as coppice with standards) and wood pasture of high ecological interest
 - Isolated areas of acid and unimproved neutral grassland, lowland heath and scrub of high biodiversity value
 - Presence of water bodies including streams, springs and drainage ditches
 - Fairly sparse network of roads and rural lanes, with little access to some sections, a dismantled railway track traverses the area
 - Settlement pattern of scattered farmsteads and a few nucleated settlements with some more recent holiday camps, and linear suburban settlement along unmade roads
 - Historic settlements include the abandoned medieval town of Newtown
 - Building styles vary from traditional stone dwellings in village centres through more modern brick dwellings to bungalow and chalets
 - Long history of woodland land cover and traditional management

- High survival of historic features such as estate boundaries, medieval woodlands and historic parkland for instance at Westover and Swainston

The Assessment advises that Calbourne Rolling Farmland is a peaceful, sometimes secluded landscape of pastoral farmland, frequent small woodlands many of them ancient, and scattered farmsteads and small villages. There are variations in character throughout the area with some sections being more settled or with more arable cultivation. Settlement is highly mixed in style and materials from historic villages of local stone to holiday parks and linear suburban style settlement. The Assessment concludes that the character area is of moderate strength in character, with an overall good condition. The strategy for the area includes conserving the small-scale settlements of historic character and traditional materials, protecting sites of historic interest and above and below ground archaeological features.

- 6.52** The application site is located within an area of lowland farmland, to the north east of Thorley and within a wide but low valley basin, east of Yarmouth. The hamlets of Thorley and Wellow form a line of development that is obvious when seen from the higher land around Broad Lane (south of the site) and the landscape surrounding it, but they occupy a low point within the landscape and so are not dominant features. The areas of land close to these hamlets generally include moderate to large size fields that are aligned by mature hedgerows that include large mature trees, predominantly oaks. North of the landscape are the large areas of woodland and forestry that straddle the Yarmouth to Newport highway, stretching to the northern coastline of the Island.
- 6.53** The application site is set back from the highway that links Wellow and Thorley by approximately 180m, occupying a similar land level to Thorley. The site comprises the more historic stone buildings that occupy its western side. Much of the farm complex is however, occupied by significant modern barns. There is a large cluster of these within the centre of the complex, with high elevations and large roofs. Beyond these are more linear but nonetheless, large barns, with tussocky grass above former concrete fold yards surrounding them. South of these are areas of attractive orchards and grass, which slope in a southerly direction.
- 6.54** The barns are an obvious existing feature when within the site and when within the landscape surrounding Wellow and Thorley. While much of the farm occupies the same land level as Thorley, the northern part of the site is very slightly elevated and so the barns are a little more visible from locations to the south. However, as the farm is set back from the highway, it is not a dominant feature, but rather an established rural farmstead that is typical of the Calbourne Farmland Pastureland character area. The site is also partially screened by the various hedgerows and trees that align its boundaries and those of the fields that surround it.
- 6.55** The proposed development would result in the demolition of the eastern barns at the site. The plans show that a mix of two, one and half and single storey dwellings would replace the barns, with the dwellings arranged in two farmyard style areas. The new dwellings would be set in from the site boundaries of the application site, which is delineated by existing rows of hedges, and trees. Gardens would be provided between the dwellings and hedgerows, therefore having the effect of clustering the buildings together. The plans show that the larger two storey dwellings would be located on the western side of the development, close to the larger barns that would be retained by the farm. As a result, these buildings would

not appear dominant and blend with those to the west. The remainder of the dwellings would decrease in height towards the east and southern boundaries, allowing a gradual reduction in scale towards the countryside. The two-storey farmhouse style dwelling would be located centrally, thus being screened by the lower dwellings.

- 6.56** The dwellings would be designed to appear as a complex of barns, utilising barn style roofs and simple elevations. Arranged as two farmyards the development would, therefore reflect the agricultural nature of the farm and wider area, allowing the development to blend with its surroundings rather than appear out of context.
- 6.57** In terms of landscape impacts, the farm is well screened from viewpoints to the north. From more distant locations, such as the Shalfleet to Yarmouth highway, the site is not visible by virtue of the presence of Lee Copse, a large area of woodland on the southern side of the highway. There are no public footpaths north of Lee Farm, with footpath 7 being the closest and located 360m east of the site. The footpath is largely enclosed by hedges or the woodland at Lee Copse, but there is an open section that allows attractive views to the west across a long meadow that stretches to the rear of the application site. But these are distant views and the hedgerow and trees that align the north and eastern boundaries of the site screen it and when combined with the site being at a lower land level, the development would not be readily visible or cause harm from this location.
- 6.58** The route of the Greenway would allow some limited glimpses of the development. But again, views would be from distance and there would be lines of trees and hedgerows between that would offer significant screening. Parts of the Greenway route are also enclosed by a narrow line of trees and hedges, further reducing views of the development. Lee Farm is at a lower level than the land to the north and officer site visits showed that the existing barns are not readily apparent from the former railway line, which is located approximately 400m from the site boundary. Where seen, views would be of the upper sections of the roofs of the two storey dwellings with the large oaks and hedgerow that align the northern boundary mitigating their impact, while also seen in the context of the roofs of existing houses within Thorley.
- 6.59** There would be oblique views towards the site from the landscape to the east and southeast, that surrounds the houses in Wellow, with the closest property within Wellow being approximately 220m south east of the site. Views from the highway directly south of the site would be similar. From the highway within Wellow, views of the site are screened by the housing that aligns its northern side. When west of the hamlet and beyond the housing, the highway is aligned by mature hedgerows. There are field gates within the hedgerow, and these allow views across the field that divides the farm from the highway, and in addition, the hedgerow is cut to around 1.7m in height, allowing views from higher vehicles and for those wishing to walk along the highway.
- 6.60** From these locations to the south and south east the change would be noticeable, from a farmstead with large barns, to one with a network of housing that would stretch from the retained barns, across the site to the east. There would be a mix of timber and brick elevations and tiled roofs visible from these areas. However, the design of the scheme would allow the cluster of houses to appear akin to converted barns, with those closest to the vista points being single storey. These would

replace the large and simplistic form of the current barns with a more characterful cluster of buildings designed in an agricultural style. While the views of the site would change, and the amount of development would increase, it would not appear harmful and be mitigated by intervening distance, the lines of hedgerows and trees on the southern boundary of the site and the fact that the site is not overly elevated.

- 6.61** There are further views towards the site from more distant southerly viewpoints such as the landscape around Broad Lane (700m south west of the site) and the fields to the east of this highway. This area of landscape is between 20 to 30m above the land level of Thorley and Wellow and from Broad Lane there are wide and open views towards these areas, with Lee Farm being enclosed by woodland that is east of the main farmhouse. Footpaths 18 and 19 are located further east and allow similar views toward the site, at comparable distances.
- 6.62** From these locations, the form of the housing would not break the horizon and instead, Lee Copse, which is north and at a higher land level, would provide noticeable backdrop for the housing and prevent it from appearing dominant within northerly views. When seen from Broad Lane, Lee Farm is not readily visible, but it is from the footpaths further east from where there would be views of the proposed housing and gardens surrounding it. But from these areas the roofscape of both Wellow and Thorley is an existing part of the landscape, stretching a significant distance to the east and west. The proposed housing would form part of this existing characteristic and thus not appear out of place. The development would alter the appearance of Lee Farm but when considering the intervening distances, the existing buildings at the site, the housing that flanks these views and the trees lined southern boundary of the site, it is considered that the development would not appear harmful.
- 6.63** The landscape to the west of the site occupies a generally low land level, following the course of the Thorley Brook as it winds westwards towards Wilmingham Lane and Thorley Manor. This area is attractive and formed of lowland pasture and meadows that are enclosed by thick hedgerows. There is a public right of way (footpath 6) that runs across the valley 300m to the west of Lee Farm, but this footpath is heavily enclosed by a woodland edge and the woods west of the listed farmhouse at Lee Farm means that the site is not visible. The proposed development would be on the opposing side of the farmhouse and the barns to be retained and therefore, would not be visible. This is true of the remainder of the landscape to the west, from where the site is not visible.
- 6.64** The highway west of the application site continues in a westerly direction, parallel to the housing that aligns it. Beyond the hamlet, the road is aligned by mature trees and given its low land level and the blocking effects of trees and housing, there would be no impact on this section of the highway as a result of the development.
- 6.65** The proposed development would benefit from the existing landscaping that exists at the site, and that proposed. As explained above, the site itself is edged by mature boundary hedgerows, with those on the southern and northern boundaries being noticeably thick and established and including many mature trees. The southern section of the site is currently an orchard and area of pasture, which has an attractive and rural feel. Existing trees within this area would be retained, with the southern-most dwellings occupying the same separation distance as the current holiday unit, meaning that there would be a significant distance between the

southern tree-lined boundary and the housing. The garden areas to serve the properties would be enclosed by post and wire fencing, to reflect typical farm fencing and beyond this would be a wider buffer zone, left to its current appearance.

- 6.66** The remainder of the site would be landscaped to reflect the current tree planting within the farm. The plans show that there would be a significant group of trees planted to form the boundaries of the proposed farmhouse, reflecting the enclosed nature of the existing farmhouse. The various yard areas would be largely laid with meadow turf, with gravel and brick access and turning areas, with access gained via a concrete access road. The use of concrete would prevent the access road from appearing garish (such as the use of asphalt) and instead, reflect the appearance of the concrete yards and tracks around the farm, which have a more muted colour. The fact that these accesses would be relatively narrow and be bound by meadow grass would limit their visual impact, which beyond the site would be very limited. Because parking areas would be within the yards, they would be visually contained by the proposed housing.
- 6.67** Further tree and shrub planting would also be undertaken throughout the site, and between the proposed farmsteads, using native species such as wild cherry, yew, crab apple and wayfarer trees. Hedge and shrub planting would include typical native species such as blackthorn and dogwood. This would allow a canopy of trees and planting to establish, linking with those to the west and that align the southern and northern boundaries and breaking the vista between the houses on the southern section of the site, and those on the northern section. This would prevent uninterrupted lines of roofs and therefore, adhere to the current views of Thorley and Lee Farm, which include tiled roofs between trees, thus allowing the development to integrate into its surroundings.
- 6.68** In conclusion, the proposal would redevelop an existing area of built form. The current appearance of the site is of a complex of existing large barns, that are in a state of disrepair, surrounded by former yards and pasture. The proposed development would result in a greater amount of built form, but this would remain contained within the existing belt of hedgerows and trees that surround the site. While the development would result in visual change, the impact on the landscape would be limited, owing the low level of the site and the distance between it and visual receptors. The proposals would be seen in the context of the rural area, with ribbon development either side and pocket of woodland that screen parts of site and act as a backdrop for views looking north. It is considered that the extent of change to the landscape would not result in material or demonstrable harm and be outweighed by the provision of housing within a brownfield site. Therefore, it is considered that the development would comply with policies SP5, DM2 and DM12 of the Island Plan.

Design and external appearance

- 6.69** The arrangement of the proposed dwellings along with the design of openings, roofs and cladding would give the impression of a farm group and therefore, reflect the character of the area. The houses that would form the farmyards would have a simple rectangular form, with gabled roofs. To give visual interest, there would be a mix of terraced, semi-detached and detached properties. The fenestration for the houses would be arranged in a simple and balanced manner, with the use of casement windows and more modern openings giving a modern cottage style

appearance.

- 6.70** The larger barn houses to be located on the northern boundary would appear as converted threshing barns and comprise barn hipped roofs and cart entrances. This would combine with the smaller dwellings which have been designed to appear as cart sheds or milking parlour style buildings. Older farmsteads on the Island are characterised by this approach, where larger threshing barns would open onto a rickyard or fold yard, which would be enclosed by smaller cowsheds, parlours and cart sheds, with the farmhouse overlooking these areas. The proposed development would reflect this approach, with the proposed farmhouse style unit located centrally to overlook the two quadrants of housing, which would enclose the parking areas and front gardens.
- 6.71** The plans show that the houses would be finished with a mix of timber cladding, stone, brick and clay tiles to combine with the proposed design and scale of houses to bring about a high-quality design approach. The use of design features such as hay loft doors, louvres and barn openings would prevent the roofscape from appearing bland or simplistic. The use of timber post and rail fencing would allow the yards to have an open and agricultural appearance, with trees planted throughout to allow the site to reflect the surrounding wooded farmland and to break up the built environment.
- 6.72** As noted within the landscape section above, the existing landscaping at the site would be retained, with generous buffers provided to give space between buildings and site boundaries. The access roads would wind through the existing grassed orchards, with the roads to be narrow and reflective of the farmyard environment. The gaps between houses would allow interesting vistas both out of and into the site, and the loose layout of the houses would provide a low density feel, with generous areas of landscaping able to soften the appearance of the development and allow it to integrate with the landscape beyond the site, and the layout of Thorley to the west.
- 6.73** Overall, the design approach for the development would be high quality, reflective of the current built environment and the rural character of the area. The most prominent sections of the development would be set in the background of retained fields and the proposed landscaping, which as stated above would be enhanced, which would allow the development to assimilate into the surrounding tree belts and hedgerows that are defining elements of the landscape. Therefore, it is considered that the design, scale and layout of the development would be in accordance with the design advice contained within policies DM2, DM11 and DM12 of the Island Plan.

Impact on neighbouring properties

- 6.74** Paragraph 185 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.75** The application site is located close to housing within Thorley with a cluster of three houses located immediately west of the existing farm access, the closest of which

are 120m from the existing holiday unit. Between these houses and the site are the hedgerows that align the farm access, a field and the southern boundary hedge and tree line for the application site. The distance combined with intervening vegetation would prevent a loss of outlook, daylight or privacy for these properties. In addition, the distances would prevent the proposed housing from appearing an excessive scale or dominance for these properties. Remaining properties within Thorley are at a greater distance than these houses and therefore, impacts would be correspondingly lower and not considered to be harmful.

- 6.76** The traffic related to the proposed housing would pass the side elevation and garden that serves Dakhan-Rae. The submitted information shows that the development would be likely to generate up to 111 two-way trips per day. Spread over the course of the day, this would be circa 9 trips per hour. This level of movements would be relatively low and considering the existing presence of the highway, it is considered that the development would not compromise the amenity of nearby properties as a result of traffic movements within the farm lane. The use of this lane for residential development and impact thereof also needs to be considered in the context of the former use of the site as a bus depot, and the impacts associated with this.
- 6.77** The closest property to the application site within Wellow is Cider Cottage, a detached red brick house located on the northern side of Main Road and located 220m south east of the site. While the application site is visible from this property, such a significant distance between it and the site would prevent the proposed housing from impacting on its amenity. Other properties within Wellow are situated at increasing distances from the application site and accordingly, impacts would be no greater than those attributed to Cider Cottage.
- 6.78** The Council's Environmental Health Officer has raised no objection to the proposed development in terms of the construction phase but advises that a Construction Management Plan should be secured by condition. This would allow the planning authority to control hours of working for all stages of the construction project in order to protect residential amenity, particularly during evenings and weekends and to secure suitable working practices for the site that would protect the amenity of nearby properties and uses. Therefore, it is considered that the proposed development would not compromise the amenity of nearby existing properties and is considered to comply with the requirements of policy DM2 of the Island Plan.

Impacts on heritage assets

- 6.79** Paragraph 195 of the NPPF notes that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraphs 199 to 202 of the NPPF describe two levels of potential harm that can be caused to the significance of designated heritage assets, namely substantial harm and less than substantial harm. These effects are to be weighed in the planning balance according to the guidance set out within these paragraphs, bearing in mind the statutory provisions above within the 1990 Act. Paragraph 202 of the NPPF deals with cases of less than substantial harm and notes that any such harm should be weighed against the public benefits of the proposal.

- 6.80** Policy DM11 (Historic and Built Environment) notes that the Council will support proposals which conserve and enhance the special character of the Island's built and historic environment. Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2017), provides for a thorough understanding of the setting of a heritage asset and the relationship of the setting to curtilage, character and context and should be used to help make an assessment. The document advocates a stepped approach to assessing the impact of change within setting on the significance of heritage assets.
- 6.81** The application site includes two grade II listed buildings, these being the main farmhouse and Hackney Stables. As noted within the beginning of this report, the farmhouse is an attractive circa 17th century or earlier farmhouse, constructed of coursed stone under a large red tile roof. The main elevation faces east, and slightly south overlooking an orchard, with modern barns to the north east and the main farm access between. The garden that serves the farmhouse includes a single storey brick outbuilding with a tiled roof, which officers consider to be curtilage listed.
- 6.82** The site of the proposed development is located east of the listed farmhouse and curtilage listed building, with large modern agricultural buildings to be retained between. The farmhouse clearly relates to these buildings given their agricultural character and its setting includes these farm buildings and the farmland that is close to it. However, the modern barns do have the effect of denuding the setting of the listed building and its outbuilding, given their simple modern design and lack of historic merit. Their benefit is that they act as a blocker to the farm buildings further to the north and east.
- 6.83** The proposed housing development would be located east of the existing modern barns, which would largely screen the new buildings. However, there would be combined vistas of the new housing development and the listed farmhouse and outbuilding, particularly when south or south east of them. The proposed housing would replace existing barns, with the southern most of these new buildings on the same alignment as the holiday unit, which is to be retained for residential purposes. However, the housing would be designed to appear as rural agricultural buildings. The use of simple lines and design appendages such as louvres, hay loft openings and simple gabled roofs would reflect the typical characteristics of older farm buildings. Moreover, the larger housing would be designed to appear as threshing barns, with the smaller housing designed to appear as cart sheds, cattle stores or parlours. The housing would be arranged in quadrants, surrounding yards, again giving the appearance of a farm group.
- 6.84** Arguably, the current modern farm buildings to be removed reduce the quality of the setting of Lee Farm and its listed buildings and it is considered that while the replacement development would be larger, it would be no closer to the listed farmhouse or its curtilage listed outbuilding. The land between these two areas is an attractive orchard, with an access track snaking through it. The appearance of this area would not be altered, save for a passing bay along the main farm access. It is therefore considered that the immediate setting of the farmhouse would be preserved, with the wider setting that includes the residential development to retain its agricultural character. This development would not block any existing important vistas of the farmhouse or from it but result in change that officers considered would not cause demonstrable harm, with the impact on the significance of the listed

building considered to be less than substantial.

- 6.85** Hackney Stables is a fine example of an historic stable block. The building is constructed of cut natural stone blocks with a corrugated modern roof. The front elevation contains symmetrically arranged windows either side of a central stable door. The listing description says little of this building, but it is thought to date from around the 17th Century and to have been constructed by the Hollis family, who installed a venetian style window above the main entrance to Lee Farmhouse.
- 6.86** The setting of Hackney Stables is undeniably agricultural with the building located within the north western corner of the farm, overlooking a narrow yard, with the farmhouse in clear view. The large modern barns are located within very close proximity to the stables, and their size, scale and proximity impact on the quality of its setting. The proposed development would not be visually linked with Hackney Stables, given their discrete situation within the farm complex, and the lack of visual connectivity to the eastern side of the farm group. The proposed housing would not interrupt the relationship that the building shares with the listed farmhouse, or the non-listed heritage asset that is the single storey stone barn to the south west of it. Therefore, the impact of the development on Hackney Stables and their setting would be less than substantial and not harmful.
- 6.87** The stone barn located north of Lee Farmhouse is a designated heritage asset. This barn has been converted to residential use and like Hackney Stables, is dominated by the large modern barns to the east, which would be retained. The development site would not be visible from this building and there would be few opportunities to view both in tandem. Given their use and the design ethic for the development (to appear as converted barns) it is considered that the heritage asset would not be compromised.
- 6.88** Thorley and Wellow both contain listed buildings. The closest to the site is Lilac Cottage, a detached thatched cottage constructed of stone and located 230m to the south west of the site. The cottage fronts onto Thorley Street and is separated from the site by other residential properties, trees and other vegetation. The cottage has no visual links to the site and given the distance and intervening vegetation, it is considered that the development would have no impact on the setting of the listed building.
- 6.89** The Church of St Swithin is located 600m to the west of Lee Farm. The Church is grade II listed and dates from the 1870s, when it was constructed using some of the materials from the Saxon Church at Thorley Manor. The Church is attractive, but it is located a significant distance from the application site and there is no intervisibility between the two sites. Therefore, the proposed development would not cause harm to the Church of St Swithin, or the war memorial within its grounds, that is also grade II listed.
- 6.90** Upper Lee is a detached dwelling located 220m west of Lee Farm and is grade II listed. However, the property is set within a secluded site and screened from Lee Farm by woodland. The proposed development would not be visible from this listed building and therefore not compromise its setting. There are further listed buildings within Thorley and to the west of Lee Farm, but these are at such significant distances that when combined within intervening woodland and landscape, would not be impact upon by the development.

- 6.91** Wellow has fewer listed buildings than Thorley and the only property that is within close proximity to the application site is Wellow House, a detached stone cottage located on the southern side of Main Road Wellow and 430m from the application site. Wellow House is grade II listed. The officer site inspection showed that the property is screened from the application site by existing houses within Wellow and vegetation, sharing no relationship with the site.
- 6.92** Having regard to the above and resultant less than substantial harm resulting from the proposed development, officers are satisfied that the public benefits associated with the proposed scheme, including the provision of rural housing on a sustainable brownfield site and the delivery of a section of the Wight Wight Greenway, together with a contribution towards affordable housing would appropriately outweigh this harm.
- 6.93** The Council's Archaeological Officer has advised that due to ground disturbance on the site from previous land use, it is unlikely that there are any below ground archaeological implications. In addition, Historic England have confirmed that they do not wish to comment on the proposed development. As a result, it is considered that the proposed development would comply with the requirements of policy DM11 of the Island Plan.

Ecology and trees

On site ecology

- 6.94** Policy SP5 of the Island Plan requires development proposals to protect, conserve and or enhance the Island's natural environments. Policy DM12 of the Island Plan requires development proposals to conserve and enhance the biodiversity interest of the Island, to protect the integrity of international, national and local designations relating to biodiversity, to avoid direct and indirect adverse impacts upon the integrity of designated sites and where necessary to provide appropriate mitigation measures.
- 6.95** The application site is not the subject of any ecological designations. However, the land surrounding the site includes wide hedgerows, an orchard and tussocky grassland, which could support protected species. The applicants have provided an updated ecology survey of the site, which is based on desktop and site surveys. This found that the site and its surrounding hedgerows and trees would support nesting birds and other species of bird, as well as roosting, commuting and feeding bats. The surveys showed no evidence of badger setts on the site although well-worn paths did suggest that badgers may travel through the site. The surveys showed no evidence of reptiles (slow worms) although the survey does conclude that these are likely to populate the hedgerows around the site. Likewise, no evidence of dormouse was found, although again, it is advised that the hedgerows at the site are likely to be used by this species.
- 6.96** The ecology survey contains specific recommendations for the site. These include ensuring that any boundary treatments do not act as barriers to species movement, in order to allow wildlife to move through the site, for buffers to be provided between the development and site boundaries, for habitat connections such as scrub and hedges to be retained, for new landscaping to be undertaken within the site and for this to include edible native species and fruit trees. In addition, the ecology report

advises that new habitats for various protected species should be installed at the site and for any clearance to be undertaken carefully and for no clearance works to be undertaken within the nesting season (1st March to 31st August).

- 6.97** The Council's Ecology Officer has raised no objection to the proposed development, confirming that the updated ecology report is acceptable. The Ecology Officer has advised that the recommendations outlined within the ecology report should be secured by condition and as a result, a suitable condition has been recommended. As a result, it is considered that the proposed development would not compromise any protected species and comply with the requirements of policies SP5 and DM12 of Island Plan.

Biodiversity net gain

- 6.98** Since the submission of this planning application, the Environment Bill has become law. The Environment Act includes a requirement for environmental net gain, a concept that aims to ensure that developers leave the environment in a measurably better state compared to the pre-development baseline. While not yet mandatory, the requirement is for developers to deliver a 10% increase in biodiversity, known as Biodiversity Net Gain.

- 6.99** In relation to this planning application, it should be noted that it must be determined in accordance with adopted policy guidance and the law. The NPPF refers to net gain and advises that when determining planning applications, opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. As a result, it is considered that a requirement for net gain is a material consideration.

- 6.100** Although not yet a mandatory requirement it is considered that planning conditions related to the proposed development and the associated legal agreement could include requirements for the development to meet Biodiversity Net Gain. This would be agreed via the condition discharge process, which would require the submission of a biodiversity gain plan, that would need to be undertaken in accordance with Natural England guidance and include a biodiversity metric, which would compare the baseline for the site with the need for 10% Biodiversity Net Gain. Having regard to the area of land retained for buffer zones and landscaping, it is considered that this requirement would be achievable.

Impacts on trees

- 6.101** There are numerous trees close to the entrance and within the perimeters of the site that are considered important to the rural setting of the wider area. There are also several groups of native trees and shrubs planted in recent years that are internal to the site with a lower amenity level due to their age and size. However, they would have a potential to achieve a higher future amenity value when grown to their full potential.

- 6.102** The Council's Tree Officer has advised that the major area of impact to trees would be caused through the loss of the internal trees and some fruit trees along the intended access track. The Officer has reasoned that whilst this loss would have an impact it is possible to mitigate the loss in a reasonably short period of time because

the trees to be lost are still young. It is for this reason that the trees are only worthy of "C" grade when assessing them with the BS 5837 "Trees in relation to demolition and construction." As a result, the Tree Officer has advised that the trees should not be considered to be a material consideration in the determining of this application. However, the officer has advised that it is still important that the trees loss is mitigated through replanting and concluded that this is shown to be intended within the landscaping proposals.

- 6.103** As a result, the Tree Officer has raised no objection to the proposed development and recommended that a condition should be imposed to protect retained trees during the course of the development, and that a soft landscaping scheme is secured by condition. Therefore, the development is considered to comply with the requirements of condition DM12 of the Island Plan.

Nitrates impacts on designated sites

- 6.104** As the development would result in a net increase in housing there is the potential that it would add to existing problems within the Solent as a result on nitrate enrichment, which is currently having detrimental impacts on protected habitats and bird species. Protected species of birds use mudflats within the Solent for feeding. However, research carried out by Natural England has shown that nutrients discharged by sewage treatment works into the Solent causes eutrophication of the SPA and this compromises the ecological value of the designated site. Further information and guidance on this matter is contained within the Council's Position Statement and Natural England's published guidance Advice on Achieving Nutrient Neutrality for New Development in the Solent Region. The Council's Position Statement has been ratified by Natural England and the Environment Agency.
- 6.105** To ensure that housing development would not add to existing nutrient burdens in the Solent and adversely impact on the designated SAC and SPA / Ramsar sites within it, the Position Statement explains that it must be demonstrated that either the development is nitrate neutral or that its wastewater would be treated at Southern Water's Wastewater Treatment Works (WwTWs) at Brighstone, Sandown, Shorwell or St Lawrence, all of which discharge to the English Channel and not the Solent, thus avoiding harm to protected Natura 2000 sites.
- 6.106** Developments that connect to these WwTWs do not have to demonstrate nitrate neutrality as wastewater from these developments would not enter or adversely affect the Solent and designated sites within it. However, the Council also notes that many rural locations on the Island are not served by the public sewer system. In such locations, housing is generally drained using on-site treatment plants. The proposed development would be served by an on-site treatment plant, due to lack of access to a public sewer.
- 6.107** The applicants have proposed to use a 'Bio-bubble' Package Treatment Plant and as a result have submitted information to assess whether the development would be nitrate neutral. The information provided has shown that the treatment plant has an efficiency rating of 88.5% total nitrogen (TN) load reduction. The assessment reasons that the development, without treatment would result in 12.4kg TN per year as a result of wastewater. The information shows that the current nitrogen load for the land would be 57.166 kg of nitrogen per year. The information calculates that the post development nitrogen load would be 28.886 kg of nitrogen per year and

once wastewater has been treated by the Bio-bubble system, there would be a nitrogen load of -15.88 kg TN per year. This would therefore represent a reduction in nitrates being discharged from the site.

