



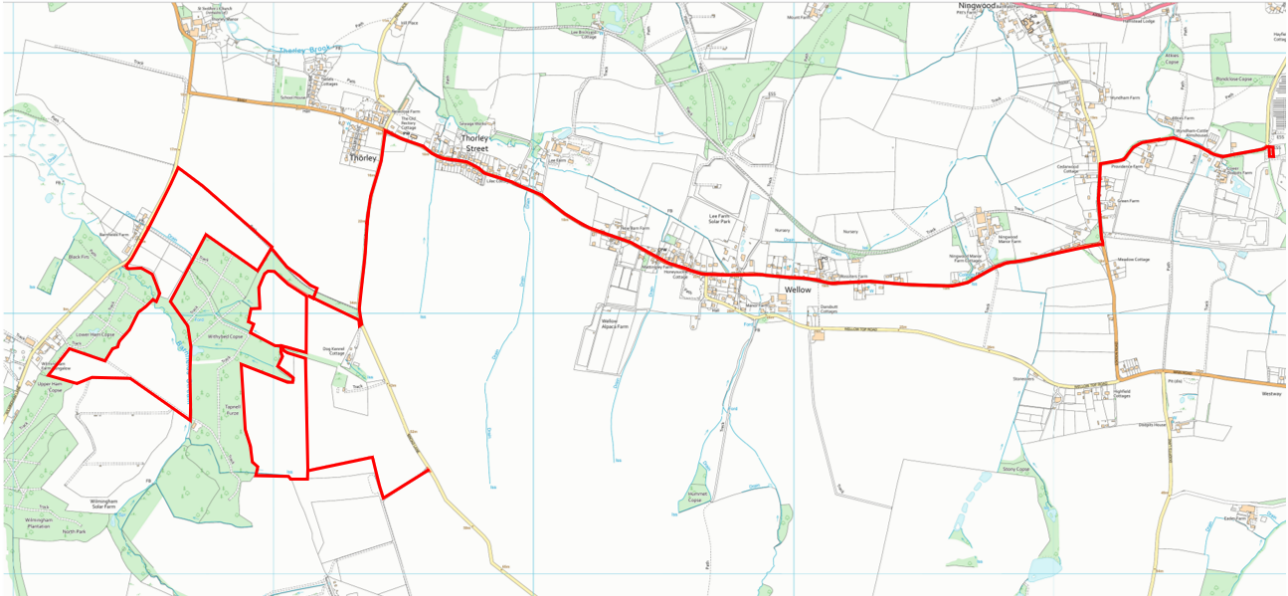
Purpose: For Decision

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 Wilmington 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 Wilmington 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 Wilmingham 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 resulted 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.