- 6.108** Natural England have advised officers that they are familiar with the Bio-bubble system and therefore have confirmed that they raise no issue with the efficiency rating that has been provided by the applicant. Natural England have confirmed that with the use of the Bio-bubble system, the development would result in the -15.88 kg TN per year that has been laid out within the applicant's information. In addition, the Council's Ecology Officer has raised no objection to the proposals. As a result, it is considered that the proposed mitigation measures, in the form of the Bio-bubble treatment plant, would mitigate the impacts of the proposed development upon designated sites and provide a reduction in nitrogen discharges compared to the existing use of the land. As a result, it is considered that the development would not compromise the interest features for which the SAC and SPA / Ramsar sites within the Solent area have been designated.
- 6.109** It should be noted that the requirement for the Bio-bubble treatment plant would be secured by legal agreement. This would provide the certainty for the delivery of the mitigation, as required by the Habitat Regulations. This is because there is no immunity period for the enforcement of clauses of legal agreements, thus allowing the planning authority to take action to ensure that mitigation measures are undertaken, if required.

Solent Protection Area Mitigation

- 6.110** The site is located within the 5.6km of the Solent and Southampton Waters SPA/ Ramsar site. This area is important habitat for a range of wildfowl, which use areas close to the northern shoreline of the Island for shelter and feeding during the winter. However, evidence shows that recreational activity on designated areas (and supporting habitats) can cause disturbance to wildfowl and therefore have an adverse impact on bird populations. To mitigate for such impacts, Natural England and a range of other bodies including the Council have devised a means of mitigation known as the Solent Disturbance Mitigation Project (SDMP).
- 6.111** The Bird Aware Solent guidance for the Solent Recreation Mitigation Strategy states that developments of one or more dwellings will be required to provide financial contributions towards the Strategy. The applicant has agreed to provide the necessary monetary contribution towards the Strategy, which would be secured via a s.106 Agreement in this instance.

Highway considerations

Means of access

- 6.112** The site would be accessed via the existing farm lane, that adjoins the northern side of the B3401, via a simple junction. The Highway Authority has advised that the access is 16.5m wide at its junction with the B3401 and reduces to 6.0m over a distance of 6.0m and thereafter has an average usable width of 3.5m.
- 6.113** The submitted plans show the proposed modification to the existing access road that serves the wider Lee Farm complex and the proposed development site. The

access is detailed to be widened to a minimum clear usable width of 5m over the first 17m from its junction with the B3401. Thereafter it would provide for an average clear useable width of 4.5m with both localised narrowing's adjacent to existing service poles and the provision of a passing bay circa 73m from the junction with the public highway. To the north of the proposed passing bay the localised narrowing reduces the usable carriageway width down to circa 3.6m.

- 6.114** The Highway Engineer has advised that an average width of 4.5m (an increase of 1.0m over the existing provision) would enable two private motor vehicles to pass and the provision of the passing bay would provide suitable space to accommodate service vehicle movements when making allowance for the alignment of the road, which is straight and therefore would give rise to good forward visibility. The width of the junction with the B3401 would also provide a suitable passing or waiting area for vehicles.
- 6.115** However, the Highway Engineer has recommended that in the event of approval, additional road narrowings/ speed reducing features should be introduced within the principal access road to aid pedestrians. As the principal access road fails to provide for a segregated pedestrian link, and when considering the types of vehicle movements that could be attributable to the wider Lee Farm site, speed control and pedestrian refuge is seen to be essential on highway safety grounds. It is considered that this element could be covered by a pre-occupation condition.
- 6.116** The Highway Engineer has also highlighted that there are east and west bound bus stops located west of the site access. The existing footway provision on the northern side of the B3401 that runs west from the site access stops some 30 to 45m short of the request bus stops which are themselves devoid of waiting facilities. Users are therefore forced to walk and wait in the live carriageway to access and use them. It is however highlighted that the verge in which the west bound stop is located is recorded as public highway and to the east of the east bound stop outside of the properties 'Fairlee' and 'Thorley Lodge' there is a large expanse of public highway verge. The Highway Engineer has therefore recommended that in the event of approval, a pre-occupation condition should be imposed requiring the relocation of the east bound bus stop with associated waiting facilities to be provided to enable users to wait on the public footway/ verge clear of the carriageway and that the west bound stop be remodelled to include for an element of hardstanding/ footway, again to allow users to wait clear of the carriageway. It is considered that these requirements could be secured by condition and would represent a betterment for all users as well as the resultant residents.

Onsite access arrangements

- 6.117** The Highway Engineer has confirmed that each of the roads within the site provide for a low-speed environment and adequate space for pedestrian, private and service vehicle access. However, the Engineer has recommended that provision should be made for additional service vehicles facilities to aid their onsite turning. In order to prevent the road dominating the layout, it is recommended that this could be achieved by widening the access area serving plots 8 to 11 by using products such as 'grass-crete', whereby the area would appear to be grassed but provide structural ground stability for vehicles to turn. It is considered that this matter could be secured by condition.

Highway capacity

- 6.118** The B3401 is a rural highway that is subject to approximately 800 vehicle movements per day. During its busiest hour, 17:00 to 18:00 on a Friday, vehicle movements are said to be less than 100 movements. The submitted information states that the development would result in approximately 111 two-way movements per day.
- 6.119** The Highway Engineer has confirmed that when considering the existing uses attributable to the site and access and sustainability improvements offered as part of this application along with the bus stop improvements and additional access modifications as recommended by the Highway Authority, the traffic generation associated with this proposal would not be deemed to have a negative impact on the capacity of the highway/project network. The Engineer has also advised that no accidents have been recorded within the vicinity of the site for the last 3 years.

On-site parking provision

- 6.120** The application site falls within Zone 2 as defined within the Council's Guidelines for Parking Provision as Part of New Developments SPD. In accordance with the guidance set out within Table 1, a development of this nature should typically provide onsite parking at the following ratio:
- 1 space per 1 or 2-bedroom dwelling
 - 2 spaces per 3 or 4-bedroom

Provision should also be made for the secured and covered storage of cycles and storage for bins clear of all access ways.

- 6.121** On review the proposed layout provide for in-excess of the required level of onsite parking provision. However, when considering the rural environment in which it is set and lack of available safe on-street parking within the vicinity of the site, the proposed level of provision would be deemed to be acceptable. Each plot would incorporate adequate space for the storage of cycles and bins.
- 6.122** In conclusion, it is considered that the proposed development would benefit from suitable means of access from the highway network, and within the site, for vehicles and pedestrians, subject to the outlined improvements being secured by condition. The proposed development would not compromise the safety of highway users or result in impacts on the local highway network as a result of traffic movements. The site would provide a suitable level of parking spaces and therefore, it is considered that the development would comply with the requirements of polices SP7, DM2 and DM17 of the Island Plan.

Drainage and surface water run-off

- 6.123** In terms of geology, maps held by the Council show that the land surrounding the Thorley Brook and in particular the application is underlain by Bembridge Marls and Calcareous Mud, a formation made up of clays, loams, sand and shales. North of the site, the land is made up of the Headon Formation and a mix of clay, silt and sand. Neither formation is considered to be suitable for natural filtration of water, owing to the high content of clay and shales.

- 6.124** The applicant's drainage strategy notes the lack of permeability and therefore confirms that surface water drainage from the various roads, hard standings and buildings at the site would not be diverted to the ground via filtration. Instead, a piped system would be used to direct surface water to the Thorley Brook. The site is currently underlaid by a mix of concrete yards, compacted impermeable hoggins or covered by buildings. These currently drain direct to the Thorley Brook. The information advises that the current surface water flows from the site stand at approximately 5 litres per second. This is based on a current contributing area of 4785 square metres, compared to the proposed development, which would comprise 4867 square metres of contributing area. The applicant's drainage engineer concludes that due to the limited increase in the contributing area (72 square metres) that flow rates would be comparable to the existing situation at the site and therefore, no attenuation storage or flow restriction would be required.
- 6.125** While officers agree that the differences in flow rates to the Thorley Brook would be minor, it should be noted that all new developments should achieve a reduced run-off rate compared to current run-off rates, in order to account for climate change. Therefore, it is considered that the system should include some form of attenuation, in likelihood through the use of below ground storage tanks or cells, which would store collected surface water and reduce its run-off rate. This would also allow for a hydro-break to be included to reduce the risk of flooding during a storm event, which is discussed in more detail in the below section. Officers consider that the site is clearly large enough for such a solution, which would in likelihood be a relatively minor scheme given the limited increase in the catchment area for the development. Therefore, it is considered that this information could be secured via a pre-commencement condition.
- 6.126** The submitted information confirms that foul water would be directed to an on-site treatment plant. This would filter and treat wastewater and solids to safe levels and then discharge the cleaned effluent to the nearby Thorley Brook, a main river. It is generally preferred that foul water is connected to the public sewer system. However, the nearest connection to the site is 360m away and therefore, it would not be feasible for this connection to be made.
- 6.127** The predicted flows for the treatment plant would be low, at 0.74 l/s and therefore, no objection is raised in respect of the discharge to the Thorley Brook. The foul water system would be secured via a s.106 agreement, as explained within the previous sections of this report. It should also be noted that separate consent would be required from the Environment Agency, to allow consent to discharge to a Main River.

Flood risk

- 6.128** Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The NPPF sets out a requirement for necessary development to comply with the Sequential Test that is outlined within paragraphs 101 & 102 of the NPPF and the supporting technical guidance that is set out within the Government's National Planning Practice Guidance website (PPG).
- 6.129** The majority of the proposed housing would be located within flood zone 1, and therefore at the lowest risk of flooding during a flood event (1 in 1000 chance).

Flood maps show that a limited section of the existing holiday unit would be within flood zone 2, related to the Thorley Brook. Given that the majority of the site is within flood zone 1, with only the existing holiday unit partially within flood zone 2, it is considered that a sequential test is not required for the proposed development.

6.130 The predicted flood level of the Thorley Brook would be (14.12mAOD) during a 1 in 200-year storm event. The applicant's Flood Risk Assessment (FRA) advises that the proposed units to be located within the southern section of the site, and closest to the Thorley Brook, would be constructed to provide a higher floor level than the predicted flood event. Therefore, units 13, 14 & 16 would be designed to have floor levels as follows:

Plot 13 - 15.2m AOD = 1088mm above predicted flood level

Plot 14 - 15.2m AOD = 1088mm above predicted flood level

Plot 16 - 14.6m AOD = 480mm above predicted flood level

These floor levels would ensure that the residents of these houses would be safe during a flood event. The remainder of the housing and its surrounding curtilages and open spaces would be free of flood waters.

6.131 The farm access currently passes above the Thorley Brook and due to its low land level, would be partially flooded during a storm event. This would make the road impassable. However, the applicant's FRA advises again raising the level of the road, as this would have the effect of increasing built volume within the active flood plain of the Main River and therefore, increase flooding elsewhere. It is also noted that guidance advises against residents leaving housing that is safe within a flood event, as the proposed housing has been shown to be.

6.132 The Environment Agency are the Government's technical advisor for flood issues. They have commented on the planning application and raised no objection to the proposed development in respect of flood risk and recommended that a condition is imposed to ensure that the floor levels for units 13, 14 & 16 accord with the findings of the FRA and that the levels for the access road are not increased.

6.133 The Agency have also advised that a Flood Warning Evacuation Plan (FWEP) is submitted to the Planning Authority and agreed by condition. This would provide an informative document for future residents, that would outline the actions to be undertaken in the event of a flood event. The FRA notes the likely requirement for a FWEP and advises that it would contain requirements such as signing up to the Agency's Flood Warning Line, which provides residents with advance warning of a flood event, therefore allowing them adequate time to plan for such an event.

6.134 Officers consider that the proposed development would be at a low risk of flooding during a storm event. The majority of the proposed dwellings would be outside of flood zones 2 & 3 (areas at a higher risk of flooding). The applicants FRA has demonstrated that the residents of the development would be safe during a flood event and therefore subject to the imposition of the condition advised by the Agency, it is considered that the development would comply with the requirements of policy DM14 of the Island Plan and the flood related guidance outlined within the NPPF.

Other Matters

- 6.135** The application site has been used for various purposes in previous years, including for agricultural and commercial uses and the parking of buses. It is therefore considered appropriate to impose a pre-development condition that would require the ground conditions of the site to be investigated, in order to ensure that any contamination that may exist, is suitably treated prior to any residential use taking place.

7. Conclusion and planning balance

- 7.1** The National Planning Policy Framework states that the planning system is planned and that the purpose of the planning system is to achieve sustainable development. In the same way, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The role of the Planning system is to balance issues, particularly where they compete and compare the benefits of a proposed development with any identified harm.
- 7.2** The proposed development would provide much needed rural housing within an area that includes existing residential development and utilising previously developed land, with a suitable choice of transport modes, and the ability to make the site and the surrounding area more sustainable through the delivery of a section of the West Wight Greenway. The delivery of an important section of the Greenway would be significantly beneficial in terms of providing the local community with an attractive rural walking and cycling route to local service centres and other rights of way, providing an alternative mode of travel to the car as well as providing health benefits and contributing to the objectives to reduce carbon emissions.
- 7.3** The positioning and layout of the development would minimise the impact of the development on the character of the area and the design of the proposed housing, garden areas and landscaping are considered to be acceptable and reflective of the rural nature the surrounding area. Officers are satisfied that the proposals would not harm the amenity of residents of nearby properties, nor would they compromise the quality or setting of listed buildings.
- 7.4** The site would be served by a suitable means of access and would not compromise highway safety. The proposed development would also not result in detrimental impacts to on-site ecology or compromise the interest features of internationally and nationally important designated sites within the Solent area. Officers are satisfied that the site would not be at risk of flooding and that a suitable on-site surface water drainage strategy could be secured by condition, and that the proposed foul water system would be suitable to serve the development.
- 7.5** It is considered that the social benefits outlined above would be substantial, given the re-use of previously developed land for the provision of rural housing and the provision of a section of the West Wight Greenway. Furthermore, the lack of housing delivery in recent years is evidence that there is a need to not only unlock urban sites or those within rural service centres, but also to release rural sites for housing where impacts are not excessively harmful and sustainable transport

choices can be provided.

- 7.6** While the proposals would result in change to the rural character of the landscape the level of impact would be reduced by landscaping and the high-quality design of the development. The site is relatively contained, given its lowland position and the screening effects of existing tree lines and hedgerows. It is also seen in the context the existing pattern of development within Thorley and Wellow. As a result, it is considered that the planning application is in compliance with the strategic advice contained within the NPPF and the requirements of the Island Plan Core Strategy and other relevant local policy guidance.

8. Recommendation

- 8.1** Conditional planning permission subject to the prior execution of a planning obligation to secure the following:

- A financial contribution towards the Bird Aware Solent mitigation strategy
- A requirement to construct or pay for the construction of a 1.75km section of the West Wight Greenway
- A financial contribution towards off-site affordable housing
- Clauses to secure post development appraisals of development costs and if returns exceed predicted values, for excess to be transferred to the Council to be spent on off-site affordable housing provision
- A requirement to install and suitably manage the agreed 'Bio-bubble' wastewater treatment plant
- A requirement to manage additional habitat enhancements for a period of at least 30 years, in order to achieve Biodiversity-Net Gain

9. Statement of Proactive Working

- 9.1** In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Local Planning Authority takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

1. The IWC offers a pre-application advice service
2. Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible

In this instance the application was deficient in information relating to ecology and flood risk. Further clarification information was provided during the course of the application that overcame consultee and the Council's concerns. Minor alterations to the fenestration of proposed housing were also requested, and the changes made by the applicant have addressed the Council's requests in this regard. As a result, the proposals are considered to represent a sustainable form of development.

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered below:

03:1410:103D
03:1410:104A
03:1410:105B
03:1410:106
03:1410:107A
03:1410:108
03:1410:109
03:1410:111D
03:1410:112C
03:1410:113D
03:1410:114
03:1410:115A
03:1410:17A

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

3. No part of the buildings hereby approved shall be constructed above foundation level until details of the materials and finishes including the colour of cladding, roofing materials and other external finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

4. No boundary treatments or bin stores shall be installed until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment and bin stores to be erected, based on the principles of the site landscape plan. The boundary treatments and bin stores shall be completed before the dwellings hereby permitted are first brought into use. Development shall be carried out and maintained in accordance with the approved details and retained thereafter.

Reason: In the interests of maintaining the amenity value of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

5. No external hard surfaces for the development hereby approved shall be constructed above base level until details of the materials to be used for external hard surfaces (including access roads, parking and turning areas) have been submitted to and approved in writing by the Local Planning Authority, based on the principles of the site and landscape plan. The agreed hard surfaces shall be completed prior to the occupation of the dwellings hereby permitted. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

6. No dwelling hereby permitted shall be occupied until details of means of external lighting for the development have been submitted to and agreed in writing by the Local Planning Authority. Details shall include measures to minimise light pollution, prevent glare and impacts on protected species. Development shall be carried out in accordance with the agreed details and be retained thereafter. No further external lighting shall be installed over and above that agreed.

Reason: To protect the amenities of nearby residential properties, to prevent light pollution from harming the character of the surrounding area and protected species and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

7. Notwithstanding the details shown on the approved plans, no dwelling hereby permitted shall be first occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping, based on the principles of the site and landscape plan. The scheme shall include for soft landscaping and mitigatory planting of all open spaces, front and rear gardens in order to meet the requirement for biodiversity net gain as set out within condition 8, and where necessary, for the enhancement of existing boundary hedgerows. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. All plants shall be native species. All planting in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the approved development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance of the development is satisfactory and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

8. No development shall take place until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority.

The EMP shall set out measures to protect wildlife during both construction and operational phases of the development, based on the principles of the section 4 (recommendations) of the Ecological Report dated 20th May 2019 and revised on 14th June 2021) and include detailed ecology surveys that build upon the Appraisal as well as measures to achieve Biodiversity Net Gain. The EMP shall include the following additional information:

- The methods of construction and works for clearing vegetation on a precautionary basis (by hand or using light machinery to be agreed as part of this condition) to prevent harm to protected species
- Measures to prevent open trenches from infilling with water, to prevent trapping of wildlife
- Details of working methods to prevent harm to protected species recorded through the additional species surveys
- Details of the location and number of bird and bat boxes to be installed at the site
- Methods of ensuring wildlife connectivity throughout the site
- Details of additional planting and habitat creation (in combination with condition 19) to ensure ecological enhancement and Biodiversity Net Gain
- If during any stage of development of the site protected species are identified, an ecologist should be contacted to ensure compliance with wildlife regulations, including periods when works should cease due to nesting and hibernation seasons.

No site clearance shall be carried out during the bird nesting season (1st March to 31st August inclusive).

Development shall be carried out in accordance with the approved details.

Reason: To avoid impacts to, and to ensure the favourable conservation status of protected species and habitats, in the interests of the ecological value and visual amenity of the area and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, section 15 of the NPPF and the Environment Act 2021. This is a pre commencement condition due to the requirement to protect ecology at all stages of site works.

9. No site preparation or clearance shall begin, and no equipment, machinery or materials shall be brought onto the site for the purposes of the development hereby permitted, until details of measures for the protection of existing trees to be retained have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees to be retained and the positions of any protective fencing. Development shall be carried out in accordance with the approved details and any protective fencing shall be erected prior to work commencing on site and will be maintained until all equipment, machinery and surplus materials related to the construction of the development have been removed from the site. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made,

unless otherwise authorised by this permission or approved in writing by the Local Planning Authority

Reason: This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

10. No development shall take place until a scheme for the drainage and disposal of surface water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority, based on the principles of the submitted Flood Risk Assessment and Drainage Strategy. Development shall be carried out in accordance with the approved scheme, which shall be completed prior to the occupation of the houses hereby permitted and be retained thereafter.

Reason: To ensure that the site is suitably drained, to protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and Southampton Water SPA and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy. This is a pre-commencement condition due to the early stage at which the drainage system would need to be installed.

11. The foul drainage related to the development hereby permitted shall be treated by a 'Bio-Bubble' wastewater treatment plant (10 mg/l BOD 20 mg/l SS < 1 mg/l NH4-N) which shall be installed prior to the first occupation of the dwellings hereby permitted and shall be maintained and retained thereafter.

Reason: To ensure that the site is suitably drained, to protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and Southampton Water SPA and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

12. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include but not be limited to the following issues:

- A map or plan showing the location of the contractor's compound
- The means of access/egress for construction traffic throughout the build process
- The loading and unloading of plant and materials throughout the build process
- How operative and construction traffic parking would be provided and managed throughout the build process
- Locations for the storage and handling of plant, materials, fuels, chemicals and wastes

- Measures to control the emission of dust, noise and dirt resulting from the site preparation, groundwork and construction phases of the development
- Wheel cleaning facilities through-out the build process
- Demolition/ construction/ loading and unloading and working hours

Once approved, the Construction Management Plan shall be adhered to at all times during the construction phase.

Reason: To prevent annoyance and disturbance to nearby properties from the development and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement condition because the aim of the condition is to ensure that the construction phase is managed in a suitable manner.

13. No dwelling hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved in writing by the Local Planning Authority for cars and bicycles to be parked, circulate and turn so that they may enter and leave the site in forward gear based on the principles of the layout as detailed on drawing no 03:1410:113D. The spaces shall not thereafter be used for any purpose other than that approved in accordance with this condition.

Reason: In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

14. No dwelling hereby permitted shall be occupied until a service vehicle turning space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved in writing by the Local Planning Authority, so that service vehicles may enter and leave the public highway in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

Reason: In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

15. No dwelling hereby approved shall be occupied until the existing bus stop provision on the B3401 to the west of the principal site access has been remodelled / relocated and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

16. No dwelling hereby approved shall be occupied until the means of access thereto for motorists, pedestrians and cyclists from the B3401 has been constructed and drained in accordance with details to be submitted to and approved by the Local Planning Authority based on the principles of the layouts as detailed on drawing no. 03:1410:113D and 03:1410:115A to include for the

installation of additional traffic calming features within the access road as detailed on drawing no. 03:1410:115A.

Reason: In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

17. The development shall be carried out in accordance with the submitted flood risk assessment (ref 'Flood Risk Assessment & Drainage Strategy' dated January 2021 AND addendum ref 'Lee Farm Res Dev FRA Addendum 2021-06-21') and the following mitigation measures the latter referenced document details:

- Finished floor levels at plots 13 & 14 shall be set no lower than 15.200 metres above Ordnance Datum (AOD)
- Finished floor levels at plot 16 shall be set no lower than 14.600 metres above Ordnance Datum (AOD)
- A Flood Warning and Evacuation Plan shall be submitted prior to occupation
- Any surface improvements undertaken in respect to the access road will match the levels of the existing access track

These mitigation measures shall be fully implemented prior to the first occupation of the dwellings hereby permitted and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, to prevent flooding elsewhere by ensuring that floodwaters are not displaced as a result of land raising in the flood plain and to comply with the requirements of policy DM14 (Flood Risk) of the Island Plan Core Strategy and section 14 of the NPPF.

18. No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority items a) and b) below;

a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research report no 11 and BS10175:2011+A1:2013; and, unless otherwise agreed in writing by the Local Planning Authority,

b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175: 2011+A1:2013 - "Investigation of Potentially Contaminated Sites - Code of Practice"; and, unless otherwise agreed in writing by the Local Planning Authority,

c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification

methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation.

d) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

Further to the above, the construction of buildings, including any associated groundwork, shall not commence until such time as is approved by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that where necessary, the land is remediated to an appropriate standard in order to comply with Part IIA of the Environmental Protection Act 1990. This is a pre-commencement condition because examination of the potential for contaminants is required prior to excavations being carried out.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to F of Part 1 and Class A of Part 2 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

Reason: To retain a reasonable rear garden for each of the approved dwellings, to regulate design in relation to the development, to protect the appearance of the site and surrounding area, to prevent excessive surface run-off from hard standings and to comply with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

UPDATE FOLLOWING THE PUBLICATION OF A REPORT TO THE PLANNING COMMITTEE – TUESDAY 1st March 2022

- | | | |
|----|--------------|--|
| 1. | 21/00684/FUL | Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping (Revised plans) |
|----|--------------|--|

Officer Report update

Following publication of the officer report, it has been noted that a calculation relating to housing delivery within section 6.9 of the report is incorrect. The report currently states:

‘However, for example, in 2022 to deliver Government targets for housing, the Council would be required to deliver 668 homes, and the Council would need to deliver 75% of this target, which would be 411 homes. Should the IPS meet the test of soundness and therefore be adopted in 2023, then there would be a requirement to deliver 486 homes per year, with 75% of this equating to 425.

However, the underlined figures should be 501 and 364 respectively.

Officers have also noted that within the Planning History section of the report, the reference number for a historic planning application that was granted in 2003 has been mistyped as P/00218/13, whereas it should read as P/00218/03.

Since the publication of the officer report, the Council has completed an Appropriate Assessment of the development proposals, to assess the potential for the project to have adverse effects on Solent Marine Sites as a result of recreational pressure from new residential development and also the proposed foul drainage system. These matters are outlined within the officer report. The Assessment has concluded that the project would not have an adverse effect on Solent Marine Sites, subject to the mitigation measures outlined within the officer report.

Officers have consulted with Natural England regarding the Appropriate Assessment, as is legally required, and have received their confirmation that they agree with the Council’s conclusions. The Council’s Appropriate Assessment and Natural England’s comments have been placed on the Public Access website.

Officer conclusion

No change to officer recommendation.

Appendix 3 – Minutes of the Planning Committee meeting held on 1st March 2022

Minutes:

Consideration was given to items 1 -2 of the report of the Strategic Manager for Planning and Infrastructure Delivery.

A schedule of additional representations received after the printing of the report were submitted at the beginning of the meeting and were drawn to the attention of the Members when considering the application. A note is made to that effect in the minutes.

Application:

21/00684/FUL

Details:

Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping

Land at Lee Farm, Main Road, Wellow

Site Visit:

The site visit was carried out on Friday, 25 February 2022.

Public Participants:

Mr Steve Cowley (Applicant)

Additional Representations:

It was noted that the calculation relating to housing delivery within section 6.9 of the report was incorrect, the figures should read 501 and 364 respectively.

Since publication of the report officers had completed an appropriate assessment of the development proposals on Solent Marine sites and foul drainage systems, they concluded that there would be no adverse effect on Solent Marine Sites. Consultation with Natural England had been completed and they agreed with the conclusion.

Comment:

Councillor Peter Spink spoke as Local Councillor for the site, once he had completed his speech, he then left the Council Chamber.

Officers advised Councillors against giving weight to the emerging Island Planning Strategy policies in their decision-making, as it had not been sufficiently progressed through the adoption process.

Concerns were raised regarding the lack of affordable housing on the site and understood that was due to the land being offered by the applicant for the proposed West Wight greenway. Officers advised that the land for the greenway would be dedicated at no cost to the Council, and also advised that the Rights of Way manager had provided a cost summary for the works to bring the land up to the standard required for the Greenway which would be included in the legal agreement if the application was approved. They

went on to advise that this part of the greenway would connect other parts already available, and those agreed to be used for the remainder of the route.

A proposal was made to approve the application subject to a condition being added to ensure the construction of the greenway and for any excess money to be spent in the parishes of Yarmouth and Shalfleet on affordable homes.

A short adjournment was taken to allow officers to consider the proposal and suggest additional conditions.

Following the adjournment officers advised that any excess money would be spent within the local vicinity and believed it would be unreasonable to ask the greenway to be completed prior to any occupation and believed a trigger point of between 50 – 75 % would allow for negotiation.

The proposer also requested that the Greenway route should be dedicated as a bridleway upon the commencement of the approved development.

The proposer and seconder agreed with the suggested changes and a vote was taken the result of which was:

Decision:

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and resolved:

THAT the application be approved subject to the following:

- Commencement of work on the greenway would begin around 50% of occupation of dwellings and full delivery by 75% of occupation
- In the meantime, the entire route would be dedicated by the Local Authority for use as a bridleway
- Affordable housing contributions would be used within the local parish

Reference Number: 21/00684/FUL

Description of application: Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping

Site Address: Land at Lee Farm, Main Road, Wellow

Applicant: Mr and Mrs Steve Cowley

This application is recommended for: Conditional approval subject to the completion of a S.106 Legal Agreement

REASON FOR COMMITTEE CONSIDERATION

The planning application was previously referred to the Planning Committee for consideration on 1st March 2022. The original report can be viewed by following this link:

[21-00684-FUL Lee Farm Committee report](#)

The Planning Committee resolved to grant full planning permission for the development subject to conditions and a legal agreement. Since then and while the legal agreement has been negotiated, the applicant has sought to vary one of the terms of the agreement and provide an increased contribution in respect of off-site affordable housing provision. Given that the agreement reflects the resolution of the committee, this report provides members with an update on the proposed changes to the legal agreement and the options available.

This report will not repeat all of the main considerations for the application, as these were set out within the original committee report. Instead, this report focusses on the key areas of difference between the legal agreement supporting the committee's resolution and the approach now proposed by the applicant.

MAIN CONSIDERATIONS

- Planning history and preamble
- Progress and changes to the legal agreement

1. Evaluation

Planning history and preamble

- 1.1 Councillors will be aware that this planning application was considered by the Planning Committee on 1st March 2022, with the committee resolving to approve the development subject to planning conditions and the satisfactory completion of a legal agreement. The legal agreement is required to secure the following measures:
- A financial contribution towards the Bird Aware Solent mitigation strategy
 - A requirement to construct or pay for the construction of a 1.75km section of the West Wight Greenway
 - A financial contribution towards off-site affordable housing
 - Clauses to secure post development appraisals of development costs and if returns exceed predicted values, for excess to be transferred to the Council to be spent on off-site affordable housing provision
 - A requirement to install and suitably manage the agreed 'Bio-bubble' waste-water treatment plant
 - A requirement to manage additional habitat enhancements for a period of at least 30 years, in order to achieve Biodiversity-Net Gain

- 1.2 The components of the planning application have not altered since it was considered by the Planning Committee, nor have there been changes to relevant planning policy guidance or the site itself. In addition, no further comments have been received at the time of writing this report and no changes are advised in respect of the recommended planning conditions. Therefore, this report simply seeks to address proposed changes to the legal agreement, which are discussed below.

Progress and changes to the legal agreement

- 1.3 Since the Planning Committee decision in March officers have instructed the Council's Legal Services Team to draft the required legal agreement to secure the obligations outlined within paragraph 1.1 above. At the same time, the applicant has begun initial marketing with prospective Island developers, in order to deliver the approved housing once the planning consent has been issued.
- 1.4 As councillors will recall, the planning application was the subject of a viability appraisal due to the absence of on-site affordable housing provision, in lieu of providing the land and the delivery of a 1.75km section of the West Wight Greenway, a Council project to provide a right of way between Newport and Freshwater utilising sections of the former railway line that previously connected Newport to Freshwater. The viability assessment outlined the standard costs associated with the proposed development, including the section of the Greenway to be constructed by the landowner, and then compared them with the likely returns for the approved housing. This comparison then leaves the residual value of the development (money left over once development costs have been deducted from returns), which in this case was to be used as a financial contribution towards affordable housing provision. The residual value for this development was predicted to be £27,120,

which would be secured by the legal agreement.

- 1.5 The legal agreement also included a requirement for a post development appraisal of costs and returns, to ensure that the actual residual value was known, and whether this could result in the contribution being above the predicted value, depending on the costs and returns for the development.
- 1.6 The applicant's viability appraisal stated that the developer profit (a recognised cost of development) would be 17.5% of the Gross Development Value (GDV). However, through marketing the site, the applicant has gained feedback from prospective developers that developer profit within the industry is at minimum 20%, and that commercial lenders also set their criteria at a minimum value of 20%. The Government's Planning Practice Guidance states that developer profit should be between 15 to 20% of GDV, advising that lower returns may be more appropriate in consideration of delivery of affordable housing in circumstances where this guarantees an end sale at a known value and reduces risk. The Royal Town Planning Institute (RTPI) research paper Planning Risk and Development (2018) advises that 'a normal target would be about 20% of GDV.'
- 1.7 Lee Farm is a brownfield site that would not deliver on site affordable housing (given the committee's resolution), therefore increasing the likelihood of unknown costs associated with site clearance and potential changes to returns, which are based on open market values. In addition, officers are aware that global supply and demand issues, coupled with the increased cost of energy, raw materials and fuel have resulted in unstable costs for building materials.
- 1.8 The Royal Institution of Chartered Surveyors (RICS) advises that timber, steel sections and steel for reinforcement showed annual increases of 79.4%, 60.4% and 80% respectively in September 2021 (prior to the Russian-Ukraine war), also advising that bricks, tiles, cement and other related kilned materials have seen price increases of 24.4% over the same period, therefore increasing costs and risks associated with development.
- 1.9 The applicants have written to officers explaining that the current requirement for a post development appraisal would undermine the sale of the site, given feedback given by prospective Island developers. The applicant has sought advice from a local estate agency and surveyors practise (Hose, Rhodes, Dickson) who have stated that '*There is a lot of uncertainty out there at the moment, so developers will only be looking at developments which present the least amount of risk. Complexity generally means more hassle and cost.*' The letter continues on to advise that '*Developers have always worked on a minimum of 20% profit and generally they are looking for more, the bigger the site gets and of course the associated risk.*'
- 1.10 The applicants have advised officers that in the interests of delivery and to provide certainty, they wish to provide a fixed financial contribution

towards off-site affordable housing, that is not based on the viability report. A contribution of £80,000 towards affordable housing delivery is now proposed, which represents an increase of £52,880 over that previously presented to the committee. The applicants have confirmed that this would be reflected in the sale price for the land to a developer, rather than the residual value of the development thus removing potential viability risks associated with the post-development appraisal, increasing the likelihood for the development to go ahead and allowing the delivery of a substantial section of the West Wight Greenway.

- 1.11 Officers consider that the proposed change to the legal agreement would assist in de-risking the development. As this report notes, there are significant uncertainties regarding the cost of materials for development and given that the site is brownfield, there is the potential for further costs to be encountered, as the site is cleared and constructed. These risks threaten to risk the viability of the project particularly given the continued increase in the cost of raw materials and the related cost of processing them, which is then passed onto the purchaser.
- 1.12 The applicant's proposal to provide a greater contribution towards affordable housing in lieu of the post-development appraisal would give certainty to the Council in terms of the delivery of the development and provision of a significant section of the West Wight Greenway. The amount that has been proposed by the developer would provide a meaningful contribution that could be used by the Council to deliver affordable housing (including social housing) through initiatives such as shared purchase or adaptations to housing stock. Therefore, while the provision of a post-development appraisal would be removed from the legal agreement, officers consider that the proposed increased contribution, which would considerably increase the level of mitigation in terms of affordable housing provision, would weigh further in favour in terms of the merits of the proposed development.

2. Options

- 2.1 It is considered that the following options are available to Councillors:
4. To agree the amended heads of terms to the legal agreement, to remove the clause stating: "Clauses to secure post development appraisals of development costs and if returns exceed predicted values, for excess to be transferred to the Council to be spent on off-site affordable housing provision".
 5. To keep the terms of the agreement as previously agreed.
 6. Reconsider the application in its entirety.

3. Conclusions and Recommendation

- 3.1 The application is being brought back to committee due to proposed changes to the terms of the legal agreement set out in paragraph 8.1 of

the original report and paragraph 1.1 above. It is the opinion of officers that no other material matters have changed to justify any other elements of the permission being reconsidered, so option 3 is not recommended.

- 3.2 The proposed amendments would secure an on-site contribution towards affordable of £80,000, an increase of £52,880 over that proposed when previously presented to committee. It would also improve the certainty of delivery of housing (on a previously developed site) and a significant section of the West Wight Greenway. Therefore option 1, rather than option 2 is recommended.

2. 21/00684/FUL Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garaging/car ports, parking and associated landscaping (Revised plans)

Nature of representation

Following the publication of the committee report, the Chairman of the Planning Committee has sought clarification on the timing of the payment of the affordable housing contribution for the development.

Officer comment

Officers have discussed this matter with the applicant, who has advised that he would like to reassure the Planning Committee that this development would make the contribution to affordable housing at the earliest opportunity and has therefore agreed that the contribution should be made prior to the commencement of the development. This requirement would be included within the legal agreement.

No change to officer recommendation.

Appendix 6 - Minutes of the Planning Committee meeting held on 26th March 2022

Application: 21/00684/FUL

Details:

Demolition of barns and storage buildings; proposed construction of 16 dwellings and use of existing holiday bungalow as permanent dwelling; access road, garage/car ports, parking and associated landscaping

Land at Lee Farm, Main Road, Wellow

Additional Representations:

Officers had discussed the alteration with the applicant and reassured the Committee that the development would make the affordable housing contribution at the earliest opportunity and has agreed that this would be made prior to the commencement of the development which would be included in the legal agreement.

Comment:

The chairman invited Councillor Spink to speak as a member. Councillor Spink advised the Chairman that he would not accept the invitation to speak as he believed that it was unfair that the applicant had not been given the same opportunity.

Councillor Spink left the room.

Officers advised that the applicant had been unable get any developer interest in buying the site due to the wording of the legal agreement the increasing costs of materials and the potential risks associated with developing previously developed land. A range of experts had provided advice regarding the site, and advised that developers were looking at developments which would present the least amount of risk. To overcome these issues the applicant requested the leverage clause was removed from the legal agreement and for the affordable housing contribution to be fixed at £80,000.

The Committee asked why the payment had not been requested at the point of sale to the developer and they felt it was sensible to tie the contribution to completion of sale. Officers advised that any contribution should be reasonable and as the developer may request to make changes to the current scheme, it was seen to be reasonable to request the payment prior to commencement of the site.

The Committee were concerned that without the leverage clause Local Authority could be losing out on money towards affordable housing by agreeing the amount at this stage. Officers advised the Committee that the legal agreement, as currently drafted, made the sale of the site unviable.

Concern was raised regarding that historically legal agreements took time to sign and asked if a condition could be in place to ensure the agreement was signed in an appropriate timescale. Planning officers advised that a time limit could be stipulated however it took time for the Local Authority to produce the agreement, so an appropriate timescale needed to be considered. The Committee was also advised that the Planning Permission would not be issued until the agreement was signed. The legal officer advised

that if the landowner refused to sign, the application could be reconsidered by the Committee. It was advised that the contribution would be linked to the market index to safeguard any increase.

A proposal was put forward to approve the application with the affordable housing contribution being paid at the time officers believed would be most appropriate, and the proposal was seconded.

Decision:

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and resolved:

THAT the application be approved subject to the inclusion of the following:

Legal agreement to be signed within six months of the date of decision, if not signed then a report be brought back to the Planning Committee

That the contribution be index linked

That the contribution be made to the Local Planning Authority within 3 months of the land being sold or commencement of the development whichever is the first.

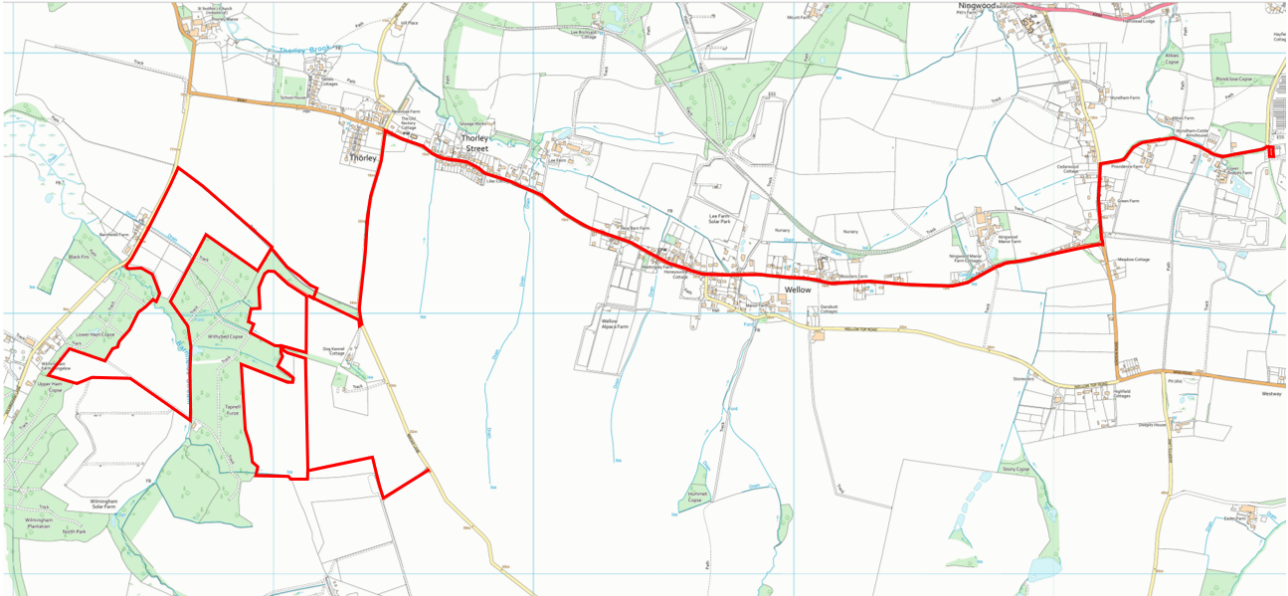


Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	05 September 2023
Application Reference	22/01793/FUL
Application type	Full
Application Description	Construction and operation of a solar photovoltaic (PV) farm with all associated works, equipment, and necessary infrastructure, to include buried cable within road network (Broad Lane, B3401 Thorley Street to Station Road, and Warlands Lane) to connect solar farm to Shalfleet Substation (revised plans and further information received) (re-advertised application)
Site address	Barnfield Solar Farm, East of Wilmingham Lane, West of Broad Lane, Yarmouth, and parts of Broad Lane, B3401 Thorley Street to Station Road, and Warlands Lane, and Shalfleet Substation, Warlands Lane, Shalfleet, Isle of Wight
Parish	Yarmouth and Shalfleet
Ward Councillor	Cllr Peter Spink
Applicant	Low Carbon Solar Park 17 Limited
Planning Officer	Mr S Van-Cuylenburg

Reason for Planning Committee consideration	<p>The Local Ward Councillor requested Committee consideration due to the application:</p> <ul style="list-style-type: none">• Having a genuine Island wide significance due to its size and impact• Being contentious among wider Island communities or of significant impact to a locality• Raising marginal or difficult policy issues <p>Applications meeting these criteria are reserved by the Constitution for Committee determination.</p>
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Recommendation	Conditional permission
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	<u>Main considerations</u>
	<ul style="list-style-type: none"> ● Principle ● Loss of agricultural land ● Impact on the character and appearance of the surrounding area, including the setting of the AONB ● Impact on trees and woodland ● Impact on ecology and biodiversity ● Impact on neighbouring properties ● Highways considerations ● Rights of Way ● Flood risk and surface water drainage ● Impact on heritage assets and archaeology

1 Recommendation

1.1 Conditional permission subject to planning conditions covering the following matters:

- Decommissioning and restoration of land
- Archaeological work and mitigation
- Final detailed layout of development, and scale appearance of any buildings, containers, and solar panels (including supporting framework)
- Noise impact assessment and mitigation
- Protection of trees and woodland (arboreal method statement)
- Surface water drainage scheme and flood risk mitigation
- Protection and enhancement of public footpath Y1
- Construction Environmental Management Plan
- Access and visibility splays
- Removal of temporary construction access (following construction)

- Security measures, including CCTV and boundary treatments
- Landscaping and biodiversity mitigation and enhancement
- Land and soil management (for life of development)
- External lighting
- Restriction of development to areas defined on submitted plans, and no outside storage

2 Location and Site Characteristics

- 2.1** The application relates to existing agricultural land to the west of Broad Lane and east of Wilmingham Lane covering an area of approximately 42 hectares. The land is enclosed by and surrounds existing woodland within Wilmingham Plantation and Tapnell Furze Site of Importance for Nature Conservations (SINC), some areas of which are ancient woodland.
- 2.2** The panels themselves would occupy four separate parcels of land (split into six development zones), one adjacent to Wilmingham Lane, one between Wilmingham Plantation and Tapnell Furze and to the immediate north of the existing solar farm (Wilmingham Solar Park), with the remaining two sitting on the eastern boundary of the site to the east of Tapnell Furze approximately 200 metres to the west of Broad Lane.
- 2.3** Public footpath Y1 runs southeast to northwest across the site close to its northern boundary from Broad Lane to Wilmingham Lane. Barnfields Stream also intersects the site running along the western edge of Tapnell Furze SINC and then flowing northwest through Wilmingham Plantation into the Western Yar. There are a series of watercourses that feed into the stream flowing through the woodland from the south and east, all draining to the Western Yar via Barnfields Stream.
- 2.4** The Yar Estuary Site of Special Scientific Interest (SSSI), which also underpins and is part of the Solent & Southampton Water Special Protection Area (SPA)/Ramsar, is within 0.2km of the site to the west. The Isle of Wight Area of Outstanding Natural Beauty (AONB) is adjacent the site to the west (extending to the centre of Wilmingham Lane) and within 1km of the site to the south, its extent to the south marked by the B3399 (Middle Road).
- 2.5** Although the site and surrounding area is predominantly agricultural, there is sporadic housing along Wilmingham Lane to the west, B3401 and Homefield Avenue to the north, and off Broad Lane to the west. There is also existing tourism accommodation (Dome Meadow) to the south of the site, accessed via the proposed southern site access off Broad Lane.
- 2.6** The site also extends about 3.9km along the public highway from its proposed northern access off Broad Lane to Shalfleet Substation off Warlands Lane via B3401 (Thorley Street/Main Road Wellow), Station Road and Warlands Lane. This public highway land would provide the cable route for grid connection.
- 2.7** The topography of the site generally falls towards the existing woodland, Barnfields Stream and an existing land drain to the northern side of the Wilmingham Lane access.

3 Details of Application

3.1 Full planning permission is sought for a solar farm that would generate approximately up to 28MW. The proposed development would include:

- Installation of solar arrays
- Installation of substations (one customer and one Distribution Network Operator (DNO))
- Installation of inverters
- Installation of fencing and CCTV
- Widening of Wilmingham Lane access
- Cabling (including buried cabling within the highway network)

It also includes landscaping and surface water drainage works, including the provision of access tracks, planting of new hedgerows and provision of filter drains and drainage swales around the perimeter.

3.2 The application is submitted based on the submitted plans providing indicative parameters for the proposed developed areas of the site, site layout, size, and height of containers/buildings, fencing, and CCTV, whilst allowing flexibility for design options as these are refined prior to construction. This would allow for example the applicant to take account of any improvements in technology following permission being granted and construction. Planning conditions can be used to control the final layout and design of the proposed development within the parameters detailed on the submitted plans.

3.3 The solar arrays would be a maximum height of 3 metres above ground level, ground mounted on a metal supporting framework, with the lowest edge of the panels a minimum of 0.9 metres above the ground. These would face south, arranged in east-west rows spaced about 3 metres apart.

3.4 The inverters are shown to be housed within containers, also to contain one transformer, with each container a maximum of 2.9 metres in height, 12.2 metres in length and 2.5 metres in width.

3.5 The substations would be single storey buildings, with the DNO substation shown to be a maximum height of 4.1 metres, width of 6 metres and length of 8 metres. The customer substation would be a flat roofed building 3 metres in height, 4 metres in width, and 10 metres in length. Each building is shown to include an external mounted communications satellite dish, and internally would house plant, including one transformer each.

3.6 The proposed perimeter fencing would be 2 metres in height and comprise of wire mesh supported by timber posts, with each post spaced about 3.5 metres apart. The plans indicate that the fencing can include small openings at ground level for mammals. CCTV would comprise security cameras atop 2.3 metres high timber posts, with a maximum combined height of 3 metres. The plans show the cameras would be spaced at 30-50 metres intervals around the fenced perimeter.

3.7 It is proposed to use the existing Broad Lane accesses to Dome Meadow and Dog Kennel Cottage to provide operational access to the solar farm only. No construction traffic would use these accesses. The western access from Wilmingham Lane would be widened to 6 metres in width and this would provide

the access for construction and would also provide an operational access. Access routes within the site are shown to vary between 4.1 and 4.7 metres in width, with a temporary construction route proposed along the northern perimeter of the site, to the north of public footpath Y1 and the intervening hedgerow/tree group (G108). This route would cross the public footpath in two places and enable construction traffic to cross west-east from the Wilmingham Lane access into the eastern fields (Development Zones 5 and 6). This temporary access would be removed, and the land and sections of hedgerow reinstated on completion of construction, which is anticipated to last for about 18 weeks.

3.8 During the application process the applicant has submitted revised plans which have reduced the extent of the proposed developed areas of the solar farm and removed the originally proposed southern access from Middle Road (existing Tapnell Farm access) and the proposed northern Wilmingham Lane access, referred to in the submitted Transport Statement. These accesses were removed due to safety concerns with the proposed northern access, and to reduce hedgerow removal that would have been required to gain access into the site from the south. A Transport Statement Addendum Technical Note has been submitted as an update to the Transport Statement following removal of these two accesses.

3.9 The proposed solar farm is expected to have a 40-year life, after which the land would be decommissioned, and the land returned to agricultural use. The decommissioning would be controlled by condition.

4 Relevant History

4.1 There is no history for the specific site itself but the permissions relating to the neighbouring solar farm (*Land between Tapnell Furze and Wilmingham Plantation (Wilmingham Solar Park)*) is considered to be relevant:

P/01344/12: Proposed temporary use for a period of 6 months of existing field access from Wilmingham Lane to photovoltaic park for construction traffic: conditional permission 31 October 2012.

4.2 P/00054/12: Proposed extension to approved photovoltaic park: conditional permission 12 April 2012.

4.3 P/00053/12: Renewable Energy Scheme for photovoltaic park and associated ancillary infrastructure (revised scheme): conditional permission 12 April 2012.

5 Development Plan Policy

National Planning Policy

5.1 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

5.2 The following sections of the NPPF are considered to be of particular relevance to this planning application:

Section 2 - Achieving sustainable development
Section 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change.
Section 15 - Conserving and enhancing the natural environment

In particular, paragraph 148 of the NPPF states the planning system should '*support renewable and low carbon energy and associated infrastructure.*' In paragraph 158 the NPPF advises that '*When determining applications for renewable energy, Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable.*'

Local Planning Policy

5.3 The Island Plan Core Strategy identifies the application site as being located within the Wider Rural Area. The following policies are considered most relevant to this application:

SP1 - Spatial Strategy
SP5 - Environment
SP6 - Renewables
SP7 - Travel
SP9 - Minerals
DM2 - Design Quality for New Development
DM11 - Historic and Built Environment
DM12 - Landscape, Seascape, Biodiversity and Geodiversity
DM14 - Flood Risk
DM16 - Renewables
DM17 - Sustainable Travel
DM20 - Minerals
DM21- Utility Infrastructure Requirements

Relevant Supplementary Planning Documents (SPDs) and other guidance

5.4 In arriving at the recommendation in this report officers have given due regard to the following documents:

- AONB Management Plan 2019-2024
- West Wight Landscape Character Assessment, September 2005
- Mission Zero: Climate and Environment Strategy 2021-2040 (Isle of Wight Council, September 2021)

- Overarching National Policy Statement for Energy (EN-1)
- Powering Up Britain (HM Government, March 2023)
- Rights of Way Improvement Plan 2018

6. Consultee and Third Party Comments

Internal Consultees

- 6.1** The Council's Archaeological Officer has recommended conditions to secure a programme of archaeological works, including pre-commencement trial trench evaluation, which would inform any further mitigation which may be required. They have also advised that any geotechnical site investigations should also be carried out under archaeological supervision as these can encounter archaeological deposits and further inform archaeological mitigation. With respect to the trial trench elevation, they have commented that this would need to be carried out prior to the final design and layout being agreed, as this will inform on design/site layout should any significant deposits be encountered.
- 6.2** The Council's Drainage and Flood Risk Management Officer has advised that the submitted drainage strategy illustrates surface water management requirements and how it would be dealt with on site to not pose a flood risk to nearby property or adjacent land.
- 6.3** The Council's Ecology Officer agrees with the conclusions of the submitted reports and has advised that measures detailed within the submitted eCEMP should be secured in full.
- 6.4** Environmental Health considers the proposal would be acceptable subject to a recommended condition to agree the precise equipment specification and noise mitigation levels to ensure noise from the development would be reduced to a minimum. It has been advised that this may require a greater level of noise mitigation than currently proposed by the applicant.
- 6.5** The Highway Engineer from Island Roads, commenting on behalf of the Local Highway Authority, has recommended conditional approval. Comments are discussed further in the highways section of the report.
- 6.6** IW & Hampshire Fire & Rescue Service has advised that access for firefighting and the fire service should comply with Building Regulations.
- 6.7** The Council's Planning Tree Officer has recommended a condition to ensure trees and woodland would be adequately protected during construction. Comments are further discussed within the trees and woodland section of the report.
- 6.8** Public Rights of Way Service objects as it considers the enjoyment/amenity value of footpath Y1 would be significantly reduced. It adds mitigation would be required, recommending Y1 be upgraded to bridleway status to provide a valuable off-road link for equestrians and cyclists between Wilmingham Lane and Broad Lane, and support Right of Way Improvement Plan policies to open up the network to as many user types as possible. A series of other matters are also

referred to, which the service would like to see addressed, preferably by condition.

External Consultees

- 6.9** IW AONB Partnership has not objected on the basis that whilst views of the proposed solar farm would be attainable from some iconic parts of the AONB, in light of the low-level development, surrounding screening and distance from the AONB, it is not considered undue impacts upon the setting of the AONB would occur or that it could substantiate an objection based on any impacts upon the AONB.
- 6.10** Hampshire Constabulary's Designing Out Crime Officer has advised that the rate of thefts from solar farms has increased sharply and has raised concerns with the adequacy of the proposed security gates/fencing, as well as the limited information provided on security measures, including CCTV. They have advised that the proposed boundary treatment would not provide an adequate level of security for the type of installation proposed.
- 6.11** Environment Agency has no objection provided a condition is imposed to ensure development would be carried out in accordance with the submitted Flood Risk Assessment, Flood Risk Technical Note, and that the solar panels would be raised 0.9m above the existing ground levels. Advice has also been provided to the applicant regarding environmental permitting requirements, which are separate of the planning process. [Officer comment: Potential ground contamination risks have been flagged by the Environment Agency if works are to be undertaken within the area of a former landfill site (Tapnell Quarry). Revised plans have omitted the southern access and there would be no works within the vicinity of Tapnell Quarry].
- 6.12** Forestry Commission has provided advice, referring to policy within the NPPF in respect of ancient woodlands, ancient trees, veteran trees, and biodiversity net gain, as well Natural England and Forestry Commission joint Standard Advice for Ancient Woodland and Ancient and Veteran Trees. It has also stated that existing trees should be retained wherever possible, and opportunities taken to incorporate trees into development, with the wide range of benefits trees, hedgerows and woodlands provide as part of delivering biodiversity net gain considered. The opportunity has also been taken to remind the applicant's that tree felling may require a felling licence from the Forestry Commission.
- 6.13** Natural England has no objection, subject to mitigation measures set out in the submitted eCEMP being secured to ensure there would be no adverse effects on the Solent and Southampton Water SPA, Solent Maritime SAC, and Yar Estuary SSSI. Further advice has been provided in respect of:
- Ancient woodland/ancient and veteran trees
 - Local sites (SINCs) and priority habitats and species
 - Landscape – proximity to AONB
 - Soils and agricultural land quality

With respect to soils and agricultural land quality, it has advised that, if temporary as described, the proposed development would be unlikely to lead to a permanent

loss of best and most versatile (BMV) agricultural land as a resource for future generations, however during the life of the development it is likely that there would be a reduction in agricultural production over the whole of the development area, and it would need to be considered whether this is an effective use of land in line with planning practice guidance. It has been advised any permission should be subject to conditions to safeguard soil resources and agricultural land through appropriate soil use and management, as well as a requirement commitment for the preparation of reinstatement, restoration, and aftercare plans, normally to include a return to the former land quality (agricultural land grade).

Parish/Town Council Comments

6.14 Yarmouth Town Council objects, raising the following concerns:

- Visually intrusive along Wilmingham Lane, and change character of a country lane
- Not in keeping with existing visible countryside
- Have long-term detrimental effects on adjacent designated sites and rights of way
- Access unsatisfactory, would require removal of much of the hedgerow on Wilmingham Lane
- Hedges/trees would need to be removed to detriment of wildlife
- Industrialise the countryside, and fail to protect adjacent conservation area and landscape
- Brownfield sites available
- No provision to protect footpath Y1 or species identified on the site
- Would not safeguard farmland/valuable resources
- Fencing proposed not suitable for hares or badgers
- EA has objected, no flood risk assessment
- Cable trenching to Shalfleet substation would cause significant disruption along the route
- No community benefit/local jobs – should be some material benefit awarded to the local community
- Increase crime locally
- Significant impact on amenities of neighbouring occupiers due to glare, noise of inverter stations, and views of local surroundings
- Should be considered an extension to the existing solar farm
- Goes against policy SP5 of CS

6.15 Shalfleet Parish Council has objected, raising the following concerns:

- Long-term harmful effects to internationally and nationally designated nature conservation areas, landscape designated areas and public rights of way
- Major negative impact on tourism
- Industrialisation would degrade visual amenity and rural character, fail to protect and enhance immediate locality, adjacent conservation areas and AONB
- Negatively impact residential dwellings – Wilmington Lane and Dog Kennel Cottage – glare, noise, and views

- NPPF – renewable energy not automatically override environmental protections and planning concerns of local communities; large-scale solar farms can have negative impact on rural environment, particularly in undulating landscapes – solar farm would be on undulating and open land; solar PV projects should utilise previously developed/industrial land or agricultural land of lower quality (avoiding use of Best and Most Versatile land)
- Flooding and high risk of pollution entering local watercourses (Barnfields Stream) and the Yarmouth Estuary
- No jobs or benefits for Islanders
- Unsatisfactory access
- Hedgerow/tree loss to detriment of wildlife
- No plan to protect mammals and reptiles during construction/life of the development
- No provision to protect footpath Y1
- Not compatible with sheep grazing, goes against safeguarding of farmland and valuable resources
- Cable trenching to Shalfleet substation will cause significant route disruption
- Increase crime locally
- Previously assurances given Wilmingham Solar Farm would not be extended
- Not comply with policies SP5, DM2 and DM17 of CS

Third Party Representations

6.16 The National Trust supports the application:

- Good scheme, providing much needed green energy, well screened from local residents
- Larger scale renewable projects now required to meet country's net zero targets, and to reduce carbon emissions to halt climate change
- Decision makers will increasingly need to give weight to the importance of reaching net zero, and this could result in some effects to landscape and places of significance, this should be avoided where possible
- Proposal will have some visual impact on surrounding area, this is outweighed by applicants approach to biodiversity, and to restoring the site at the end of its life. Latter should be controlled by a planning condition

6.17 40 comments received from interested parties, including local/Island residents, who support the application for reasons that can be summarised as follows:

- Non-fossil fuel, so won't add to climate change
- Need sustainable energy initiatives and reduce reliance on fossil fuels
- Produce clean, green, electricity to power homes
- Island benefits from plenty of sunshine
- Appears it can be constructed quickly, and would be decommissioned responsibly in due course
- Council declared Climate Emergency in 2019 - help IW & UK meet renewable energy and carbon saving targets, including council's aspiration of net-zero by 2040

- In securing this project the Island would make a significant step forward in Mission Zero
- Increase IW & UK energy independence/security
- Renewable energy very important and hope that the Island can be a leader in approving solar energy
- One of cheapest ways of electricity generation, so will help bring people's bills down
- Land can still be used for biodiversity and grazing, benefitting both biodiversity and food production
- Biodiversity would be significantly improved, increasing habitats, and planting hedgerows and trees
- No significant noise or nuisance issue
- Would be partly screened and only occupy a small part of the view from Tennyson Down
- Solar installations would be a positive contribution to a sustainable landscape and would be a demonstration of the Island's determination to become a green and sustainable destination, which could benefit tourism
- Solar farm completely reversible at end of life
- Recent events show how desperate climate crisis is and all of us now need to accept compromises to fulfil our obligations to move rapidly to carbon neutral
- Climate damage would cause more damage to the Island
- Catastrophic consequences of sea level rise
- This is not a huge industrial site, it's some solar panels
- Planned nuclear capacity will arrive too late
- Insufficient rooftop/industrial space for capacity necessary
- Existing solar farms on the Island occupy significantly less land than golf courses

6.19 Cycle Wight has made a neutral comment but has raised issues/concerns that can be summarised as follows:

- 30mph speed limits should be in place on Wilmingham Lane and Broad Lane for duration of construction
- Access for cyclists should be maintained to Broad Lane, Thorley Main Road, Thorley Street, Broad Lane and onto Warlands Lane for duration of works as alternative routes along busy main roads
- Road should be returned to safe condition for all users when cable work complete
- Construction access should be from Wilmingham Lane to ensure quiet and safe routes are maintained
- Requested Path Y1 upgraded to multiuser path to encourage active travel and help with council's desire to have a strategic network of off-road routes

6.20 118 objections received from interested parties, including local/Island residents and West Wight Villages Residents Association, raising concerns that can be summarised as follows:

- Not demonstrated an overriding need to be located away from towns/villages

- Zero local benefits – no provision of local jobs, no benefit for local/Island community or rural economy, or details of local contributions from the applicant
- No support for the project from the local community
- Not carefully sited location – proximity to designated/local sites and within flood zone 3
- More appropriate (including brownfield/rooftop/carpark) sites available, why not focused on urban areas?
- Alternatives to obtain cheaper greener energy
- Covering farmland with solar panels; land needed to grow food, with food supplies from abroad under threat, and for nature, biodiversity and water resources and green space for mental health and environmental education.
- Greenfield/greenbelt (not brownfield) land, should not site development on productive agricultural land, land of lower landscape/agricultural value should be considered
- Not guaranteed site would be returned to agricultural use – should be a land restoration condition
- New houses and industrial buildings should have solar panels on roofs
- Noise, air pollution, and residential/woodland amenity, loss of privacy due to CCTV
- Urbanisation/industrialisation, Visual impact on landscape and local amenity, close to AONB, destruction of rural character of area and its amenity for residents and visitors
- Affect beautiful vistas towards the town of Yarmouth and across to the Solent
- Additional roadways would permanently impact the surrounding area
- Contrary to local and national planning policy in terms of enhancement of local character/environment, and does not recognise intrinsic character and beauty of the countryside, and its wider economic benefits, including economic and other benefits of the best and most versatile agricultural land
- Wouldn't enhance character and context of the local area
- Scale and industrial character of development not compatible with rural setting and landscape character
- Impact on AONB and tourism
- Set precedent for sporadic development of a rural area
- Solar cheap and profitable way of generating renewable energy, but should not be to detriment of locals, nature, and wildlife
- Promised existing solar farm would not be extended, should be seen as expansion
- Impact to wildlife and habitats
- Protection/loss of trees and woodland; too close to woodland boundaries
- Fencing would not allow movement of hares/badgers
- Negative impact on public footpaths and views
- Glint and glare would be significant from many public viewpoints and neighbours, submitted assessment inadequate
- Fire hazards and environmental pollution
- Traffic and highway safety, impact to road network and road users, obstruction of access for emergency services, disruption, and safety risks during construction, including cable laying
- Unsafe/unsuitable access, accesses would require significant hedgerow removal for visibility

- Proposed access from Middle Road inappropriate
- Other solar farms in area/on Island - cumulative impacts
- Need for renewable energy does not automatically override environmental protections
- Not meet landscape strategy for West Wight and conflict with local and national planning policy
- Carbon footprint of development not addressed
- Conflict with UNESCO Biosphere Reserve designation
- Inadequate grid/storage capacity on the Island
- Disappointing battery storage not included given limitations exporting energy off Island
- Increase (not reduce) flood risk and run-off
- Drainage not sufficiently considered
- Risks of disturbing drainage and contamination from landfill sites high
- Small stream within development zone 5 not shown on plans
- Effect on listed buildings and conservation areas
- Project's costs outweigh its benefits
- Proposed development not the right choice
- There should be not interference with use of rights of way during and after construction.

6.21 CPRE-IW objects to the application on grounds that can be summarised as follows:

- Grade 3a agricultural land not suitable for solar panels and associated infrastructure
- landscape impact would harm the character of the area
- impact to public footpath Y1
- impact on highway network due to substandard access onto Wilmingham Lane
- insufficient information in terms of flood risk implications

If the LPA were minded to approve they have requested conditions are attached requiring further information in relation to ecological improvements in terms of landscaping as an opportunity for significant improvements on the land within the site

6.22 IW Area of the Ramblers has expressed concerns regarding public footpath Y1, including potential for damage and interference with users right of passage during construction, and protection of the right of way and its users following construction.

6.23 Island's MP has objected on grounds that can be summarised as follows:

- Inappropriate scale for site and sensitive (open and undeveloped) landscape character of the local area
- Scale and industrial character incompatible with rural setting and set precedent for sporadic development of rural area
- Significantly change character of the local area, accessible by footpaths, and its amenity to residents and visitors

- Significant impact on views iconic to the AONB and Island tourism
- Site primarily arable land with significant productive and landscape character value
- Unnecessary removal of woodland

7 Evaluation

Principle

- 7.1 The application seeks permission for a 28MW solar farm that would provide enough power for just over 9,300 homes per year. Paragraph 152 of the National Planning Policy Framework advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 7.2 Paragraph 158 goes on to state:
- ‘When determining planning applications for renewable and low carbon development, local planning authorities should:*
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
 - b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.’*
- 7.3 The Island Plan Core Strategy Policy SP6 (Renewables) recognises the need for large scale, grid-connected renewable energy schemes, setting a target of 100MW, which has not yet been met. The policy sets out that large scale photovoltaic schemes should be located outside the AONB, on land that is not categorised as best and most versatile agricultural land and outside of designated environmental assets.
- 7.4 There is an acceptance that solar technology is a valuable source of renewable energy that can contribute to the Council's aim of reducing the current reliance on fossil fuels and instead, become self-sufficient in renewable sources. Policy DM16 (Renewables) states that the Council will in principle support proposals for renewable sources of energy, subject to information relating to landscape character.
- 7.5 Whilst the Core Strategy has a target of 100MW (not yet met), the council's Climate and Environment Strategy "Mission Zero" considers 220-300MW would be required for the Island to become self-sufficient in renewable energy production. The Island currently has an installed capacity of 90MW, and the

current solar projects being considered (including this proposal) are important to meet the Island's renewable energy production and net zero targets, with one advantage of solar farms being that they can be installed and operational within a relatively short timeframe.

- 7.6** The proposed development would make a significant positive contribution to increased solar deployment locally and planning policy supports solar projects across the Island, with the proposal located on land outside of the AONB. Therefore, officers consider that the proposal can be supported in principle and that great weight can be afforded to the benefits of the proposal in terms of increased solar energy generation. The proposal would assist in tackling climate change, while assisting with self-sufficiency in terms of renewable and low carbon energy generation, and energy security, affordability, and reliability, and the economic benefits associated with construction and the ongoing servicing of the proposed solar farm.
- 7.7** Officers attribute great weight to the contribution that would be made by this proposal to meeting the Council's policy objectives with regard to sustainable energy production and its stated aims in respect of the climate emergency.

Loss of agricultural land

- 7.8** Central Government is seeking large scale deployment of solar across the UK mainly on brownfield, industrial and low/medium grade agricultural land. This reflects the need to balance protection of the environment and higher quality agricultural land with the need for solar deployment on a large scale to meet both Government's and the Island's ambitious targets to meet net zero. The NPPF (paragraph 174) states planning decisions should recognise the economic and other benefits of the best and most versatile (BMV) agricultural land, with Footnote 58 adding that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. BMV land is grades 1-3a agricultural land.
- 7.9** The Government's planning practice guidance (PPG) for renewable and low carbon energy states that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. It states that where a proposal involves greenfield land, the local planning authority should consider 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. It continues 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.
- 7.10** Paragraph 5.216 of the Core Strategy explains that the Council is very aware of the need to balance the provision of medium and large-scale renewable energy schemes against their impacts on to and from designated landscapes of the Island with the AONB covering over half of the Island. The Core Strategy adds at paragraph 5.217 that the Council needs to take a pragmatic and proportional approach and will apply a spatial approach which for solar photovoltaics is that

development should be located outside of the AONB and avoiding identified grades 1-3a agricultural land (see paragraph 5.219). Having regard to this, officers consider that, by necessity, solar would have to be located on agricultural land, albeit poorer quality land.

- 7.11** Natural England's ALC map for London & South East Region identifies the site as potentially being grade 3 agricultural land but it does not differentiate between subgrades 3a and 3b. The applicant has submitted their own assessment of the quality of the agricultural land within the application site and this concludes that the land is grade 3, with the following areas occupied by the different land grades:

Subgrade 3a 7.5 ha (20%)
Subgrade 3b 26.6 ha (71%)
Other land 3.3ha (9%)
Total 37.4 ha (100%)

- 7.12** Natural England (NE) has advised that from the description of the development, the application is likely to affect 42ha of BMV agricultural land and considers that, if temporary as described, the proposed development is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. NE continues that during the life of the proposed development it is likely there would be a reduction in agricultural production over the whole development area and the local planning authority should consider whether this is an effective use of land in line with planning practice guidance. NE adds that the weighting attached to a particular consideration is a matter of judgement for the local planning authority as decision maker, and that as soil is a finite resource any grant of planning permission should include conditions to safeguard soil resources and agricultural land, as well as to secure appropriate land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.
- 7.13** In support of the application, the applicant has submitted a Landowner Letter, that states much of the land the solar farm would occupy is very poor, and over half is not worthy of planting for an arable crop, with very poor grass cover which is used for horse paddocks as there is not really any other alternative farming use on this element. They refer to the many benefits of the proposed solar scheme, including habitat enhancement around the margins of the proposed solar farm, and reduced chemical leaching close to the River Yar estuary. They add that by turning some acreage over to solar they are able to contribute to the national energy crisis whilst utilising the land for sheep grazing and beehives, and that diversification is essential for the future of working farms on the Island and to keep the farm estate running, with the solar farm project fitting well with conventional arable farming that they currently do over 400 acres (162 hectares). They state the income stream from this would help them invest in further sustainable projects around the estate, which also provides local employment.
- 7.14** Having regard to the information provided by the applicant and Natural England advice, the proposal would result in temporary loss of moderate to good quality agricultural land, mainly moderate (3b) quality land, and would not result in the loss of higher quality grade 1 and 2 agricultural land. Although the proposal would result in the temporary loss/reduced productivity of BMV agricultural land, the site

would continue to be used for agriculture (albeit on a more limited scale) alongside the proposed solar farm use, and the proposed scheme would also offer biodiversity enhancement/net gain. Planning conditions can be used (and are recommended) to secure appropriate soil and land management during construction and throughout the life of the proposed development, as well as restoration of the land at the end of this, to ensure that the soil and land quality would be maintained for future generations.

- 7.15** Given the above, and subject to the recommended conditions, officers attribute minimal negative weight to the temporary loss of agricultural land, which would be reversible at the end of the development's life.

Impact on the character and appearance of the surrounding area, including the setting of the AONB.

- 7.16** The West Wight Landscape Character Assessment (WWLCA) identifies the application site as being located within Landscape Character Area 6A Thorley and Wellow Open Farmland. The assessment describes this area as a working agricultural landscape, intensively managed, with substantial swathes of arable farmland and improved pastureland. It considers it to be of moderate condition and refers to significant damage of hedgerows and hedgerow trees due to the intensification of farming methods, as well as likelihood that in the past some archaeological sites have been lost through ploughing.

The assessment notes some of the key characteristics of this character area are:

- Elevated, large scale, gently shelving open landscape with wide skies and distant views to the high ground of the downs to the south
- Mix of arable cultivation and pasture with cows and sheep grazing, plus some horse paddocks
- Large irregular fields, bounded by fences and low, gappy hedges
- General lack of tree cover and woodland allowing wide views and creating an open exposed windswept landscape, with mixed woodland plantations and copses giving more enclosure at the western and eastern margins of the area
- Sparse settlement of scattered farmsteads and a few villages (including Wellow and Thorley), with some traditional stone houses, large scale industrial style farm buildings and modern redbrick dwellings
- Remnants of quarrying
- Presence of prehistoric crop marks indicating early clearance of woodland in the area with Roman and Anglo-Saxon remains also present

The assessment sets out a strategy for this area to conserve the open, remote character of the landscape with its wide views and sparse settlement with traditional stone buildings, while enhancing the landscape through improved management of the fabric such as the hedgerow network and traditional farm buildings and measures to improve the biodiversity interest of the area.

- 7.17** The proposed development would see the solar farm laid out across several agricultural fields, including an existing horse paddock, adjacent woodlands within Wilmingham Plantation and Tapnell Furze SINC. The solar farm would extend northwards of the existing Wilmingham Solar Park and would reflect the western

and eastern extents of the existing woodlands. Each development zone would be enclosed by proposed fencing and CCTV, and new native hedgerows would be planted along the western, northern, and eastern boundaries, to frame, soften and screen the proposed development where the existing open farmland is exposed to views, particularly from Broad Lane, Wilmingham Lane, and the public footpath.

- 7.18** The proposed containers and substation buildings, as well as the fencing, CCTV, and access tracks, would be no higher than the proposed solar arrays, and these features would be contained visually between the woodland, existing and proposed new boundary hedgerows, and the solar arrays. Whilst initially the solar farm would be visible from surrounding roads, the public footpath, and nearby neighbouring properties in Wilmingham Lane and those off Broad Lane, the visual impact would reduce over time as the new hedge planting establishes and matures.
- 7.19** Development within zones 1 and 2 would be virtually wholly contained between Wilmingham Plantation and Tapnell Furze and would be viewed as an extension to Wilmingham Solar Park, particularly when viewed from the public footpath to the north and higher downland to the south. Visually, development within these zones would not be perceivable from surrounding roads, and from the footpath looking south, the arrays within this zone would be viewed at about 500 metres, with the impact being the loss of a small area of greenspace currently in the foreground of the existing solar installation. Given the minor reduction in greenspace, that development here would be viewed in relation to the existing solar park, as well as in relation to development proposed within zone 3, and at lower elevation, and that it would be framed by existing woodland, the visual impact of development within zones 1 and 2 would be minor.
- 7.20** Proposed development within zones 3 and 4 would be the most appreciable, particularly from Willingham Lane, properties opposite along this highway, and from the public footpath. Visually the development here would result in significant change from the current open farmland/paddock, which affords views of the woodland and longer distance views towards and AONB and southern downland to the west and south. As above, whilst initially views from here would have a significant visual impact on the immediate locality, this would reduce as the proposed mitigation hedgerow planting grows and thickens. The development, including new hedgerow planting, would result in an increased sense of enclosure along the right of way, and would impact the outlook and views across the fields from neighbouring residential properties to the west, as well as the adjacent highway. However, plans for the proposed solar farm extent have been reduced by the applicant, and this has result in development being limited to lower ground comprising the existing paddock area to the south of the Wilmingham Lane access, as well as to Development Zone 4 (previously Development Zone 5), with development in this zone set back 200 metres from Wilmingham Lane. Given the lower elevation of development within the paddock area, setback of development within zone 4 from the public highway, and that development within these zones would be framed by woodland and existing and new hedgerows, it is considered that in immediate views from these routes and neighbours, the visual impact would reduce overtime would to a moderate level, and would not be significant in terms of neighbours' outlook, or views of the wider landscape.

- 7.21** From Broad Lane, development within Zones 5 and 6 would be visible at distances varying from about 200-400 metres across open farmland. Views and magnitude of the visual impact from here would be limited by not only the separation distance, but also existing trees and vegetation, particularly where these features continue eastward from Tapnell Furze along the southern boundary of the public footpath and towards Dog Kennel Cottage. These factors together with the topography, with the visual impact of development within these zones reducing with the fall of the land away from Broad Lane and the public footpath towards Tapnell Furze which is at a lower level to these public routes, reduces the visual impact of these zones.
- 7.22** Whilst development within zone 5 would be closer to the public footpath, within about 40 metres, near views would be limited by existing trees and vegetation along the southern boundary of the footpath. It is considered that from Broad Lane and the public footpath, development in its infancy would have a moderate visual impact on the open farmland character of the landscape, however this would reduce to a minimal level as new hedgerow planting matures, forming newly established natural field boundaries, that would soften, frame, and contain the solar arrays and associated infrastructure in the medium and longer term. In reaching this view, officers have had regard to the remote feel and lightly trafficked nature of Broad Lane and the public footpath, as well as openness of the farmland that would remain to the east of zones 5 and 6 due to the set back of development within these zones from Broad Lane and existing residential properties off this route to the east (approximately 140 metres – 150 metres).
- 7.23** Given the proposed solar farm would be about 500m+ from the B3401 to the north, as well as residential properties along this route and within Homefield Avenue, as well as intervening trees, hedgerows, and open agricultural land, which rises to the south toward the application site, officers consider there would be negligible visual impact from Thorley to the north.
- 7.24** There would be limited views of the proposed development from the AONB, including elevated views from the southern downs, the Yar Estuary, namely from public bridleways Y19/F61, and from public footpath Y1 to the west as it exits Mill Copse and meets Wilmingham Lane. With respect to views from the downs, the development would be viewed in the context of the existing solar park, as well as other smaller scale solar installations at East Afton and Tapnell. From here the proposed solar farm would be viewed as part of the wider rural landscape, with the observer's eye drawn across the open landscape to Yarmouth, the Solent, and the mainland beyond. When viewed from the AONB to the south, the solar farm would appear low level, and interspersed and nestled within the undulating topography, hedgerows, and woodland, which would break up and soften the visual impact of the various development zones. Development within the eastern areas of the site would be large imperceptible from the downs due to the intervening distance (1.5km+). Therefore, from the AONB to the south, officers consider the visual impact of the development to be minimal.
- 7.25** Part of the application site to the north of Tapnell Furze can be viewed obliquely at approximately 1-1.2km from public bridleway Y19/F61, as well as from public footpath Y1 just beyond Mill Copse to the south and east respectively. From these locations the site is viewed in the context of the low-lying estuary, existing woodland, open agricultural land, and field boundary hedgerows. Views of the

proposed solar farm from these rights of way would be at distance, limited and softened by intervening landscape features as well as the undulating topography. Given this, and that the development within zone 4 would be screened over time by new hedgerow planting, it is considered that the visual impact from the AONB in these locations would be minimal.

- 7.26** Development within zones 3 and 4 would be visible from users of footpath Y1 as they exit from the AONB onto Wilmingham Lane. However, from here the immediate view would be of the existing roadside, hedgerows, and open agricultural land (with the northern part of the site left as an open field), as well as of the existing woodland and southern downs beyond. Whilst there would be moderate visual impact initially from development within the horse paddock (zone 3) and zone 4, this would reduce to a minimal level as the proposed boundary hedgerows establish. Initial, as well as longer term impact from Wilmingham Lane would also be limited due to the existing roadside hedgerow that would obscure views from this highway.
- 7.27** It is not proposed to install external lighting within the development site and a planning condition can be used to prevent this. Submitted plans do indicate that there may be a requirement for some limited small downlit bulkhead lighting to the substation buildings and this could be controlled by condition to ensure light pollution would be minimised and that any lighting here would be functional and minimal and directed to only where it is needed (i.e. to light entry/exit points). This would ensure rural dark skies which are a key feature of the landscape and adjacent AONB would be protected.
- 7.28** In terms of glint and glare, having regard to the revised extent of the proposed solar farm, the applicant's glint and glare assessment (based on the originally proposed extent), and with the establishment of the proposed hedgerows which would mitigate for any potential impact on the landscape in this regard, with wider views generally limited at distances of between 1-1.5km from the west and south, it is considered impacts on the landscape in terms of glint and glare would be minimal, with officers noting the presence of existing solar installations within the surrounding area to the south of the site.
- 7.29** Having regard to the above, officers conclude that initially the proposed development would result in significant to minor changes to the landscape, depending on where the proposed solar farm would be viewed from, with the most significant impacts likely to be at a very localised level from Wilmingham Lane and public footpath Y1 outside of the AONB. With the establishment of new hedgerow planting as proposed, the overall impact on the landscape would be reduced to moderate adverse, with minimal impact, and no harm, to the setting of the AONB.
- 7.30** With the proposed mitigation, officers therefore attribute moderate negative weight to the landscape impacts of the proposed development.

Impact on trees and woodland

- 7.31** Whilst the proposed solar farm would be located within the existing agricultural fields, these are surrounded by woodland, groups of trees and hedges, which collectively add to the rural and sylvan landscape setting. Wilmington Plantation and Tapnell Furze SINC also contain areas of ancient woodland. The NPPF

states that proposals which would result in the loss or deterioration of ancient woodland should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

- 7.32** The submitted Arboricultural Impact Assessment Report (hereinafter referred to as the “tree” report) identifies the areas of ancient woodland and explains that 15m buffer zones have been provided around the ancient woodland. The indicative layout submitted shows that all access routes and development would be outside of these buffer zones. Direct impacts to the ancient woodland from the development would therefore be avoided through the development layout and exclusion of construction activity within the buffer zones.
- 7.33** The tree report explains that to facilitate development part of one woodland group of high (A) quality (W102), part of one tree group of moderate (B) quality, and part of two tree groups (G85 and G108) and part of one hedge (H83) of low (C) quality would need to be removed. In addition, nine tree features of very low (U) quality, including six individual trees (T1, T6, T7, T20, T29, T37), and three groups (G69, G81, and G87) would also be removed. The individual trees to be removed are dead/dying trees, the majority Ash suffering from or succumbed to Ash dieback. The groups are predominantly poor-quality trees such as goat willow and elm. All trees identified for removal are either within the application site or on land owned by the site landowner. The tree report confirms that no tree works, other than the identified removals, would be required as part of the development, and that identified tree removal can be mitigated through new tree planting.
- 7.34** All other trees/woodland would be retained and would be protected during construction. There would be some incursion from the proposed access tracks/routes into root protection areas of trees/hedgerows not forming part of the ancient woodland. Where such encroachment cannot be avoided, to minimise impacts it is proposed that existing unsurfaced tracks would be utilized, and any new surfacing formed using a ‘no dig’ cellular confinement system to avoid root damage.
- 7.35** In terms of hedgerow loss, based on the revised plans submitted, this would now be minor and limited to facilitate the construction access and associated splays off Wilmingham Lane (H83). The required temporary construction access route would require part removal of G108 in two places along the northern boundary of the site, but these would be reinstated in accordance with a planning condition (recommended). Given the minor amount of hedgerow that would have to be removed, and on the basis that both hedgerows would (except for this limited amount of removal) be retained, it is considered that hedgerow removal would not be of concern, particularly given the significant amount of new hedgerow planting proposed as part of the development, and that G108 would be reinstated following construction.
- 7.36** The Council’s Planning Tree Officer has commented that the potential for impact to the ancient woodland has been resolved and that the revised plans show that the required 15 metre buffer zone would be adhered to, the hedgerow impact has been assessed and found not to be of concern, and that the potential impact to trees have been reduced to an acceptable level. To ensure trees, woodland and hedgerows would be adequately protected during construction, it recommended a planning condition is used to secure implementation of an arboricultural method

statement, which would need to reflect the revised plans/approved final layout of the development.

- 7.37** Subject to the recommended conditions to secure new tree/hedgerow planting as part of the proposed development, adequate tree protection during construction, and reinstatement of the northern hedgerow (G108) on completion of construction, it is concluded the proposal would have regard to existing trees, hedges and woodland, including the ancient woodland, would protect the ancient woodland, and would significantly enhance the sylvan character of the area and biodiversity through new tree/hedge planting. In accordance with the aims of policies DM2 and DM12 and the NPPF. Officers therefore attribute neutral weight to the impacts of the proposed development on trees and hedgerows.

Impact on ecology and biodiversity

- 7.38** The application is supported by an Ecological Appraisal (EA), Biodiversity Net Gain (BNG) Assessment and Shadow Habitats Regulations Assessment (sHRA), including Appropriate Assessment, and Ecological Construction Environmental Management Plan (eCEMP).
- 7.39** The sHRA provides an assessment of likely significant effects on the following Habitats Sites within the Solent:
- Solent & Southampton Water SPA/Ramsar (0.2km to west of site)
 - Solent Maritime SAC (1.0km to west of site)

It also assesses impacts on the underpinning Yarmouth Estuary SSSI (0.2km to west of site and overlapping with the SPA). Potential impacts from construction and operation of the proposed development have been assessed in light of the Habitats Sites' Conservation Objectives, as well as the potential for in-combination impacts with other plans and projects on these designated sites.

- 7.40** The sHRA identifies the potential for significant effects without mitigation associated with the proposal is limited to aquatic pollution during construction works, due to the potential for contamination through run-off into local watercourses (including Barnfields Stream and ditches near the proposed cable route) which provide a pathway to the designated sites. The submitted eCEMP sets out measures to mitigate impacts on designated sites, including measures to reduce atmospheric and aquatic pollution during construction and specifies the use of temporary silt fencing at three key locations, one within the main site and two along the cable route within the highway verges of the B3401 Main Road and Warlands Lane. The sHRA concludes that provided the mitigation measures set out within the eCEMP would be implemented and adhered to (which can be secured by condition) impacts to these designated sites from construction of the solar farm and the cable route (alone and in-combination with other plans and projects) would not be significant and would likely have a neutral impact on these sites.
- 7.41** The sHRA concludes that during operation the solar farm would not have any adverse impacts on the SPA, SAC and SSSI, and that these sites would be likely to benefit from a decrease in pollution as a result of the proposed development. It confirms that chemical cleaning products would not be used, that there would be

no on-site battery storage that could present a fire risk, and that it has been calculated that there would be a significant decrease in total nitrogen as a result in the proposed change in land use. The proposal is therefore likely to benefit designated sites through a reduction in nitrogen entering the Solent Catchment.

- 7.42** Natural England has raised no objection subject to the mitigation measures set out within the eCEMP being secured. Having regard to this, and the information submitted by the applicant, the Council's Appropriate Assessment concludes that subject to the recommended condition to secure the eCEMP mitigation measures, the proposed development (alone and in-combination with other plans and projects) would not have adverse effects on the integrity of Solent Habitats Sites, including the Yarmouth Estuary SSSI.
- 7.43** The Ecological Appraisal and eCEMP sets out a series of measures to ensure construction activities, including the limited amount of tree and hedgerow removal required for access, would not directly or indirectly impact protected species or surrounding habitats, including the SINCS, ancient woodland and priority habitats, and hedgerows. These include measures identified within the sHRA to mitigate for potential pollution, implementation of 15 metres buffer zones to the ancient woodland (save for where existing access tracks would be used for access), and 5 metres buffers to hedgerows (maintaining these buffers as 'dark zones'), retention of hedgerows, timing of works, ecologist supervision of works, toolbox talks to construction workers, pre-commencement checks, and preparation and implementation of a reptile mitigation strategy and Biodiversity Enhancement & Mitigation Plan (BEMP). The BEMP would provide full details of mitigation, enhancement, and any compensation for the proposed development.
- 7.44** The submitted Ecological Appraisal and BNG Assessment identifies the various habitats found on the proposed solar farm site, with arable farmland dominant across the site area. The existing horse paddock (Development Zone 3) is shown as semi-improved/modified grassland, and there are areas of poorer semi-improved (modified) grassland around the site margins, particularly with the existing woodland. There is also a wedge of broadleaved woodland within the site that separates the western Development Zones 2 and 3. The submitted BNG assessment includes recommendations for habitat creation and enhancement within the site, including creation of areas of meadow species rich grassland within fields F1, F2, F4, F5, F6 and F7 (Development Zones 1, 2, 4-6, as well as the northern field (originally Development Zone 4) and planting of almost 1.5km of native species rich hedgerows along site boundaries. Submitted plans indicate areas proposed for new hedgerow planting, which as discussed above, would also soften and reduce the visual impact of the proposed development. The existing modified grassland within the existing horse paddock (field F3/Development Zone 3) would also be retained and enhanced through appropriate management to increase floral diversity.
- 7.45** The BNG Assessment calculates that following implementation of the recommended habitat creation and enhancement the proposed development would result in a significant biodiversity net gain on site (116.49% for habitat units and 100% for hedgerow units), despite this not currently being a requirement set out within legislation, which would increase the biodiversity value of the site and its value for protected species and other wildlife. It is also understood from the information provided by the applicant that any sheep grazing on the land would be

occasional a few times a year for short periods as part of the land management and therefore would be unlikely to compromise effective habitat creation which intensive grazing may otherwise do.

- 7.46** Planning conditions are recommended with respect to the landscaping of the site, to secure measures set out within the Ecological Assessment and BNG Assessment, including those for species and habitat protection, habitat creation and enhancement, and to ensure appropriate land and soil management during construction and operation of the proposed development, and appropriate decommissioning and restoration of the land at the end of life of the proposed solar farm. This would ensure the proposed development would protect, conserve, and enhance ecology and biodiversity, including designated sites, ancient woodland and priority habitats, and (notwithstanding the limited tree/hedgerow loss to facilitate development) result in a significant biodiversity net gain. As such, the proposal would comply with the aims of policies DM2 and DM12, the NPPF – conserving the natural environment, and the Council’s duties under Regulation 9 of The Conservation of Habitats and Species Regulations 2017 (as amended) and Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended).
- 7.47** Having regard to the above, and that there would be significant benefits of the proposed development in terms habitat creation, biodiversity net gain, and reduced pollution (nitrogen) entering the Solent Catchment over the life of the development, officers consider significant positive weight can be afforded to the ecology and biodiversity benefits of the proposal.

Impact on neighbouring properties

- 7.48** Development Zones 1 and 2 adjacent the existing Wilmingham Solar Park would appear as an extension to this existing Solar Park, and like the existing development, the proposed development within these zones would be contained and screened by the existing woodland within the Wilmingham Plantation and Tapnell Furze SINC’s surrounding these zones. Therefore, the proposed development here would have no adverse impacts in terms of visual amenity, outlook, or in terms of glint and glare on neighbouring properties to the west on Wilmingham Lane.
- 7.49** Existing residential properties along the B3401 Thorley Street/Main Road, and Homefield Avenue to the north would be at least 400 – 500 metres away from the northern boundary of the proposed solar farm, which is defined by existing hedgerow running alongside Public Footpath Y1 and the intervening agricultural field to the north. Given:
- these separation distances,
 - intervening topography, fields, hedgerows, and woodland,
 - that the proposed indicative plans show additional hedgerows to be planted to the north of Development Zones 3 and 4,
 - that the solar arrays would be orientated to the south away from the B3401,
 - and that the extent of the proposed solar farm within the northern area of the site has now been reduced by removal of development within the northernmost field of the site (Field 3/originally Development Zone 4)

it is considered that there would be no adverse impacts on existing residential properties along the B3401 or within Homefield Avenue to the north of the proposed solar farm site in terms of visual amenity, outlook or glint and glare.

- 7.50** Existing residential properties on Wilmingham Lane opposite the proposed construction access comprise a two storey cottage (Barnsfield Cottage) and two bungalows (4 and 5 Wilmingham Lane). These properties, set back from Wilmingham Lane with front gardens enclosed by existing hedgerows, aspect southeast toward and over Wilmingham Lane and the agricultural fields, as well as Wilmingham Plantation woodland. The submitted plans indicate that the fencing/CCTV and the solar arrays proposed for the horse paddock (Development Zone 3) would be within about 45 metres and 52 metres respectively. The proposed new western hedgerow to edge Development Zone 4 would be about 230 metres away from these properties.
- 7.51** The applicant proposes to mitigate the visual impact/presence of the proposed solar arrays and fencing/CCTV and other proposed infrastructure in these areas with new hedge planting to west and north of the perimeter fencing to be installed around Development Zones 3 and 4. Therefore, as these hedgerows grow and mature the visual impact of the development in this areas would soften and diminish, reducing the visual impact of the solar farm when viewed from these properties. The existing front hedges of these neighbouring properties, as well as the existing hedgerow along the Wilmingham Lane site boundary already afford intervening landscape features that would mitigate for the presence of the solar farm as these new hedgerows mature.
- 7.52** The applicant's Glint and Glare Study concludes that reflections from the panels within the northern corner of Development Zone 4 would be geometrically possible towards the cottages and bungalows, and the proposed new hedgerows around Development Zones 3 and 4 have been proposed by the applicant as mitigation as these would obscure views of any reflecting panels. Since the Glint and Glare Study was produced, the applicant has now reduced the extent of development within the northern area of the site so that the reflecting panels affecting these properties do not come as close as previously proposed, with panels within Development Zone 4 now shown to be almost 250 metres away from the closest cottages. Given this, the proposed hedgerow mitigation, and that the panels are shown to be orientated south towards the woodland and not directly toward these neighbouring residential properties, it is considered that impact on these properties in terms of glint and glare would be unlikely to be significant or harmful, with officers noting that the Glint and Glare Study considers this impact to be moderate without mitigation and based on the reflecting panels extending much closer to Wilmingham Lane than now proposed.
- 7.53** Whilst the development proposed within Development Zones 3 and 4, as well as the proposed mitigation hedgerow planting, would change the outlook from the bungalows and cottage on Wilmingham Lane, it considered that given the separation distance of the proposed solar arrays from these properties, that development within the horse paddock (Development Zone 3) would be within a lower gently sloping area of the site, and with the proposed landscaping/biodiversity enhancements proposed, including new hedgerow planting, the visual impact, as well as any impact in terms of glint and glare, would not be significant or harmful for occupiers of these neighbouring dwellings, with

impacts of the solar farm on these neighbours likely to reduce as hedgerow and other planting matures.

- 7.54** There are two residential properties off Broad Lane to the east, Dog Kennel Cottage, and a recently converted agricultural building to the south of this dwelling. The proposed solar arrays and boundary fencing would be just over 150 metres and 140 metres respectively from these dwellings. Given these separation distances, the existing vegetation screening afforded by existing trees and hedgerows, particularly to the west and south of Dog Kennel Cottage, and to the north and west of the converted agricultural building, and that the application proposes to mitigate the impact of the proposed development through new hedge planting along the eastern side of the development within zones 5 and 6, it is considered that although there may be some views of the solar farm and its infrastructure from these properties, impacts on these neighbouring properties in terms outlook, visual amenity and glint and glare would not be significant or harmful, and would reduce as the new hedge planting proposed by the applicant matures.
- 7.55** Dome Meadow is a small glamping site to the north of Tapnell Farm Park comprising of 5 separate domes providing holiday accommodation within the existing agricultural setting. This holiday accommodation is accessed via an existing access off Broad Lane and Tapnell Farm Park. The domes are orientated north/northwest with wide views of the farmland, woodland, and The Solent. The eastern extent of Development Zone 6 would be approximately 120 metres to the west of this existing holiday accommodation. The Broad Lane access to Dome Meadow would be used to access this Development Zone during the operational phase only.
- 7.56** Due to the commanding elevated location and orientation of the domes the proposed development would impact on the visual amenities of this holiday accommodation, which currently benefits from an open relationship with the adjacent field to the north, as it would reduce the current uninterrupted views of the woodland to the northwest. However, it is proposed to screen the eastern edge of Development Zone 6 with a new native hedgerow which would contain and frame, the solar farm development, with views of the arrays and other infrastructure reducing as this hedging matures. Whilst the farmland around Dome Meadow is characterised by large open fields, the proposed hedgerow would provide a new natural field enclosure, which once established, would not appear incongruous and would soften the visual impact of the development when viewed from this accommodation. Given the separation distance, that this accommodation would still benefit from its rural elevated location, and that wide open views of the surrounding landscape and toward The Solent would remain for visitors, it is considered that the impact of the proposed development on the outlook and amenities of occupiers of this accommodation would not be significant or harmful.
- 7.57** In terms of operational traffic using the access to Dome Meadow, any noise and disturbance would be unlikely to be any greater than from existing traffic associated with the agricultural use of the surrounding land given the low level of traffic associated with the operational phase (3 vehicles, 6 two-way movements per week).

- 7.58** During the construction phase, there would be some potential for noise and disturbance to neighbouring residential properties, mainly those opposite the site construction access off Wilmingham Lane. However, construction impacts would be temporary and therefore would have no significant longer-term impacts on neighbouring properties. A construction environmental management plan can be secured by condition to ensure measures would be implemented during construction to minimise any potential noise/disturbance impacts on neighbours, as well as pollution, which would complement ecological mitigation measures.
- 7.59** The application is supported by a Noise Assessment which considers the impact of operational noise of the proposed solar farm on nearby residential properties/receptors, including Dome Meadow, Dog Kennel Cottage, properties in Wilmingham Lane, the B3401 Thorley Street and Homefield Avenue. The primary noise sources would be from the transformers (one per substation) and inverters associated with the solar arrays and substations. It states that the character of the sound from the development would generally be low level and constant, with no rapid change in the level or character of noise. The assessment (updated 01 February 2023 in the applicant's response to Environmental Health's initial comments) concluded that with mitigation to provide a 17dB reduction at source (in the form of acoustic louvres), the proposed development would not result in more than a 3dB increase above existing background noise levels at any of the properties/receptors assessed, indicating a low noise impact on neighbouring properties. It adds that (in terms of noise) the proposed development would not be expected to have an adverse impact on health or quality of life.
- 7.60** The Council's Environmental Health Officer has advised that subject to clarification and agreement of the precise equipment specification and mitigation levels the proposal would be acceptable. He has cautioned this may involve a greater level of noise mitigation than the applicant currently has proposed to reduce noise to a minimum (and 3dB below background levels at neighbouring residential properties). Officers have recommended a condition to ensure details of the precise equipment and noise mitigation would be agreed prior to commencement of development to ensure this would be achieved. Subject to this condition, it is considered that the proposal would be unlikely to result in adverse noise impacts on neighbouring properties.
- 7.61** Having regard to the above, officers consider that the proposed development would for some neighbouring properties result in minor adverse impacts but that with mitigation (secured by conditions) these impacts would be minimised and would not be significant or harmful for neighbouring property occupiers.
- 7.62** Officers consider that (with mitigation) minimal negative weight would be afforded to the impacts of the proposed development on neighbouring properties surrounding the site.

Highways considerations

- 7.63** The application is supported by a Transport Statement (TS) and its Addendum Technical Note (ATN). These explain that the construction and primary operational access for the proposed solar farm would be from the existing western field access off Wilmingham Lane (Wilmingham Lane (South)), approximately 550 metres south of the Wilmingham Lane/B3401 Thorley Street junction. This access

was previously used for construction of the existing Wilmingham Solar Park – see P/01344/12. A further two operational accesses are proposed using existing accesses to Dog Kennel Cottage (Broad Lane (North)) and Dome Meadow (Broad Lane (South)) off Broad Lane to the east. These are located approximately 700 metres and 1.4km respectively south of the Broad Lane/B3401 Main Road junction. All areas of the proposed solar farm site would be accessible from these proposed accesses off Wilmingham Lane and Broad Lane. This would require provision of new access tracks, as well as utilisation of existing farm tracks, within the site. The new internal temporary construction access route from the Wilmingham Lane access would be required for the duration of the construction phase, after which it would be removed and the northern hedgerow through which it would cross at two points reinstated. This would be ensured by planning condition (recommended).

- 7.64** The proposed sole construction access off Wilmingham Lane would be widened to 6 metres with 10 metre radii to accommodate larger construction vehicles. Island Roads (on behalf of the Local Highway Authority) has confirmed that this proposed access arrangement would meet design standards and would be suitable to safely accommodate the construction and operational traffic it is proposed to serve.
- 7.65** In terms of visibility for the Wilmingham Lane construction access, paragraph 4.8 of the TS states that based on the 60mph speed limit of Wilmingham Lane splays of 2.4m x 215m would be required, with this only achievable to the north. To the south a splay of 2.4m x 162m can be achieved. These splays are shown in Appendix E to the TS. Notwithstanding the posted speed limit, the applicant undertook a speed survey to establish vehicles speeds in the vicinity of the proposed construction access, which showed that the average two-way vehicle speeds in the vicinity of the access to be 40mph (not 60mph), and therefore it has been identified based on the speed results of this survey that minimum splays required for the proposed construction access are 2.4m x 106m. The required visibility for the proposed construction access can therefore be achieved.
- 7.66** The TS explains the site access junction would be marshalled by a suitably qualified banksmen to ensure vehicle arrivals and departures would be safely controlled during the construction phase. The construction period is expected to last 18 weeks, with working hours Mondays to Fridays 0800 to 1800 and Saturdays 0800 to 1300. Traffic generation during construction and operational phases of the development is expected to be low, with 5 HGVs and 20 staff vehicles (approximately 50 two-way movements) per day through the access during the 18-week construction period, and 3 cars/small vans (approximately 6 two-way movements) per week during the operational phase. No abnormal loads would be expected. During peak hours construction traffic movements are expected to be in the region of 20 movements. Vehicle routing during construction would be from the north via A3054 and B3401, avoiding the Middle Road and Broad Lane, and Wilmingham Lane south of the proposed construction access.
- 7.67** Whilst there would be disruption and impact to the public highway network during the construction period, particularly along the proposed cable route to Shalfleet substation, this would temporary and could be mitigated through implementation of a construction management plan.

- 7.68** Island Roads (on behalf of the Local Highway Authority), mindful of the width of Wilmingham Lane and Thorley Road between the proposed construction access and the junction with the A3054, together with the proposed construction traffic routing, considers the traffic generation associated with the proposed development would not have a severe impact on the highway network. However, part of Wilmingham Lane south of the site has insufficient carriageway width to allow two vehicles to pass simultaneously and therefore all construction traffic must be directed to enter and exit the Wilmingham Lane access only via the north in accordance with a construction management plan. The TS states that it would be expected that decommissioning of the solar farm would see a similar profile of vehicles and level of traffic movements as the construction phase, and that a traffic management plan could be provided at the appropriate time if required.
- 7.69** With respect to potential for glint and glare from the proposed development to impact road users, the applicant's glint and glare assessment concluded there would be no adverse implications, and Island Roads has raised no concerns in this regard.
- 7.70** Considering the submitted TS and ATN, as well as the comments made by Island Roads (on behalf of the Local Highway Authority) it is considered that subject to the recommended conditions, which provide for:
- a construction management plan, including routing and management of construction traffic;
 - measures to be implemented to protect the condition of the network during the construction phase; and
 - provision of the proposed construction access (including visibility splays) and operational access tracks at the appropriate stage of development;

the proposal would be compliant with the aims of policies SP7 and DM2, which require developments provide for safe access and do not negatively impact the highway network, and paragraph 111 of the NPPF, which states that development should only be prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.71** On the basis that construction/decommissioning impacts on the highway network would be temporary and would be mitigated through implementation of a construction management/decommissioning plan (secured by recommended conditions), it is concluded the proposed development would overall have a neutral impact on the highway network and therefore impacts on the highway network neither way for or against the proposal.

Rights of Way

- 7.72** Public Footpath Y1 crosses the northern part of the site from Broad Lane to the west to Wilmingham Lane to the east. Following a short crossing of Wilmingham Lane, this footpath continues northeast through agricultural land and Mill Copse within the AONB linking to public bridleways Y19 and F61 linking Yarmouth and Freshwater. The section of Y1 running through the application site is not within the AONB, although views of the AONB are available from it.

- 7.73** The Public Rights of Way Service have raised concerns with the impact of the proposed development on the amenity value and enjoyment of this footpath, which it considers would be significantly reduced. It continues that despite its objection, if permission is granted mitigation should be provided as part of the development in the form of upgrading this section of Y1 to a public bridleway to provide a valuable link for equestrians and cyclists, supporting policies within the Right of Way Improvement Plan 2018 to improve the rights of way network and improve access for as many users as possible.
- 7.74** The proposed plans would see this public footpath retained along its current alignment. It is stated within the submitted TS that it is proposed to keep this route open during the construction period and managed its safe use rather than divert it temporarily, noting that the temporary construction access to the north of the site would cross this footpath in two locations. Measures to protect this right of way and reinstate it following construction can be set out in a construction environmental management plan and secured by planning conditions.
- 7.75** With respect to the enjoyment and amenity of this path, it is considered that there would be impacts on this route and its users where proposed development in Development Zone 4 would create an increased sense of enclosure and restrict views from this path for approximately an additional 260 metres of its length. Beyond Development Zone 4, the path would open out as it does at present into the remainder of the agricultural field that would remain as open grassland. Views of the AONB and woodland would still be available beyond the western extent of Development Zone 4, with proposed development within the horse paddock at lower level to the public footpath and more than 200 metres from it, such that open views across the site to the west and south would still be possible for footpath users.
- 7.76** The proposed new hedgerow planting around Development Zones 3 and 4, and between this zone and the footpath, would soften the visual impact and presence of the solar farm for footpath users, and it is considered that impacts of the proposed development on this footpath would therefore reduce as this planting establishes and matures. With this mitigation planting, it is considered that the impact on this right of way would be minor. The final layout of Development Zone 4 can be agreed through the recommended planning condition to ensure adequate space is maintained for this right of way.
- 7.77** With respect to upgrading of Y1, a planning condition has been recommended to secure upgrading of the surface of Y1 to support its use as a public bridleway. These improvements could complement the removal of the temporary construction access to the north of this right of way, reusing material on-site used to form this temporary access. There would be sufficient space within the site and adjacent land to accommodate a minimum 3 metres width for a public bridleway between Broad Lane and Wilmnham Lane, and final details of proposed improvements to this right of way, including its extent and any surface improvements can be secured by the recommended condition.
- 7.78** Officers attribute minimal negative weight to the impacts to the public right of way and its users, with any upgrading of Y1 (secured by condition) going some way to mitigating this minimal impact of the development on the rights of way network.

Flood risk and surface water drainage

- 7.79** The application is supported by a Flood Risk Assessment (FRA), Flood Risk Technical Note (FRTN) and Drainage Strategy (DS). The FRA identifies most of the site as being located within Flood Zone 1, with a small area of the site (approximately 2%) within Flood Zones 2 and 3. These higher risks zones are associated with Barnfields Stream that runs through and crosses the site in a north westerly direction. The stream is a tributary of the Western Yar, with the topography of the site falling toward the stream, directing surface water and overland flows northwards to The Solent. Flow risks are assessed to be low, with an identified medium to high risk of surface water flooding associated with the small narrow area of the site in the immediate vicinity of the watercourse.
- 7.80** Surface water runoff from the site would be reduced through the implementation of the proposed surface water drainage strategy that aims to manage rainfall at source and retain surface water on-site through a network of existing grassland, filter drains and perimeter swales. These would be designed to be of adequate capacity to convey runoff from the new infrastructure (allowing for climate change) for a 1 in 100 year rainfall event over the life of the development. Surface water would generally infiltrate to the ground, either into the existing grassland or via the filter drains, with any exceedance/overflow directed to the swale network. It is also proposed to provide enhanced planting within the swales and open spaces to improve water retention on site (e.g. through evapotranspiration). The FRA explains that the proposed drainage strategy would reduce the existing runoff from the site and therefore the risk of surface water flooding as a result of the proposed development is assessed to be low.
- 7.81** The FRA considers the extent of the proposed solar array into the higher risk flood zones to be minimal, and that because of this and the stilted nature of the solar array displacement of flood water would be negligible. Furthermore, the FRTN proposes that the solar array is raised a minimum of 0.9 metre above existing ground levels (which would provide a freeboard of 0.3 metre above predicated flood levels). This would ensure that flood risk to the proposed development and surrounding land/downstream would be low. Submitted plans show the solar arrays to be located a minimum of 0.9 metre above ground level.
- 7.82** Whilst the FRA has identified that a small area of the site near the stream is within Flood Zones 2 and 3, which would trigger the need for the Sequential and Exception Tests set out in the NPPF to be passed, it considers in this case this would be disproportionate given the small area of the proposed development located in these higher risk zones and that the proposed development would not adversely impact flood flows. Officers agree with this.
- 7.83** The Council's Drainage and Flood Risk Management Officer, commenting on behalf of the Lead Local Flood Authority (LLFA), has reviewed the submitted DS and has raised no concerns. The Environment Agency has also confirmed it has no objection to the proposed development provided a condition would be imposed to ensure the development would be carried out in accordance with the submitted FRA, FRTN, and the proposed mitigation measures detailed, including raising the solar panels to be 0.9 metre above existing ground levels.
- 7.84** Having regard to the above, it is concluded that flood risks to the proposed

development would be low, and that the proposed development would not increase flood risk elsewhere, including to surrounding land or further downstream, and that implementation of the proposed surface water drainage strategy (secured by condition) would ensure surface water runoff from the site and local flood risks would be reduced in accordance with the aims of policy DM14 and paragraph 167 of the NPPF. Officers consider minimal positive weight can be afforded to the reduction in runoff and flood risk locally that would be benefits of the proposed development.

Impacts on heritage assets and archaeology.

- 7.85** The application is supported by a Cultural Heritage Desk Based Assessment (CHDBA), which has considered potential for impacts to designated and non-designated heritage assets and their settings within 1km of the site, as well as potential for impacts to archaeology. The assessment considered impacts to 16 listed buildings, all but one being located within Thorley 0.5km to the north (including the grade II* St Swithins Old Church), the other being the grade II listed barn at Tapnell Farm, located 0.7km to the south of the site. In terms of non-designated heritage assets, these included farmsteads and buildings at Tapnell Farm to the south and Wilmingham Farm to the west, as well as to cottages on Wilmingham Lane and Broad Lane, notably Barnsfield Cottages and Dog Kennel Cottage to the west and east of the site. The assessment has identified there would be no impacts to designated heritage assets and only small negative impacts to Barnsfield Cottages and Dog Kennel Cottage due to the presence of the proposed development within their settings.
- 7.86** The submitted CHDBA also considered impacts to several scheduled monuments, including Golden Hill Fort 2.4km to the west, and several barrows on Afton Down and Tapnell Down 1.9km to the south. No impacts to these designated heritage assets or their settings were identified.
- 7.87** Officers consider that due to separation distances, topography and intervening woodland, trees and hedgerows, there would be no impacts to designated heritage assets within Thorley to the north of Tapnell Farm to the south. With respect to Barnsfield Cottages and Dog Kennel Cottage, as discussed in the impact to neighbouring properties section of this report, it is considered that (with the proposed landscape mitigation) there would be minimal negative impact on the settings of these neighbouring cottages.
- 7.88** With respect to archaeology, the Council's Archaeology Officer has reviewed the information submitted by the applicant, which includes alongside the submitted CHBDA, a geophysical survey of the site and additional Archaeological Technical Note. They have recommended conditions to ensure a programme of archaeological works would be carried out prior to and during development, to include a pre-commencement trial trench elevation which would inform any further mitigation that may be required, as well as the final design and layout of the proposed development. It is also advised that any geotechnical site investigations should also be carried out under archaeological supervision as these can encounter archaeological deposits and further inform any archaeological mitigation that may be required.

- 7.89** Subject to the recommended conditions to secure a programme of archaeological work, including a pre-commencement evaluation, and any archaeological mitigation that may be required, as well as to agree the final development layout, it is considered that potential impacts to archaeology would be appropriately identified and mitigated in accordance with the aims of policies DM2 and DM11, as well as the NPPF – conserving and enhancing the historic environment.
- 7.90** Notwithstanding the findings in relation to archaeology, having regard to the above, officers attribute minimal negative weight to impact of development on the settings of non-designated heritage assets, Barnsfield Cottage and Dog Kennel Cottage.

Other matters

Crime and disorder

- 7.91** Hampshire Constabulary's Designing Out Crime Officer has raised concerns that there has been a sharp increase in the rate of thefts from solar farms and has raised concerns that the proposed boundary treatment would not provide an adequately level of security for the type of installation proposed. He has also commented that there is very limited information provided with respect to CCTV and other security measures to be provided.
- 7.92** Officers consider that the proposed fencing is typical of other existing solar farm installations on the Island and would reflect the rural location. The fencing would be 2 metre high, supported by vertical upright posts only and so would be unlikely to be used as a ladder. It is accepted that a low stock fence may provide such a facility, but this is not what has been proposed. The proposed perimeter fencing would be further added to by the proposed hedgerow planting, and once this has established this would reinforce the fencing. Whilst limited details of the proposed security cameras have been provided, details of these, ongoing management of the site, including security, and details of the final boundary fencing/gates to be provided to secure the development can be agreed through planning conditions. Subject to recommended conditions securing this, it is considered the Council's would comply with its duty under section 17 of the Crime and Disorder Act 1998, to do all it reasonably can to reduce opportunities for crime and antisocial behaviour in its area and would promote safe and secure development in accordance with the aims of policy DM2.
- 7.93** Subject to the recommended conditions, officers consider the proposed development would have a neutral impact on crime and disorder locally, with this matter neither weighing for or against the development proposed.

Minerals safeguarding

- 7.94** A small area at the western end of the existing horse paddock (Development Zone 3) falls within an existing Minerals Safeguarding Area (MSA). Given the minimal need to excavate/disturb soil in this part of the site, with the indicative site layout plan for this zone showing this area to be occupied by new hedgerow, security fencing/CCTV and solar arrays only, and having regard to the reversible nature of the proposed development, it is considered that the proposal would not conflict or be incompatible with the safeguarding of minerals resources.

Furthermore, in this case it is considered that there is an overriding need for the development. The proposal would therefore be compliant with the aims of policy DM20. Officers consider this to be a neutral factor neither weighing for or against the proposed development.

Tourism

- 7.95** Although concerns have been raised with the impact of the proposal on tourism, given the minimal to moderate landscape impacts identified, minimal impact (and no harm) to the AONB, as well as minimal impacts to neighbouring properties/uses, including existing tourism accommodation, ecology and biodiversity (which would be significantly enhanced), trees and woodland, and heritage assets and their settings, and the rights of way and highway network, Officers consider the proposal would have no significant or harmful impacts on tourism.

8. Planning balance and conclusions

- 8.1** The National Planning Policy Framework states that the planning system is planned and that the purpose of the planning system is to achieve sustainable development. In the same way, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The role of the planning system is to balance issues, particularly where they compete and compare the benefits of a proposed development with any identified harm. In this context, the NPPF advises that the planning system has three overarching objectives, these being economic, social and environmental objectives. These issues are balanced below:

Economic

- 8.2** The NPPF states that the economic objective is to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth. The proposed development would support the local economy through the generation of clean energy for the island and beyond. Jobs would be created for the maintenance of the park during its lifetime and the scheme would represent farm diversification adding to economic future of the farm. Substantial positive weight is afforded to the economic benefits.

Social

- 8.3** The NPPF states that the social objective is to support strong, vibrant, and healthy communities, referring to supporting the community's health, social and cultural well-being.
- 8.4** The proposed development would support the wider wellbeing of the local community, directly by making a contribution to cutting greenhouse gas emissions. This would represent a significant positive benefit in tackling climate change, energy security and affordability and would support farm diversification. Whilst there may be some potential for increase rural crime, planning conditions can be used to ensure the development would be designed and operated to

reduce opportunities for crime locally and to ensure a safe and secure development. The scheme would however result in a significant visual change to the character of the immediate area, which would have a negative impact on people's enjoyment of the view and countryside. When balancing these matters the proposed development is considered to have a moderate adverse impact in this regard. Overall, significant positive weight is afforded by officers to the social benefits.

Environmental

- 8.5** The NPPF states that the environmental objective is to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.6** The proposed development would have significant positive environmental benefits from increased solar deployment on the Island, outside of protected sites, including the AONB, tackling climate change and supporting the move to a low carbon economy and decarbonisation. The proposal would also result in significant biodiversity net gain through improvement of grassland, and planting of hedgerows and trees within the site, despite some loss to facilitate development. Implementation of the proposed surface water drainage strategy for the site would also have minimal positive benefits in terms of management and reduction of surface water run-off from the site and flood risk locally.
- 8.7** Environmentally, there would be some minimal to moderate negative impacts in terms of:
- Loss of agricultural land (minimal)
 - Landscape visual impact (moderate)
 - Impact on neighbouring properties (minimal)
 - Setting of non-designated heritage assets of local significance (minimal)
 - Rights of Way (public footway Y1) (minimal)

Impacts to agricultural land would not be permanent and would be reversible. Landscape impacts would be mitigated through biodiversity/landscape enhancements in terms of improved grassland, hedgerow planting, and tree planting. Furthermore, the proposal would not harm the landscape character and beauty of the AONB, with views into and out of this nationally protected landscape largely preserved. Impacts to neighbouring properties and non-designated heritage assets would be reduced through landscaping, as well as mitigation of noise plant through development design. Whilst there would be potential for archaeology to be impacted, a programme of archaeological works would be secured by condition to ensure archaeological impacts would be mitigated. There would be some limited impacts to a section of one footpath running through the site, which would be mitigated through proposed hedgerow planting, as well as noise mitigation.

- 8.9** Environmentally, it is concluded by officers that the proposal, on balance, would have significant benefits, particularly given the need for a step change in tackling climate change, protection of the AONB and other sensitive protected sites,

including the SPA, SAC, SSSI, ancient woodland and the SINCs, reversibility of impacts on the landscape and in terms of agricultural land use, and limited nature of other environmental impacts identified above and great positive weight is afforded to these benefits.

Conclusion

- 8.10** Having regard to the above, and subject to the recommended conditions, it is concluded by officers that the proposal would result in significant positive economic, social and environmental benefits, that would outweigh the minimal to moderate negative economic and environmental impacts, principally with respect to loss of moderate to good quality (grades 3b and 3a) agricultural land, rural landscape (outside AONB), neighbouring residential amenity, setting of two non-designated heritage assets, and a section of one right of way (Y1) within the site.
- 8.11** With respect to highways and minerals safeguarding, it is considered that the proposal would have a neutral impact.
- 8.12** The proposal, on balance, is therefore considered to comply with the provisions of the development plan, the NPPF, and the council's duties under Regulation 9 of The Conservation of Habitats and Species Regulations (as amended), Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), and Section 17 of the Crime and Disorder Act 1998. The proposal would also contribute towards achieving the aims the Council's Mission Zero Strategy.

9 Statement of Proactive Working

9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social, and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following ways:

- By offering a pre-application advice service; and
- Updating applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible.

In this instance:

- The applicant was updated and given the opportunity to submit revised plans and additional information to address issues raised;
- Following receipt of revised plans/additional information, the application was considered acceptable, and no further discussions were required.

Conditions and reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. When the land ceases to be used as a solar farm for renewable power production or at the end of the period of 40 years from the date of grid connection, whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its previous state and use for agriculture purposes, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority prior to the decommissioning works taking place. Such details shall include a plan and time scale for decommissioning.

The applicant/developer shall inform the Local Planning Authority in writing of the date of grid connection and commencement of operation of the solar farm prior to the solar farm being brought into operation for energy generation.

Reason: The application has been assessed in accordance with the details submitted by the applicants, taking into account the benefits of the production of renewable energy. At the end of the design life of the development the land should be restored to its former condition in order to protect the visual amenity and character of the surrounding countryside and the existing agricultural land use and quality for future generations in accordance with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

3. No development shall take place until the results of a pre-commencement archaeological trial trench evaluation have been submitted to and approved in writing by the Local Planning Authority. The evaluation shall be carried out in accordance with a Written Scheme of Investigation (WSI) which has been approved by the Local Planning Authority in advance.

Informative: The results of the archaeological trial trench evaluation shall be submitted to inform condition 3 (below).

Reason: To ensure that an appropriate mitigation scheme can be implemented to mitigate the effect of the works associated with the development upon any heritage assets in accordance with Policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

4. No development shall take place until:
 - a)

- i. the applicant or their agent has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
- ii. the applicant or their agent has secured appropriate mitigation to minimise impacts to any significant archaeological deposits, either by design of components or the implementation and management of archaeological exclusion zones. A final detailed site layout plan with full details of the final locations, design and materials to be used for the components, and any archaeological exclusion zones, will be submitted for approval. The development shall be carried out in accordance with the agreed details.

OR

b) the Local Planning Authority has agreed in writing that no further archaeological mitigation is required.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record and that significant archaeological deposits would be preserved in situ in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

5. To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor should be given in writing to the address below not less than 14 days before commencement of any archaeological works:

Isle of Wight County Archaeology and Historic Environment Service
Westridge Centre
Brading Road
Ryde
Isle of Wight
PO33 1QS

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

6. Notwithstanding the submitted plans, no development shall begin until details of the final layout of the development hereby permitted, and scale, design and appearance (including materials and colour) of any buildings, containers, and solar panels (including any supporting framework) to be installed within the site, have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall include proposed finished levels and finished floor levels of any buildings/containers, and the final layout,

buildings, containers, solar panels (including any supporting framework) proposed shall be within (not extend beyond or exceed) the parameters/dimensions indicated on submitted drawings:

PLE-01 Revision 18 Indicative Site Layout Plan External
PLE-02 Revision 01 Development Zone 1
PLE-03 Revision 01 Development Zone 2
PLE-04 Revision 03 Development Zone 3
PLE-05 Revision 04 Development Zone 4
PLE-06 Revision 02 Development Zone 5
PLE-07 Revision 02 Development Zone 6

SD-01 Revision 01 DNO Substation Floor Plan
SD-01 Revision 03 DNO Substation Elevations and Dimensions Plan
SD-01 Revision 03 Front/Rear Panels Elevation
SD-02 Revision 04 Customer Substation Elevations and Dimensions Plan
SD-08 Revision 02 Inverter Elevations and Dimensions Plan
SD-15 Revision 01 Customer Substation Floor Plan
SD-16 Revision 01 Inverter Floor Plan
SD-17 Revision 01 Panel Cross Section

Reason: In the interests of the visual amenities and character of the surrounding area, to protect the amenities of neighbouring property occupiers, to ensure flood risk would not be increased, to ensure development would have regard to below ground archaeological constraints, and to protect ecology and biodiversity, including trees and woodland, in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

7. Development shall not begin until an acoustic (noise) impact assessment of the development, and details of noise mitigation to be incorporated into the development to reduce noise from the development to a minimum, has been submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall use the data of the precise plant that will be installed, and the precise nature of the assessment and definition of 'minimum', likely to be a level of at least 3dB below the existing background noise level, shall be agreed with the Local Planning Authority in advance.

Noise emitted from any plant at the solar farm, that emanates from the site shown on the attached drawing numbered SP-01 Revision 11, which is used for identification purposes only, shall not exceed a LAeq 15 minute of 3dB below the current background noise level at any time (so as to permit an overall increase of 2dB) and shall have no perceptible tonal component.

The noise levels shall be determined at 1 metre from any residential premises by measurement or calculation. The measurements and or calculation shall be made in accordance with BS4142: 2014+A1:2019. The tonal assessment method adopted should be agreed in advance with the Local Planning Authority.

Development shall be carried out in accordance with the approved acoustic (noise) assessment and any agreed noise mitigation measures installed prior to operation of the noise generating plant/equipment to which it relates. Thereafter, the mitigation measures shall be retained and maintained in accordance with the approved details, and the noise levels set out in the assessment shall not be exceeded.

Reason: This is a pre-commencement condition to ensure the development would protect the amenity of the site and surrounding area and neighbouring property occupiers in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

8. No development shall take place until an Arboreal Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how the potential impact to the trees and woodland would be minimised during construction works, including details of protective tree fencing to be installed for the duration of construction works. The agreed method statement will then be adhered to throughout the development of the site.

Reason: This is a pre-commencement condition to prevent damage to trees and woodland, including ancient woodland, during construction and to ensure that high amenity trees and woodland to be retained would be adequately protected from damage to health and stability throughout the construction period in the interests of amenity and biodiversity and to comply with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

9. No development shall begin until a surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include calculations to demonstrate that the development would not increase the run-off rate(s) from the site compared to the existing pre-development run-off rate(s), as well as details of any attenuation (i.e. swales and filter drains). The submitted scheme shall have regard to, and be informed by, the submitted Surface Water Drainage Strategy (AECOM, September 2022). Development shall be carried out in accordance with the approved scheme and the solar farm shall not be brought into operation until the surface water drainage works comprised in the agreed scheme have been completed. Thereafter, the approved surface water drainage shall be retained and maintained in accordance with the Land and Soil Management Plan agreed in accordance with condition 19 for the duration of the development.

Reason: To ensure adequate surface water drainage to serve the development and that flood risk would be reduced in accordance with the aims of policy DM14 (Flood Risk) of the Island Plan Core Strategy.

10. Development shall not begin until details of measures to protect the existing public footpath Y1 during construction and of improvement works to be carried out to this public right of way to facilitate its use as a public bridleway, as well as a timetable for the improvement works, have been submitted to

and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and the approved works to Y1 completed in accordance with the approved details and timetable.

Reason: This is a pre-commencement condition to ensure the public right of way (Y1) and its users would be protected during development, and to mitigate for impacts of the development on this right of way, as well as to enhance it in accordance with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the Council's Rights of Way Improvement Plan 2018.

11. Notwithstanding the submitted plans/details, development shall not begin until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (and not limited to) details of:

- Hours of working and deliveries
- Routing of delivery/construction traffic and traffic management
- Any temporary site compound, welfare facilities, materials, plant, and equipment storage/laydown areas
- Parking, turning, and other circulation space to be provided within the site for delivery, construction, and site operatives vehicles for the duration of construction
- Protection of public rights of way
- Steps to prevent material being deposited on the highway because of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development
- Soil use and management during construction
- Pollution prevention and control measures to be implemented, including biosecurity, noise, dust, run-off etc
- Measures to protect and mitigate potential impacts on species and habitats, including protected species, and designated sites

The CEMP shall incorporate the measures and recommendations within Section 6.0 of the submitted Ecological Appraisal (Arc, 27 September 2022) and the submitted Ecological Construction Environmental Management Plan (eCEMP) (Arc, 14 March 2023).

The CEMP shall be implemented and adhered to for the duration of construction.

Reason: This is a pre-commencement condition to ensure ecology and biodiversity, including protected species, the Solent Maritime SAC, the Solent & Southampton Water SPA/Ramsar, and the Yar Estuary SSSI, the highway and public rights of way network, and neighbouring amenity would be protected during construction in accordance with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework, and to comply with the requirements

of Regulations 9 and 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).

12. Development shall not commence until the construction access off Wilmingham Lane (including visibility splays) has been constructed in accordance with full engineering details broadly in accordance with drawing number 60644715-M007.004 attached as Appendix E (Junction Visibility Splays) to the submitted Transport Statement that have been submitted to and approved in writing by the Local Planning Authority. Thereafter, nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within the visibility splays.

Reason: In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

13. Development shall not begin until details, including construction and surfacing, of any new roads to provide access during the construction and operational phases of the development, together with details of the means of disposal of surface water drainage there from, have been submitted to and approved and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition in the interests of highway safety and to comply with policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

14. Development shall not begin until construction access, including visibility splays and surface water drainage, has been provided in accordance with the approved plans and details. Access to the site during construction shall only be via the Wilmingham Lane access and shall not be via any other route, including those to provide operational access from Broad Lane.

Reason: This is a pre-commencement condition in the interests of highway safety and to comply with policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

15. Development shall be carried out in accordance with the submitted Flood Risk Assessment (AECOM, September 2022) and Flood Risk Technical Note (AECOM, March 2023), and the solar panels shall be raised to 0.9m above existing ground levels.

Reason: To ensure flood risk would not be increased in accordance with the aims of policy DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

16. The solar farm shall not be brought into operation until the temporary construction access shown on drawing PLE-01 Revision 18 has been removed and the land and existing hedgerow reinstated in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual amenity and character of the surrounding area and landscape, and to mitigate for impacts of the development on ecology and biodiversity, in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework.

17. The solar farm shall not be brought into operation until the operational accesses and access routes have been provided in accordance with the approved plans and details. Thereafter, these accesses and access routes shall be retained and maintained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

18. Notwithstanding submitted details, the solar farm hereby permitted shall not be brought into operation until security measures, including boundary treatments and CCTV (security cameras), have been provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe and secure development, reduce opportunities for crime, and in the interests of the visual amenities of the area and amenities of neighbouring property occupiers and to comply with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework.

19. The solar farm hereby permitted shall not be brought into operation until a landscaping scheme for the site, a Biodiversity Mitigation and Enhancement Plan (BMEP), and a Land and Soil Management Plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of:

- Finished levels
- Hard landscaping, including any hard surfacing materials, boundary treatments/means of enclosure, retaining walls/structures
- Soft landscaping, including trees and hedgerows to be retained, and new planting (including grassland, hedgerow, and trees)

The BMEP shall include details of the biodiversity mitigation and enhancement measures set out in the submitted Ecological Appraisal, within Section 6.0 of the submitted Ecological Appraisal (Arc, 27 September 2022) and the submitted Ecological Construction Environmental Management Plan (eCEMP) (Arc, 14 March 2023), together with an implementation plan and timetable for the carrying out and completion all landscaping and biodiversity mitigation and enhancement works.

The Land and Soil Management Plan shall include details of how the land and soils within the site, edged red on drawing SP01 Revision 11, as well as the landscaping and biodiversity mitigation and enhancement works to be undertaken as part of the development, shall be maintained and managed for

the life of the development hereby permitted to ensure biodiversity net gain would be achieved and land and soil quality safeguarded for the duration of the use permitted.

The submitted landscaping scheme, BMEP, and Land and Soil Management Plan shall have regard to and be informed by the submitted Biodiversity Net Gain Assessment (Arc, 27 September 2022).

Development shall be carried out in accordance with the approved details, and at the agreed times, and the BMEP and Land and Soil Management Plan implemented and adhered to for the duration of the solar farm use hereby permitted.

Reason: To ensure visual and landscape impacts of the development would be mitigated, that land and soil quality would be safeguarded, and that a biodiversity net gain would be achieved through development in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

20. Excluding the public highway land, no external lighting shall be installed within the site, edged red on drawing SP-01 Revision 11, at any time, except where the lighting is installed as part of the development in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall include the position, size, design, appearance and orientation of any lighting units, light temperature, and measures to minimise light pollution, protect dark skies, and avoid disturbance to wildlife.

Reason: To protect the visual amenity and character of the surrounding area, prevent light pollution, and protect species and habitats within and near the site in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no development shall take place at any time outside of the fenced perimeter indicated on drawing PLE-01 Revision 18, and there shall be no outside storage of any plant, equipment, materials, or waste, except that hereby permitted or in accordance with the agreed Construction Environmental Management Plan (CEMP) and/or for the temporary construction access hereby permitted.

Reason: To protect the visual amenity and character of the surrounding area and landscape, adjacent woodland, public rights of way, and neighbouring amenity in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.



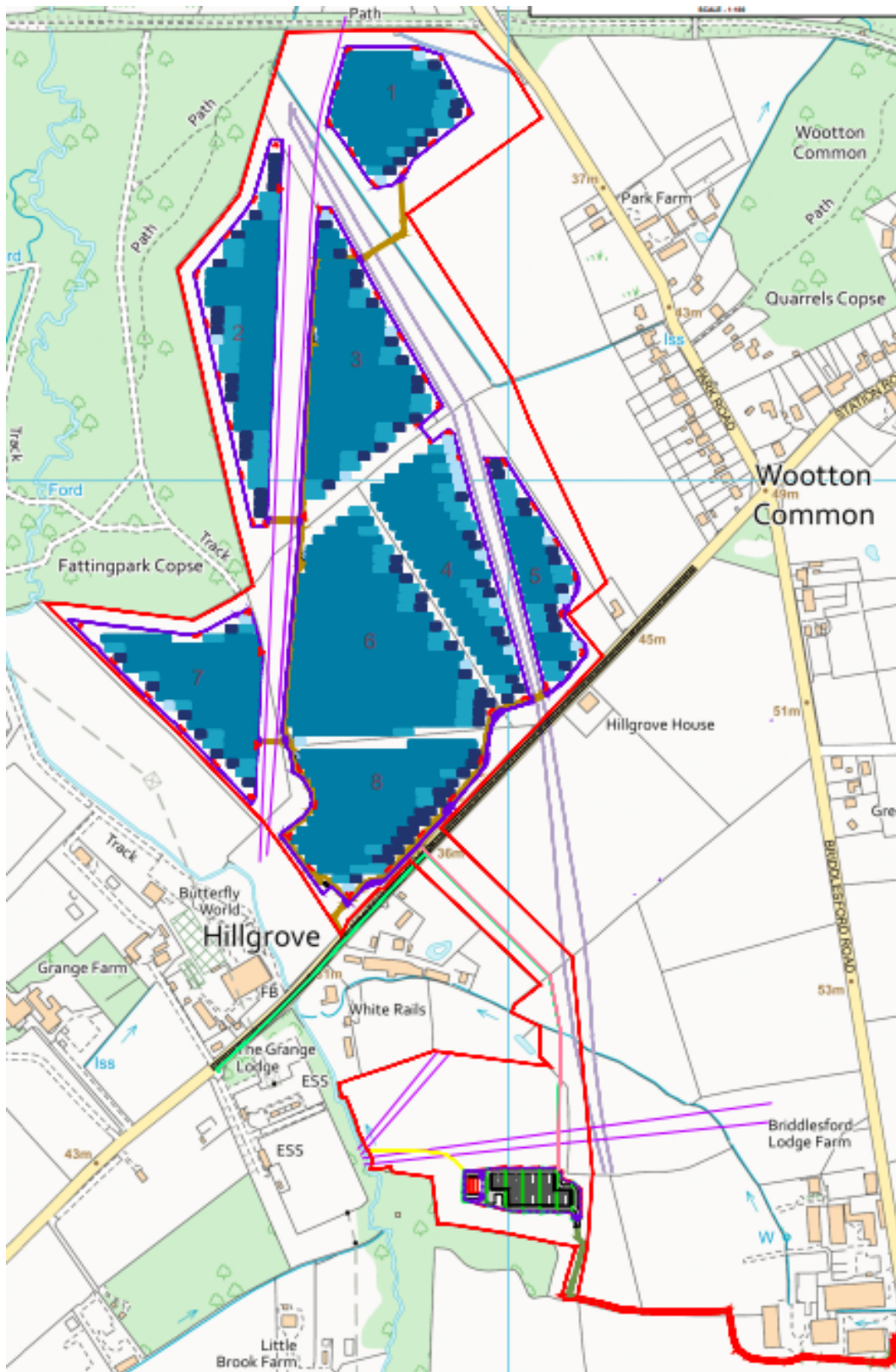
Purpose: For Decision

Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	5 September 2023
Application Reference	22/01585/FUL
Application type	Full
Application Description	Proposed renewable energy park - consisting of ground mounted solar arrays, battery energy storage system, substation building, ancillary infrastructure, means of access and associated landscaping.
Site address	Land to the northwest of Whiterails Road/west of Park Road and land to the southeast of Whiterails Road/west of Briddlesford Road, Wootton, Newport, Isle of Wight
Parish	Wootton
Ward Councillor	Currently vacant
Applicant	Sunny Oak Renewable Energy Park Ltd
Planning Officer	Ann Braid

Reason for Planning Committee consideration	The development is of genuine island wide significance and raises marginal and difficult policy issues.
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Recommendation	Conditional permission subject to Legal Agreement
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Main considerations

- Principle
- Loss of agricultural land
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact of the development upon trees

- Impact of the development on ecological interests
- Highway consideration
- Rights of Way
- Drainage and surface water run-off

1 Recommendation

1.1 Conditional permission subject to planning conditions covering the following matters:

- Landscaping
- Construction Environment Management Plan
- Drainage and flood measures
- Temporary consent
- Archaeology
- Right of way

1.2 The permission would also be subject to a planning obligation securing a contribution towards enhancements to the local Rights of Way network and the provision of a permissive path through the site to link to these.

2 Location and Site Characteristics

2.1 The application site covers an area of 32.5 hectares. The site would be in two sections, on either side of Whiterails Road. Solar panels would be sited on 27.2 hectares of agricultural land to the north of the road, and a compound for battery storage would be located within 5.3 hectares of agricultural land to the south. Access to the northern sector would be from the southern end of Whiterails Road opposite the business park, and access to the storage units would be from Briddlesford Road, close to Briddlesford Farm.

2.2 The site is located approximately 100 metres from the built-up area of Wootton, within an area that has a predominantly rural agricultural character. The roads around and across the site are busy through routes without pavements. Field boundaries are generally relatively low-level hedgerows and there are wide views across the landscape from the highway.

2.3 The site itself has been used for grazing by the dairy farm and occasionally cut for silage. The site slopes gently up from the bottom of Whiterails Road towards the east. It is divided by existing hedgerows and there are also mature trees in some of the hedgerows, in the centre of the site and to the north and west.

2.4 To the west lies Fattingspark Copse, an area of Ancient Semi-Natural Woodland and, south of this, Butterfly World. There is an existing 12.4 hectare solar park on Grange Farm, 100 metres to the west of the application site.

3 Details of Application

3.1 Full Planning Permission is sought for a renewable energy park, which would be capable of generating up to 20MW, consisting of ground mounted solar arrays, battery energy storage system, substation building, ancillary infrastructure, means of access and associated landscaping. Associated infrastructure would include panel frames and anchors, temporary compounds, string inverters, transformers,

substation, access tracks, cabling and conduits, CCTV, and security fencing.

- 3.2** The panels would be arranged in rows along an east-west axis, with their slopes facing south. Each row of panels would be 7.1 metres wide and the longest row, in sector 6, would be 210 metres. Panels would stand no more than 3 metres above ground level. The base of panels would be positioned 0.9 metres above ground level. The proposed frames would include aluminium supports driven into the ground, except in the vicinity of the gas main, when panels would be supported on concrete pads.
- 3.3** Four transformer units are proposed along the western boundary of sectors 3, 6 and 8 and these would be housed in 3 metres by 1.5 metre cabinets, 2.6 metres high. A single customer container would be located close to the access, next to the southernmost panels, and this container would measure 6.1 metres by 2.4 metres and would be a height of 3 metres.
- 3.4** On the southern part of the proposed park would be battery storage units, which would be located in a compound measuring 120 metres by 45 metres located 230 metres west of Bridlesford Lodge Farm, within 5.3 hectares of agricultural land. The compound would enclose eight groups of five containers. Each group of containers would comprise one large container measuring 12 metres by 2.4 metres and four smaller containers, two measuring 3.7 metres by 2.4 metres and two measuring 6 metres by 2.4 metres. They would be arranged on a series of terraces sloping down towards the west, where a 10 metre by 17 metre Battery Energy Storage System (BESS) substation building would be located. This building would have a ridge height of 6 metres. The containers would be enclosed on three sides by a 4 metre high acoustic fence and the remainder of the boundary would be a metal palisade fence. The perimeter of the site would be landscaped with a belt of scrub, interspersed with native trees. It is also proposed to landscape the battery storage unit.

4 Relevant History

- 4.1** None relevant to this application.

5 Development Plan Policy

National Planning Policy

- 5.1** At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF

taken as a whole.

- 5.2** The following sections of the NPPF are considered to be directly relevant to this planning application:

Section 2 – Achieving sustainable development
Section 6 - Building a strong, competitive economy
Section 12 – Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change.
Section 15 - Conserving and enhancing the natural environment

In particular, paragraph 148 of the NPPF states the planning system should ‘*support renewable and low carbon energy and associated infrastructure.*’ In paragraph 158 the NPPF advises that ‘*When determining applications for renewable energy, Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable.*’

Local Planning Policy

- 5.3** The Island Plan Core Strategy identifies the application site as being located in the wider rural area. The following policies are considered to be relevant to this application:

SP1 - Spatial Strategy
SP5 - Environment
SP6- Renewables
SP7 - Travel
DM2 - Design Quality for New Development
DM11 - Historic and Built Environment
DM12 - Landscape, Seascape, Biodiversity and Geodiversity
DM13 - Green Infrastructure
DM14 - Flood Risk
DM16 - Renewables
DM17 - Sustainable Travel
DM21 - Utility Infrastructure Requirements
DM22 - Developer Contributions

Relevant Supplementary Planning Documents (SPDs) and other guidance

- 5.4** In arriving at the recommendation in this report officers have given due regard to the following documents:

- East Wight Landscape Character Assessment, 2012
- Mission Zero: Climate and Environment Strategy 2021-2040 (Isle of Wight Council, September 2021)
- Overarching National Policy Statement for Energy (EN-1)
- Powering Up Britain (HM Government, March 2023)

6. Consultee and Third Party Comments

Internal Consultees

- 6.1** The Island Roads Highway Engineer has raised no objection, subject to conditions to cover access onto Whiterails Road and Briddlesford Road, parking and a construction management plan.
- 6.2** The Council's Ecology Officer has raised no objection subject to condition to secure ecological mitigation and enhancements.
- 6.3** The Council's Rights of Way Officer has outlined that there is an opportunity to secure a right of way across the site, improving off road footpath and cycle links. The preferred route would be along the electricity line wayleave, south from the railway line footpath to Whiterails Road, and from there across the southern part of the site to Briddlesford Farm Shop and Café and link up with Little Town Lane.
- 6.4** The Council's Environmental Health Officer has raised no objection subject to conditions relating to the control of noise emissions.
- 6.5** The Council's Tree Officer has requested additional information relating to planting, that would be required by condition.
- 6.6** The Council's Planning Drainage and Flood Risk Management Officer has recommended measures to control surface water run-off to Palmers Brook which have been provided.
- 6.7** The Council's Archaeologist has outlined that the area south of Whiterails Road is of archaeological interest but raises no objection subject to conditions to secure a programme of archaeological works.
- 6.8** Hampshire and Isle of Wight Fire and Rescue have outlined that the proposed development would be required to comply with Building and Access Regulations.

External Consultees

- 6.9** The Environment Agency originally objected, but their concerns have been overcome by an addendum to the Flood Risk Assessment. Compliance with the submitted FRA should be secured by condition.
- 6.10** Southern Water have outlined that there is a sewer in the vicinity of the development which will need to be taken into account. No soakaways, swales, ponds or watercourses, or water containing or conveying features should be located within 5 metres of the line of the sewer.
- 6.11** Southern Gas networks have raised no objection provided SGN's access and right of way is protected.
- 6.12** Natural England have confirmed that sufficient information has been provided regarding the impact of the proposal on protected species namely bats. There should be a buffer zone around the ancient woodland and the development should not result in the loss to agriculture of the best and most versatile land.
- 6.13** Forestry Commission have raised concerns about the effect of surface water run-

off on the Ancient Woodland to the west.

Parish/Town Council Comments

6.14 Wootton Bridge Parish Council have commented that they support renewable energy however have material planning concerns about this planning application which are as follows:

1. Lack of an acceptable flood risk assessment (FRA) as per the objection from the Environment Agency
2. Concerns raised by the Hampshire and IOW Fire Rescue Service with regards to the battery energy storage system and the implications of a fire there
3. The lack of a plan in regards to the ongoing management of the biodiversity gain
4. The parish council express surprise that the IOW council did not request an EIA even though this could become the biggest solar farm on the IOW if agreed

Third Party Representations

6.15 19 letters of support have been received raising comments that can be summarised as follows:

- Environmentally sound, sustainable
- Supports energy independence
- Reduces bills
- Battery storage is to be supported
- Poor quality land
- No adverse visual impact
- Support diversification
- No noise or nuisance
- Contributes to net zero
- Reduce reliance on fossil fuels
- Essential to the future

6.16 24 letters of objection have been received raising concerns that can be summarised as follows:

- Visual impact
- Noise
- Flooding
- Impact on ancient woodland
- Loss of agricultural land
- Fire risk
- Highway impacts
- Glint and glare impacts
- Overlooking
- Manufacture of panels causes pollution
- Loss of biodiversity
- Need food not power

- No local benefit
- Wasteful technology
- Should include a public Right of Way
- Red squirrels are a protected species and should be considered in any tree felling

6.17 The National Farmers Union have commented that they support that application as part of the net zero ambition for the agricultural sector, stating that renewables form an important part of diversification.

6.18 Wootton Against Solar Power have provided a statement of objection raising concerns that are categorised under the following sections:

- Cumulative impact
- Landscape
- Land use and soils
- Heritage
- Flood and water management
- Biodiversity
- Transport, rights of way and security
- Glint and glare
- No binding return on investment
- No decommissioning details
- Potential for accident and disaster

6.19 Cycle Wight have expressed that the application represents an opportunity to provide additional walking and cycling routes.

7 **Evaluation**

Principle

7.1 The proposed development seeks consent for a 20MW solar farm with battery storage. According to the applicant's information, the amount of power that could be produced would be equivalent to the needs of up to 5100 homes and it has been estimated that this would save approximately 9,200 tonnes of carbon annually. Paragraph 152 of the National Planning Policy Framework advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

7.2 Paragraph 158 goes on to state:

'When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a*

valuable contribution to cutting greenhouse gas emissions; and
b) *approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.'*

- 7.3** The Island Plan Core Strategy Policy SP6 (Renewables) recognises the need for large scale, grid-connected renewable energy schemes, setting a target of 100MW which has not yet been met. The policy sets out that large scale photovoltaic schemes should be located outside the AONB, on land that is not categorised as best and most versatile agricultural land and outside of designed environmental assets.
- 7.4** There is an acceptance that solar technology is a valuable source of renewable energy that can contribute to the Council's aim of reducing the current reliance on fossil fuels and instead, become self-sufficient in renewable sources. Policy DM16 (Renewables) states that the Council will in principle support proposals for renewable sources of energy, subject to information relating to landscape character.
- 7.5** Whilst the Core Strategy has a target of 100MW (not yet met), the council's Climate and Environment Strategy "Mission Zero" considers 220-300MW would be required for the Island to become self-sufficient in renewable energy production. The Island currently has an installed capacity of 90MW, and the current solar projects being considered (including this proposal) are important to meet the Island's renewable energy production and net zero targets, with one advantage of solar farms being that they can be installed and operational within a relatively short timeframe.
- 7.6** In 2019 the Island declared a climate emergency. This declaration led to the draft of the Mission Zero Climate and Environment Strategy (2021-2040) to meet the challenge of climate change by achieving net zero carbon emissions.
- 7.7** The current proposal to generate 20MW would make a significant contribution to local renewable energy generation. Therefore, officers consider that the proposal can be supported in principle and that great weight can be afforded to the benefits of the proposal in terms of increased solar energy generation. The proposal would assist in tackling climate change, while assisting with self-sufficiency in terms of renewable and low carbon energy generation, and energy security, affordability, and reliability, and the economic benefits associated with construction and the ongoing servicing of the proposed solar farm.
- 7.8** Although the proposed development is larger than others that have been permitted, the rate at which renewable energy needs to be adopted is speeding up and there are specific benefits relating to the proposed development which distinguish it from other similar renewable energy schemes. The site is close to an existing electricity substation, which is an optimal location. The proposal also includes battery storage which would modulate the rate of export to the grid. The site is not within the AONB and is not constrained by other designations. The development would comply with Policy DM6 and advice in the NPPF.

- 7.9** Officers attribute great weight to the contribution that would be made by this proposal to meeting the Council's policy objectives with regard to sustainable energy production and its stated aims in respect of the climate emergency.

Loss of agricultural land

- 7.10** Central Government is seeking large scale deployment of solar across the UK mainly on brownfield, industrial and low/medium grade agricultural land. This reflects the need to balance protection of the environment and higher quality agricultural land with the need for solar deployment on a large scale to meet both Government's and the Island's ambitious targets to meet net zero. The NPPF (paragraph 174) states planning decisions should recognise the economic and other benefits of the best and most versatile (BMV) agricultural land, with Footnote 58 adding that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. BMV is considered to be land that falls within Grade 1 – 3a.
- 7.11** The Government's planning practice guidance (PPG) for renewable and low carbon energy states that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. It states that where a proposal involves greenfield land, the local planning authority should consider 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. It continues 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.
- 7.12** Paragraph 5.216 of the Core Strategy explains that the Council is very aware of the need to balance the provision of medium and large-scale renewable energy schemes against their impacts on to and from designated landscapes of the Island with the AONB covering over half of the Island. The Core Strategy adds at paragraph 5.217 that the Council needs to take a pragmatic and proportional approach and will apply a spatial approach which for solar photovoltaics is that development should be located outside of the AONB and avoiding identified grades 1-3a agricultural land (see paragraph 5.219). Having regard to this, officers consider that, by necessity, solar would have to be located on agricultural land, albeit poorer quality land.
- 7.13** The applicants have commissioned a detailed agricultural assessment for the land, which indicates that the land falls within Grade 3b. This is borne out by the fact that it has been used by the farmer for grazing and animal feed crops. The site is not the best quality farmland and has not been used for food crops. Given the sustainability benefits that the proposal would provide and the agricultural land classification and the fact that the land could be used for grazing, it is considered that the loss of the land for fully productive farming purposes would not compromise other sustainability objectives or the Island's economy.
- 7.14** Officers attach minimal negative weight to the loss of the agricultural land in

question, which is not best and most versatile agricultural land. The development would be temporary, albeit for forty years and the land would be available thereafter for agricultural use, potentially in better condition than it is today.

Impact on the character of the area

- 7.15** The proposed development would be visible in the landscape from certain vantage points. The open, undeveloped character of the countryside locality would be altered by the development. Currently in agricultural use, the site is typical of the wider rural area and is formed by medium sized fields enclosed by well-established, clipped hedges and areas of woodland. There are also several large trees within the site. As a result, the introduction of banks of solar panels and associated infrastructure would alter the character of the landscape by introducing development of an industrial character into a locality which is largely devoid of development. While the proposed development would alter the character of the site, given the sustainability benefits of the solar park, a key issue is whether the development would be readily visible and appear intrusive in the landscape.
- 7.16** The proposed solar PV arrays would be restricted to a maximum height of 3m and would follow the topography of the sloping site. The arrays would not be positioned close to the boundaries of the site and mitigation would be in the form of additional boundary planting, and the retention of trees and hedges within the site, except where access is required.
- 7.17** The application has been supported by a Landscape and Visual Impact Assessment which considers the current landscape character and evaluates the impact on the proposed development on views from a variety of locations.
- 7.18** The East Wight Landscape Character Assessment (2015) (EWLCA) identifies the site as being within the Northern Clay Pasture Lane (PL3) landscape character type. PL3 is identified as large landscape character area to the north-west of the East Wight and is described as a “rolling landscape gradually sloping towards the northern coastline with small and medium sized fields often irregular in shape but in some areas more linear in pattern and enclosed by mature hedgerows with hedgerow trees”.
- 7.19** The key characteristics are outlined as being:
- Rolling pastoral landscape with small copses, hedgerows and hedgerow trees.
 - Field trees are a feature of the east of the area around Hardingshute, Nunwell and Upton.
 - Historic farmsteads are located throughout the area.
 - The designed landscape and historic buildings at Nunwell contribute strongly to the character of that part of the area.
 - Ancient woodland areas.
 - Nature conservation value of woodland and grassland areas within the area and wetland areas on its edges.
 - Scheduled monuments, a number of which are currently at risk.

- 7.20** It is these features that are considered to be of particular importance to the

character of the area. Although the proposed development would see panels installed within the pastoral landscape the other features would not be impacted by the proposed development which would not result in the loss of significant hedgerow or trees, or the field patterns, historic farmsteads, Ancient woodland area, historic buildings or scheduled monuments.

7.21 As part of the Landscape and Visual Impact Assessment Zone of Theoretical Visual Influence (ZTV) modelling has been undertaken. This has modelled the potential visibility of the of the development having regard to terrain, but not the potential screening effect of buildings or vegetation. Based on the ZTV ten viewpoints were identified as locations to assess in respect of the potential visual effects of the proposed development. There were:

VP	GP	Location (inc distance to nearest built element and direction of view)	Receptor
1	1	Whiterails Road, 50m, to the southwest	Motorist, cyclist, bus user
2		Whiterails Road, 50m, to the northeast	Motorist, cyclist, (and nearby private residences), visitor to the Butterfly World tourist attraction
3	2	Staplers Road, 430m, to the northeast	Motorist, cyclist, bus user, visitor to the Butterfly World tourist attraction
4		Staplers Road, 900m, to the northeast	Motorist, cyclist, bus user, visitor to the Monkey Haven tourist attraction
5	3	Park Road, 130m, to southwest	Motorist, cyclist, (and nearby private residences)
6	4	Newport - Wootton cycleway, public right of way N214, 40m, to south	Cyclist, horse rider, runner, local walker, leisure walker
7	5	Alverstone Road, 1.4km, to south	Motorist, cyclist
8	6	Public right of way N116, 1.2km, to northeast	Local walker, leisure walker
9	7	Bridlesford Road, 320m, to west	Motorist, cyclist, bus user, visitor to the Bridlesford Farm
10	8	Bridlesford Road, 980m, to north	Motorist, cyclist, egde of the AONB

VP = Representative viewpoint location.

GP = Visual receptor group (viewpoints representing a similar visual experience).

Distances shown from edge of application boundary.

7.22 With regard to closer viewpoints, the main views into the site would be from points along Whiterails Road, from the northern end of Park Road and from a 250 metre stretch of the cycle path along the old railway line to the north of the site. There would also be views from the northern end of Bridlesford Road, and from this point it is possible to see the existing Grange Farm solar park in the distance.

7.23 From the north-eastern end of Whiterails Road (viewpoint 1), the panels would be visible down the hill from a point just southwest of a residential property called Knollwood, which is located on the northern side of Whiterails Road. From this point, the sides of the panels would be visible with their supporting frames. The landscaped strip would be wider at this end, particularly at the point nearest the field gate, where the hedges that cross the site converge. At this point the landscaped area would be at its widest (39 metres) and would comprise native scrub and new specimen trees. This significance of effect on this viewpoint is therefore considered to be moderate adverse but would reduce as landscape planting matures.

7.24 From the southern end of the site, on Whiterails Road looking north-east

(viewpoint 2), the solar panel arrays would be visible up the slope. From this point the faces of the panels would be visible, and the closest panels would be 20 metres from the road boundary, with the fencing 12 metres from the boundary. Without mitigation, the alteration to the character of the countryside through the urbanising development, would lead to adverse visual impact, acknowledging that from Whiterails Road the development would mainly be seen by passengers in moving traffic. In mitigation, this boundary would be planted along its length. Instant screening would be provided by an evergreen hedge. The existing roadside hedgerow would be allowed to grow to 3 metres and would be maintained and reinforced. The landscaped area along Whiterails Road would consist of a strip of between 5 metres and 39 metres in width and would be planted with native scrub planting which would eventually be maintained at a height of 2.5 metres. Inside this, the evergreen hedging would be planted, and this is proposed to be removed once the native species have established. This significance of effect on this viewpoint is therefore considered to be moderate adverse but would reduce as the landscape planting along the boundary matures.

- 7.25** Viewpoints 3 and 4 are taken from the south-west of the site, at different points along Whiterails Road (below viewpoint 2). Viewpoint 3 looking towards the smaller element of the site, while viewpoint 4 being a longer view. The impact from these viewpoints would be minimised due to the distances. From viewpoint 4 the glimpses are possible of the adjacent Grange Farm solar park, which gives a representation of the likely visibility of impact of the proposed development. Officers are satisfied that from this distance the proposed development would not have a harmful visual impact. This significance of effect on this viewpoint is therefore considered to be minimal adverse.
- 7.26** From Park Road (viewpoints 5 and 6), the most visible part of the development would be sector 1, which would be sited at the northern end of the development, in the field bounded to the east by Park Road and to the north by the public right of way. This sector would be 54 metres from the road. From Park Road, the faces and sides of the arrays would be visible behind a row of trees and would be set against the backdrop of the trees and hedgerow alongside the public right of way. A belt of new native scrub planting would be located to the north of the site, which would help to obscure views of the panels from locations along Park Road. An entirely new mixed native hedgerow would be planted next to the existing tree belt located to the north of the site, which would be reinforced with extra planting. This significance of effect on this viewpoint is therefore considered to be minimal adverse.
- 7.27** Viewpoint 7 is taken from Alverstone Road to the north, at a distance of approximately 1.4km from the site. Having regard to the distance from the site, the receptor being road users and the hedgerow boundaries to the road, the proposed development would not be visually harmful from this location. The significance of effect on this viewpoint is therefore considered to be neutral.
- 7.28** Viewpoint 8 is taken from the south-west of the site at a distance of 1.2km from Public Right of Way N116. Powerlines are dominant within this view, with the site being in the background of this. The presence of hedgerows, trees and a woodland restrict views over the wider landscape. It is only further south towards Staplers where the footpath is sufficiently elevated over the woodland, but due to the distances involved the visual impact would be minimal. This significance of

effect on this viewpoint is therefore considered to be minimal adverse.

7.29 With regard to the battery storage units, the main vantage point would be from Briddlesford Road to the east (viewpoint 9 and 10). The storage units would be sited on terraces which would step down from east to west. The installation would be visible as a compound with 53 linear metres of palisade fencing, and behind this, 30 metres of 4 metre high acoustic fencing. The compound would be sited behind an existing hedgerow which would be allowed to grow. Some native trees would be planted to the north of the compound to continue an existing tree and hedge line, which crosses the field from the farm to the site. The containers would not be visible from the east, as they would be screened by the fencing, and the full height of the fencing would also be obscured by the slope of the land and the development would be set against a backdrop of trees. Because of the fall of the land, the substation building would not be visible from this direction as it would be located on the lowest part of the site, behind the containers and the fencing. The site is 400 metres from the road and the installation would have no more visual impact in the landscape than a large agricultural building. This significance of effect on this viewpoint is therefore considered by officers to be minimal adverse.

7.30 The submitted information has summarised changes that would be seen to the landscape during the construction phase. These would include:

- loss of open farmland,
- removal of sections of hedgerows to facilitate access,
- creating access and maintenance tracks,
- excavations associated with the laying of underground cables,
- site fencing to protect retained boundary trees and hedges,
- stockpiles and material storage areas,
- mobile construction plant, such as diggers, lifts and lorries,
- site compounds, protective hoardings and signage,
- a wheel washing facility,
- the presence of partially constructed solar panels and other infrastructure,
- increase in movement of plant and other traffic, and
- the planting of the temporary evergreen hedge.

7.31 Upon completion, the proposed development would generate a number of reversible, medium-term changes to the landscape and visual amenity. The principal activities that are considered by officers to have an impact on the fabric, quality and character of the landscape upon completion are outlined as:

- the loss of agricultural land,
- the introduction of panels, fencing, transformers and other mechanical and electrical infrastructure, including CCTV poles and cameras,
- the creation of access tracks and highway access junctions onto Whiterails Road,
- the introduction of a new evergreen hedgerow,
- the creation of areas of new native scrub, hedge-planting and tree-planting, and
- the establishment of extensive areas of natural grassland.

7.32 As well as the potential impact of the physical presence of the panels and associated infrastructure, the effect of glint and glare in the locality from the development is examined in the Submitted Glint and Glare Assessment. This

report analyses a 1km study area around the site for ground-based receptors and a 30km area around the site for aviation receptors. The report concludes that with mitigation there would be no impacts on road, rail or air receptors and low impacts on three residential properties (see impact on neighbours, below).

7.33 As acknowledged above, the proposed development would result in a visual change to the character of the area from certain viewpoints to the extent that the proposed development would result in some landscape and visual impact that, if unmitigated, would result in harm to the landscape character. Mitigation measures have been proposed, which are intended to minimise the impacts that has been identified and strengthen the landscape character of the site and surroundings. These measures are set out below:

- Existing hedgerows would undergo an enhanced maintenance regime to (a) improve their structure and habitat potential (clipped to an A-shape), (b) increase their overall height over time, and (c) improve their species diversity and fill gaps (by planting mixed native species). Certain hedgerows which have been identified as key landscape/woodland corridors would be supplemented with additional hedgerow and/or scrub plantings as a thicker hedgerow belt. Figure 13 of the Landscape Appraisal report provides additional details.
- Locally native tree specimens would be planted at irregular spacings within or immediately alongside the existing hedgerows, in keeping with the existing landscape character. Again, Figure 13 in the Landscape Appraisal report provides additional details on this point.
- From the outset and during the construction stage, alongside Whiterails Road and following the north-eastern edge of the site, an evergreen laurel hedge would be planted at 2m in height to obscure views of the panels and fencing. This would be a temporary measure, which would be managed back once the proposed new belt of native scrub planting has reached a sufficient height, and Figure 14 of the Landscape Appraisal report provides more information.
- A similar belt of new native scrub planting would be located to the north of the site, which would help to obscure views of the panels from locations along Park Road.
- An entirely new mixed native hedgerow would be planted next to the existing tree belt located to the north of the site, connecting with Park Road and shorter sections planted to plug gaps in the existing hedgerows where access is no longer required. Another new mixed native hedgerow would be planted alongside the location of the BESS and substation.
- The existing and proposed hedgerows and scrub vegetation would be maintained at around 3 metres in height.
- A 15 metre natural landscape corridor would be provided alongside the Fattingspark Copse Ancient Semi Natural Woodland (ASNW) to the north and west of the site, as well as to the area of woodland to the south of the proposed substation. This buffer would be planted with native scrub and

seeded with wild grassland.

- Wild grassland would be seeded over the entire extent of the site (including beneath the panels but not along the access tracks).

- 7.34** Officers are satisfied that these mitigation measure would be sufficient to ensure that the visual impacts of the proposed development, although resulting in change to the landscape character, this harm would not be significant.
- 7.35** Each compound would be enclosed by a 1.8 metre fence with CCTV cameras at ten metre intervals, each at a height of 2 metres above ground. The level of security is standard for solar farms. Whilst the fence and cameras would initially have some visual impact, they would be screened from vantage points outside the site by the instant hedging and even more so once planting has become established.
- 7.36** Officers consider that the development would comply with policies DM2 and DM12. Without mitigation, officers would attach significant weight to the visual impact of the development in the locality and the wider landscape. The proposed mitigation measures would reduce this adverse impact. Officers consider the adverse impact once mitigating planting has sufficiently matured, to be moderate, as the measures are comprehensive and, if secured in full by condition, would be effective in screening the development in the wider locality.
- 7.37** The proposed development would result in a change to the visual character of the area, especially from close viewpoints passing the site. These impacts would be mitigated by additional planting and other measures set out above to minimise the harm resulting from the change. Officers are satisfied that subject to conditions requiring the mitigation to be undertaken and maintained and the temporary and reversible nature of the impacts, that the proposed development would not result in an unacceptable impact on the landscape character. It is however considered that the development would have a moderate negative impact on the character of the area.

Impact on neighbouring residential properties

- 7.38** There are residential properties from which the proposed development would be highly visible. The closest are: Knollwood, Hillgrove House, Benham (opposite the lay-by, on the southern side of Whiterails Road) and Grange Farm to the west of Butterfly World
- 7.39** Knollwood is located directly on the south-eastern boundary of the site and represents the closest residential property to the proposed development. Despite the proximity to the site boundary the panels themselves would be more than 40 metres from the house. There are secondary first floor windows in the side elevation of the property, and while the panels would be visible from first floor rear windows, they would not extend across the rear of the house. The impact upon this property would be changed as a result of the development, but existing views to the east and south would be retained. There would be a moderate adverse impact on the residential amenity of this property.
- 7.40** The arrays would be 30 metres from Hillgrove, which is sited on the southern side

of Whiterails Road, opposite the substantive part of the site. The development would be visible from the upper floor of this property and the outlook from the front of the house would be changed. The open rural aspect would be lost, but the impact would be softened by the mitigating landscape planting, which would comprise the existing roadside hedge, the proposed scrub belt, and individual trees which would be planted within the landscape strip opposite the house. The view from the front of this property would be changed, but officers consider that the impact of the development would not be oppressive, and the outlook from the rear would not be altered as a result of the proposal, and there would be a moderate adverse impact on the residential amenity of this property.

- 7.41** Benham is located 37 metres southeast of the southern corner of the site and 58 metres from the nearest panels. The principal elevation of this property faces Whiterails Road and the property has a generous front garden. Outlook from this property would change, but in the opinion of officers the panels would be sufficiently far from the house as to not appear oppressive and therefore it is considered that the development would have a minimal adverse impact on residential amenity of this property.
- 7.42** Grange Farm is located more than 180 metres from the south-eastern boundary of the site. The buildings associated with Butterfly World are located between the house and the solar panels. The distance is such that officers consider that the development would not have any undue adverse impacts on their residential amenity.
- 7.43** The development would be located 180 metres from the rear boundaries of properties in Park Road. Having regard to the topography of the land which falls away to the west, officers consider there would not be a significant visual impact when viewed from these properties.
- 7.44** The application has been accompanied by a Glint and Glare Assessment. Glint is a fleeting flash of light, and glare is less intense but lasts for longer. With regard to residential amenity, within the zone that could potentially be affected, 50 residential properties were analysed in detail. The assessment states that without mitigation the solar panels would result in a high glare impact at nine residential properties and on 5 roads. Once the mitigation has established there would be no impacts on road and rail users or aviation and the report indicates that there would remain low impacts on three properties, Knollwood and Hillgrove House in Whiterails Road, and Bracklesham, which is sited on the northern side of Park Road. Officers consider this to be acceptable in the overall context of the development, as low impacts are those experienced for less than 20 hours a year or for up to 20 minutes at a time. This is considered acceptable, although it is acknowledged that the mitigation would take at least five years to come to full effect. In the meantime, the laurel hedgerows are intended to provide an element of mitigation until the native hedgerows are sufficiently mature.
- 7.45** Solar panels and BESS facilities are not considered to be inherently noisy. However various electrical components, such as inverters and transformers, can emit low levels of noise along with ventilation/cooling systems. This noise impact should be given consideration, but Environmental Health are satisfied that such noise is likely to be below a level considered to be of nuisance, subject to conditions relating to the potential noise from the BESS.

- 7.46** The nature of solar farms is such that electricity is only generated during daylight hours. This may extend into early mornings (before 07:00 hours) and evenings (after 19:00 hours) during the summer months, but the noise associated with this element of the scheme has been assessed and would not result in any sleep disturbance. The BESS aspect of the development would operate according to demand and therefore could operate at any time during the day or night, when background noise levels are lower. The scheme therefore incorporates an acoustic fence along the southern and part of the eastern boundary of the BESS compound.
- 7.47** The submitted noise report sets out the elements of the development that would be sources of noise. The report states that the solar farm would include 98 string inverters. The main source of noise would be the active cooling system. During the hours of darkness, the string inverters are not expected to operate. Inverters are mounted to the rear of the solar panels, with several panels feeding one inverter unit. Therefore, the solar panels to a certain extent screen noise from the inverters. The orientation of the panels results in most screening for locations to the south and less other directions.
- 7.48** There would be five transformers across the site. The string inverters and solar transformers would not be operating at the most sensitive period of the night when people are trying to get to sleep, nor during the quietest period of the night. The noise assessment indicates that even during daylight hours the noise from the solar farm would be largely contained within the area of the solar panels themselves, with very little noise past the site boundary.
- 7.49** It would be necessary to install acoustic barriers at the BESS site to attenuate noise to Little Brook Farm to the south-west and Briddlesford Lodge to the east. The noise report recommends that the barrier must be 4 metres high above local ground level and should be of a solid design. This barrier has been included in the design for the BESS site. Whilst noise is greater from the BESS site the receptor positions are at a greater distance, and with the barrier, low absolute noise limits have been calculated even with the BESS operating at 100% which is not expected to be typical.
- 7.50** It has been confirmed by the Council's Environment Health Officer that the proposed development, if sound attenuation measures are secured by condition, would result in noise being in the region of the lowest observed adverse effect level, and there would be no significant adverse impact. The assessment is based upon typical plant noise levels in calculations, because the specification for the proposed equipment has not been finalised. A condition is recommended in order to ensure the noise levels at nearby noise sensitive property falls within acceptable levels.
- 7.51** Officers consider that the development would comply with policy DM2 and attach moderate weight to the impacts on neighbouring occupiers, through the change in outlook from their properties. Impacts would be mitigated by landscaping but would remain for those properties closest to the development. As regards noise implications, with appropriate mitigation minimal weight would be attached to the impact of noise.
- Highway Consideration

- 7.52** The Highway Engineer from Island Roads has assessed the proposed access to the northern sector of the site from Whiterails Road and, has confirmed that it would not comply with the adopted standards for visibility. However, as traffic generation is likely to be less than the approved agricultural use, once the development is operational, the access is considered by officers to be acceptable.
- 7.53** Vehicle access to the BESS would be via an existing access from Briddlesford Road just south of Bluebells Café which currently provides access to barns at Briddlesford Lodge Farm. Visibility from this access complies with the visibility splay standards and therefore no objection is raised to its use.
- 7.54** Four car parking spaces are proposed for the BESS site. It is generally recognised that once solar park developments are completed the level of traffic generated by maintenance vehicles would be low. It is not expected that car parking issues on the adjoining highway network would occur as a result of this proposal. Impacts on the highway network during construction have been considered within a submitted Access Consideration Report. These would form the basis of a construction management plan which may be secured by condition.
- 7.55** Subject to implementation of a Construction Management Plan being secured by condition (as recommended), officers consider the proposal would not negatively impact the highway network or result in any unacceptable highway safety impacts, in accordance with policies SP7 and DM2 and the NPPF. Officers consider the highway implications of the proposed development are a neutral factor neither weighing for nor against the proposal.

Rights of Way

- 7.56** The layout of the proposal includes a permissive path running north-south along the line of the overhead power lines. The path would not be a public right of way but would be available for the lifetime of the development. This would link the cycle path along the former railway line with Whiterails Road.
- 7.57** The applicant has indicated a willingness to enter into a legal agreement to make a financial contribution to the upkeep of the permissive path and for the improvement of the local footpath network, to which it would provide onwards links and connections. The path and associated contributions are considered to represent a planning gain to which officers attach moderate weight in favour of the development.

Impact of the development on trees

- 7.58** The proposed layout of the site has been devised to avoid the existing trees to avoid impacts on their root systems and also to ensure the panels would not be shaded. The development would not require the removal of any of the surveyed individual trees, groups of trees or woodlands, although officers acknowledge that there are some fallen, dead and declining trees shown on the arboricultural impact assessment plan, which do not form part of the survey. The development would be within the root protection areas (RPA) of the tree near the Whiterails Road access. However, there is an existing track in this location and the tree report concludes that roots would have grown under the compacted soil, which

would have formed a protective barrier. For this reason, locating a track in this area would have no further impact on the tree in question.

- 7.59** The site is constrained by the Fattingspark Copse to the west, which is designated Ancient Semi Natural Woodland (ASNW). The NPPF states, in paragraph 180, that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. A buffer zone has been retained to protect the ASNW.
- 7.60** At the western edge of the development, the nearest fenced compound scales at 15 metres from the ASNW and the nearest panels at 18 metres. Concern has been expressed that the development would have an adverse impact on the woodland, and the Forestry Commission (FC) has recommended five measures that would protect the ASNW. These are, increasing the width of the buffer zone, using native non-invasive species to bolster the woodland, creating an attenuation ditch to reduce impact from run-off, considering a fire break to reduce wildfires if necessary, and avoiding impacts on existing hedgerows.
- 7.61** Widening the width of the buffer zone is not considered by officers to be necessary in this instance, as the other recommended measures would mitigate potential adverse impacts on the ASNW. The proposed buffer would be the width that is usually recommended by Natural England and FC and would be planted with native species to improve the woodland edge and prevent ingress at a later date. Government guidance sets out that where assessments show other impacts, such as the effect of air pollution or significant increases in traffic, buffer zones may need to be larger. Due to the nature of the scheme and the potential effects it is not considered to be reasonable to require an increased buffer zone in this instance. The planting would consist of semi natural habitats such as woodland, a mix of scrub, grassland wetland and heathland planting using local and native plant species. The concerns relating to surface water run-off, which could have justified an increase buffer have been mitigated in other ways, and are covered in the section on drainage, below.
- 7.62** The accompanying documents indicate that hedgerow would only be removed where access is required, and otherwise, hedges would be retained and reinforced. 17 hedgerows were surveyed and five found to be important and nine were classified as species rich. These hedgerows would have required removal notices, however, planning permission overrides the need for a Hedgerow Removal Notice application and the Council's tree officer is content that the details supplied are sufficient to show that no more removal would be carried out than would be required to implement the development. The relatively short length of hedgerow that would be lost (some 66 metres, or 1.87% of the total on site) would be mitigated by the gains for biodiversity that would accrue from the proposed strengthening of the remaining hedgerows and additional planting on the site.
- 7.63** Officers therefore attach minimal weight to the impact on hedgerows and also to tree impacts which may be adequately controlled by the imposition of suitable tree protection conditions.

7.64 No part of the site is designated for its ecological interest, but the Briddlesford Copses Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) lies 1.6 km to the east, and as noted above, Fattingspark Copse Ancient Woodland lies adjacent to the site, to the west. The submitted Preliminary Ecological Appraisal found that the habitats on site had the potential to provide foraging and commuting opportunities for invertebrates, amphibians, badgers red squirrels hedgehogs, hares, reptiles and dormice as well as nesting opportunities for birds and bats. However, the site has limited potential to support these species in its current state.

7.65 Fattingspark Copse is both a Site of Importance for Nature Conservation (SINC) and an ASNW. As outlined above ASNWs require special protection and Natural England's standing advice recommends a minimum of 15 metre buffer zone between the woodland boundary and the development site. The buffer zone should contribute to wider ecological networks and be considered as green infrastructure. The buffer zone should consist of semi natural habitat such as native scrub and grassland and this has been proposed as part of the application. The proposed habitat would provide foraging and sheltering opportunities for animals including invertebrates, mammals and birds. The buffer would protect the woodland both during construction and through the operational phase. It would also have a positive impact in terms of promoting biodiversity.

Briddlesford Copses SSSI supports a nationally important breeding population of Bechsteins bats, a rare native species. It is the presence of the species that has led to the international designation as a Special Area of Conservation (SAC). The Copses SSSI/SAC is located 900 metres from the development site and is therefore within the bats' foraging and hunting range. There would be some potential for adverse impacts as a result of the development and these need to be mitigated. The proposed planting scheme would support invertebrate biodiversity and strengthening the wildlife corridors along the hedgerows, and it is considered that this would provide suitable mitigation.

7.66 Moreover, the net gains for biodiversity which have been proposed would exceed the Government's requirements which are to be introduced later this year. Using the Defra Biodiversity Metric calculation tool, the report identifies that the proposed landscaping would result in a net gain of 31% of habitat units and 12.6% for hedgerow units exceeding the recommended target of 10% biodiversity net gain. Overall net gain would be achieved by mitigating the total loss of current on-site habitats (improved/grazed arable farmland and short sections of hedgerow) with appropriate habitat, including mixed native boundary scrub, wildflower meadow grassland, tree planting and replacement and strengthening of hedgerows with native species.

7.67 The ecological report provided, and the appropriate assessment carried out under the Habitats Regulations and agreed with Natural England conclude that, with mitigation, the proposed development may be carried out and operated for the period of time applied for without any undue adverse impacts on the special features for which nearby sites have been designated.

7.68 The proposed development would be in accordance with policy DM12 and the

recommendations of the NPPF and officers attach substantial weight to the ecological benefits to be gained.

Drainage and surface water run-off

- 7.69** The development comprises a range of tilted solar arrays that would change surface water flow within the site. Ground conditions would allow the majority of water to soak naturally into soils and prevent excessive levels of surface water run-off. However, a series of drainage ditches would be provided to control the run-off rate and reduce the potential intensity of flow down to Palmers Brook. A covered, gravel filled drainage ditch would be provided along the west edge of sector 2 of the arrays, inside the fence line and run along the western edge of the compound, and to the east of the buffer zone alongside the ASNW. This would also control adverse impacts on the Kings Quay SSSI, downstream of the brook.
- 7.70** The submitted Flood Risk Assessment was supplemented by additional information to overcome the concerns of the Environment Agency (EA) relating to fluvial flooding as a result of climate change. The south-western boundary of the site sits within Flood Zone 3. Each panel would be positioned 900mm above the ground it is located on, which is considered to be acceptable, but it is considered that it would be necessary to condition the height of each panel above the ground, especially closest to the Flood Zone.
- 7.71** As a result of the proposed measures to control surface water and the flood risk calculations, it is considered that the proposed development would not result in additional risk of flooding impacts on site or downstream and that the development would comply with the requirements of policy DM14. As run-off from the site and flood risks would not be increased, officers consider this matter to be a neutral factor neither weighing for or against the proposal.

Other matters

- 7.72** The Council's Archaeology Officer has confirmed that there are no designated heritage assets within or immediately adjacent to the proposed development site, although the Isle of Wight Historic Environment Record (IWHER) includes a small number of records of non-designated heritage assets within the boundary of the proposed development. The application has been supported by a Desk Based Assessment (E3S 2022) and a report on a geophysical survey (Magnitude Survey for Orion Heritage 2022), together with a Heritage Covering Summary Letter.
- 7.73** In light of geophysical survey results and the previous archaeological monitoring of the gas pipeline which passes through the site, the Council's Archaeology Officer has confirmed that further pre-determination evaluation would not be required, and it was considered unlikely that archaeological mitigation for the northern part of the proposal would be required (parcels north of Whiterails Road). The area south of Whiterails Road was considered to hold some limited potential for prehistoric and Roman archaeology to be present and due to some uncertainty regarding anomalies identified by the gradiometer survey, and the potential for extensive ground works required for the construction of the BESS and substation it is recommended by the Council's Archaeology Officer that conditions attached to any approval, for a watching brief and access to archaeology for monitoring, which officers consider is appropriate to ensure that the proposed

development does not result in any impacts to below ground archaeology features.

8.0 Planning balance and conclusions

8.1 The National Planning Policy Framework states that the planning system is planned and that the purpose of the planning system is to achieve sustainable development. In the same way, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The role of the planning system is to balance issues, particularly where they compete and compare the benefits of a proposed development with any identified harm. In this context, the NPPF advises that the planning system has three overarching objectives, these being economic, social and environmental objectives. These issues are balanced below:

Economic

8.2 The NPPF states that the economic objective is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth. The proposed development would support the local economy through the generation of clean energy for the island and beyond. Jobs would be created for the maintenance of the park during its lifetime and the scheme would represent farm diversification adding to economic future of the farm. Substantial positive weight is afforded to the economic benefits.

Social

8.3 The NPPF states that the social objective is to support strong, vibrant and healthy communities, referring to supporting the community's health, social and cultural well-being. The proposed development would support the wider wellbeing of the local community, directly by making a contribution to cutting greenhouse gas emissions and improving energy security and affordability. It would also provide island wide benefits such as improvements to the footpath network and support for farm diversification. However, the scheme would result in a significant visual change to the outlook of neighbouring residential properties. When balancing these matters the proposed development is considered to have a minimal adverse impact in this regard.

Environmental

8.4 The NPPF states that the environmental objective is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

8.5 The proposed development would have significant positive environmental benefits from increased solar deployment on the Island, outside of protected sites, including the AONB, tackling climate change and supporting the move to a low carbon economy and decarbonisation. The proposal would also result in significant biodiversity net gain and would facilitate enhanced rights of way.

8.6 Environmentally, there would be some minimal to moderate negative impacts in terms of:

- Loss of agricultural land (minimal)
- Landscape visual impact (moderate)
- Impact on neighbouring properties (minimal to moderate)

Impacts to agricultural land would not be permanent, would be reversible and would not result in the loss of BMV land. Landscape impacts would be mitigated through biodiversity/landscape enhancements in terms of hedgerow and tree planting. Furthermore, the proposal would not harm the landscape character of a designated landscape. Impacts to neighbouring properties would be reduced through landscaping, as well as noise mitigation measures. Whilst there would be potential for archaeology to be impacted, a programme of archaeological works would be secured by condition to mitigate for this.

8.7 Although there would be some minimal to moderate negative impacts, the proposed development would make a significant contribution to the generation of clean energy and would result in a significant improvement to the biodiversity value of the site, and great positive weight is afforded to these benefits.

Conclusion

8.8 Having regard to the above, and subject to the recommended conditions, it is concluded by officers that the proposal would provide capacity of 20MW which would be a significant contribution to local renewable energy generation would result in significant positive economic, social and environmental benefits, that would outweigh the minimal to moderate negative economic and environmental impacts, principally with respect to loss of agricultural land, visual change to the rural landscape (outside AONB) and impacts on neighbouring residential amenity.

8.9 With regards to highways, archaeology and flooding (subject to conditions), the proposed development would have a neutral impact.

8.10 The proposal, on balance, is therefore considered to comply with the provisions of the development plan, the NPPF, and the council's duties under Regulation 9 of The Conservation of Habitats and Species Regulations (as amended), Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended). The proposal would also contribute towards achieving the aims the Council's Mission Zero Strategy.

9 Statement of Proactive Working

9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social, and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following ways:

- By offering a pre-application advice service; and
- Updating applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible.

In this instance additional information was provided in relation to ecology, flood risk, surface water drainage and rights of way. This overcame officers' concerns and led to the recommendation for approval.

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered/named:
 - o 17432_LAY_1000 Rev F (Layout)
 - o 17432_LAY_1004 Rev A
 - o SK001 (Battery and substation compound)
 - o SK003 (Unit details and elevations)
 - o SK003 (Overall elevations)
 - o SK010 (BESS substation compound)
 - o SK010 (Substation details)
 - o 25978/02 Rev P01 (Bridlesford access visibility)
 - o 25978/3 (Whiterails access visibility)
 - o 25978/4 Rev P01 Flood Zones
 - o SUO-001 - Typical Solar Panel Array Arrangement
 - o SUO-002 - Typical Access Track Detail
 - o SUO-003 - Typical Surface-Mounted Track Detail
 - o SUO-004 - Typical Transformer Detail
 - o SUO-005 - Typical Customer Container Detail
 - o SUO-006 - Typical Cable Trench Detail
 - o SUO-007 - Typical Site Fencing Detail
 - o SUO-008 - Typical CCTV Mast
 - o Indicative ditch alignment
 - o Palisade fence detail

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

3. When the land ceases to be used as a solar farm for renewable power production or at the end of the period of 40 years from the date of grid connection, whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its previous state and use for agriculture purposes, in accordance with details that have been submitted to and agreed in writing by the

Local Planning Authority prior to the decommission works taking place. Such details shall include a plan and time scale for decommissioning.

The applicant/developer shall inform the Local Planning Authority in writing of the date of grid connection and commencement of operation of the solar farm prior to the solar farm being brought into operation for energy generation.

Reason: The application has been assessed in accordance with the details submitted by the applicants, taking into account the benefits of the production of renewable energy. At the end of the design life of the development the land should be restored to its former condition in order to protect the visual amenity and character of the surrounding countryside and the existing agricultural land use and quality for future generations in accordance with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

4. Prior to the commencement of works on the site a Construction Management Plan should be submitted to and approved in writing by the Local Planning Authority which should set out measures to address the following matters: - site clearance and preparation; details of noise and vibration management; hours of working; dust management; details of the location and extent of temporary construction access and safety measures for construction traffic; timing of delivery of materials and collection of equipment; security arrangements and contact details (including in the event of emergencies); Development to be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

5. Prior to the commencement of works on site a Construction Traffic Management Plan (CTMP) based upon the measures specified in the outline Construction Management Plan hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. Work shall be carried out in accordance with the approved CTMP.

Reason: In the interests of impacts on the highway network and the safety of highway users, in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

6. The development shall not commence until sight lines have been provided in accordance with the visibility splays shown on the approved plans (plan numbers: 25978/02/Rev P01 and 25978/3). Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

Reason: In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

7. Notwithstanding the details shown on the approved plans, no development shall take place until details of the proposed scheme for the landscaping of the site to include additional hedgerow and tree screen planting surrounding the

development has been submitted to and agreed in writing by the Local Planning Authority. Such details shall be in accordance with the principles of the landscape mitigation and enhancement measure included in the Landscape Visual Impact Assessment hereby approved, and shall include planting plans, written specifications, schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved planting scheme shall be carried out in the first planting season following the commencement of the approved development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance of the development is satisfactory and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

8. The solar farm hereby permitted shall not be brought into operation until a Biodiversity Mitigation and Enhancement Plan (BMEP), and a Land Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Land Management Plan shall include details of how the land within the site, edged red on drawing 17432_LAY_1000 Rev F and biodiversity mitigation and enhancement works to be undertaken as part of the development, shall be maintained and managed for the life of the development hereby permitted to ensure biodiversity net gain is achieved and ecological enhancements maintained for the duration of the use permitted.

Reason: To ensure visual and landscape impacts of the development would be mitigated and that a biodiversity net gain would be achieved through development in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

9. No development shall take place until a detailed Construction Environment Management Plan (CEMP), based upon the principles within the submitted Outline Construction Environment Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of mitigation works to be undertaken and a lighting strategy. Work shall be undertaken in accordance with the approved CEMP.

Reason: To ensure protection of ecological interests on the site and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

10. No development shall take place until the applicant or their agents has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been agreed in writing by the County Archaeology and Historic Environment Service and approved by the planning authority. The development shall be carried out in accordance with the agreed details.

Reason: To mitigate the effect of the works associated with the development upon

any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 (Historic and Built Environment) of the Isle of Wight Council Island Plan Core Strategy.

11. To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor should be given in writing to the address below not less than 14 days before the commencement of any works:- Isle of Wight County Archaeology and Historic Environment Service, Westridge Centre, Brading Road, Ryde, Isle of Wight PO33 1QS.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 (Historic and Built Environment) of the Isle of Wight Council Island Plan Core Strategy.

12. No development shall take place until a scheme for the provision of a temporary and permissive route across the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include precise details of alignment, surfacing and signage. The temporary and permissive route shall be retained as approved for the operational lifetime of the development and removed thereafter.

Reason: In the interests of the sustainable travel in the locality and to comply with the requirements of policies DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

13. Development shall be undertaken in accordance with the indicative ditch alignment plan and the details in the Flood Risk Assessment and Drainage Strategy by Mayer Brown dated August 2022 as amended by the Flood Risk Addendum dated February 2023.

Reason: In the interests of flood risk in the locality and in accordance with Policy DM14 (Flood Risk) of the island Plan Core Strategy and the National Planning Policy Framework.

14. Development shall be undertaken in accordance with the measures set out in the submitted Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method statement by MJC Tree services dated 19 August 2022, hereby approved.

Reason: To ensure that the high amenity trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

15. Notwithstanding the details shown within the approved plans, no development shall take place until details of the means of enclosure and location of security cameras for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatments shall be completed before the development hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenity and character of the surrounding countryside and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

16. No external lighting shall be installed at the site at any time.

Reason: To protect the visual amenity and character of the surrounding countryside, prevent light pollution and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

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