



Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 25th April 2013

**Subject: POSITION STATEMENT for PLANNING APPLICATION 13/00874/FU.
Development of solar farm on Site of Haigh Hall Farm, Batley Road, Tingley,
Wakefield, WF3 1HA**

APPLICANT

Oakapple Renewable Energy
Ltd

DATE VALID

15th March 2013

TARGET DATE

14th June 2013

Electoral Wards Affected:

Ardsley & Robin Hood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Members are requested to note the contents of this position statement, provide feedback on the questions posed and are invited to provide comments on any other aspect of the proposals.

1.0 INTRODUCTION:

1.1 The purpose of this report is to provide Members with information, raise the issues involved and seek Members initial views on the proposal for a solar farm that will encompass agricultural land associated with Haigh Hall Farm, Batley Road, Tingley, prior to a report for determination being tabled at a future meeting. As the site is close to the boundary of the Metropolitan District both Wakefield and Kirklees Councils have been consulted.

2.0 PROPOSAL:

2.1 The proposal comprises the installation of circa 7.5MWp of photovoltaic (PV) solar panels covering approximately 13.5 hectares of agricultural land, within the larger

agricultural holding of Haigh Hall Farm. This would consist of approximately 32,000 solar panels over three fields laid out in rows of varying lengths designed to suit site conditions. Given the sensitivity and value of the equipment the applicant is proposing to enclose the fields with 2.1m high post and mesh, dark green, perimeter fencing and supplement this with perimeter planting. In addition to this, pole mounted CCTV cameras would be installed inside the security fence at strategic locations around the site.

- 2.2 The applicant anticipates that the proposal would create enough energy to power around 2,180 homes and amount to a CO₂ saving of some 3,800 tonnes (equivalent to the output of approximately 1,400 cars) per annum.
- 2.3 The solar farm is proposed to have a minimum lifetime of approximately 25 years. At the end of the proposal's operational lifetime, the solar arrays would be dismantled and all panels, frames and electrical infrastructure, such as the inverters and transformers, would be removed from site. At the time of decommissioning, a remediation process would commence that would include suitable landscaping to restore the agricultural land and to maintain any biodiversity features which have been developed over the life of the solar farm.

Detailed Design

- 2.4 The applicant is proposing to use a polycrystalline panel with self-coloured aluminium perimeter frame. The PV modules would be elevated 1 metre off the ground by galvanised steel module racks that would be fixed to steel piles set into the ground to a depth of between 1.5 – 2 metres. The total height of the panels (including module racks) from ground level would be approximately 3.5 metres. The configuration of panels would either be banks of two in portrait or four in landscape on fixed galvanised steel racks, inclined at 30 degrees to the horizontal. The PV arrays would be contained within the areas defined on the layout plan and would be laid out in rows running east-west to provide them with a southerly orientation. Generally, the existing ground contours would be followed with little or no cut and fill envisaged by the applicant. .
- 2.5 To convert the DC current generated by the solar arrays to AC current (as required by the national grid) inverters (approximately 2562 x 899 x 2279) and transformers (approximately 2980 x 2380 x 1580) are required. This would take the form of approximately six sets of one transformer and two inverters spread across the site with subterranean cables connecting the equipment. The AC current would be transmitted to a new substation that is proposed to be situated to the north-west of the site, which would transmit the energy to the Distribution Network Operator.
- 2.6 The application is accompanied by a detailed landscape plan. To the north and west of the site a new hedge is proposed to be introduced with additional planting to close a number of gaps within the existing hedgerow. A woodland copse is proposed to the north-west, south-west and north-east corners to screen the site from strategic viewpoints. The Landscape Strategy Plan also identifies areas of wildflower meadow mix and neutral grassland to be planted.
- 2.7 A wildlife corridor is proposed to enhance links between Haigh Hall Spring Wood, directly to the north of the site boundary, and the habitat that surrounds Hey Beck approximately 90m to the south west of the site boundary. A grassland buffer of 10m would be established between the perimeter fence and the existing hedgerow. As outlined above, this hedgerow would be improved. In addition to providing screening, this enhancement aims to strengthen connectivity for bats between areas of foraging habitat. The grassland strip would act as a wide field margin, being allowed to

develop into a dense coarse grass habitat to provide cover for invertebrates, small mammals and potentially ground nesting birds.

- 2.8 Just beyond the southern boundary and to the west of the site a number of swales (small attenuation ditches) have been proposed beyond the perimeter fence on gently sloping land. Their main purpose is to collect run off from the site. However, the arisings from the swales would be used to create a small mound which would be planted with suitable marginal vegetation to provide habitat that could be suitable for aquatic invertebrates and some amphibians such as common frog.

Construction Details

- 2.9 With agreement from the landowner, a temporary construction compound would be created on the field directly to the north of the development site (or to the west of Haigh Hall Farm). The construction phase is an estimated period of 10-12 weeks. Construction work would include delivery to site of materials via 120-150 vehicles over the period. All materials would be delivered to the construction compound by the appropriate vehicle then transferred to their appropriate location within the site by an agricultural vehicle.

Access

- 2.10 The site is accessed via the existing surfaced track known as Scott Lane leading from Batley Road. The applicant expects that significant deliveries (heavy loads) would arrive via the M1 and M62. Scott Lane can adequately cater for delivery vehicles, which would then be able to unload and manoeuvre within the temporary site compound. Therefore, full access to the site itself for large vehicles is unlikely to be necessary. During construction the number of HGV movements is estimated to be between 3 and 4, with 15-20 contractor vehicles anticipated on site daily. Employees driving to the site would be required to park within the site compound. Where possible, workers would be transported to the site by minibus.
- 2.11 Once the site is fully operational, the applicant anticipates that the maintenance of the equipment will only require a quarterly clean and check of the panels. System performance and site security would be monitored remotely. An indicative layout identifying the proposed location of the security cameras has been submitted for consideration. On the whole, the site would function unmanned for the majority of the time.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site covers an area of 13.5 hectares and is situated and accessed off Scott Lane. The proposal is located within the Green Belt and also lies within a Special Landscape Area (SLA). The site forms part of Haigh Hall Farm. The farmhouse is a grade II listed building and lies to the north of the site. The land rises from the west to the east and falls from the north to the south. Hedgerows and trees demarcate the north, east and south field boundaries. The wood (Haigh Hall Spring Wood) directly to the north-east of the proposal is designated as a Leeds Nature Area. The north-western boundary of the site makes up part of a public right of way known as The Leeds Country Way.
- 3.2 Currently the land is utilised for pastoral purposes with the eastern part of the site used for growing cereal crops and hay. The development area has been previously used for landfill and open cast coal mining, which ceased around 1995.

3.3 The site is located within a predominantly rural area with large amounts of the land to the south being open countryside. The village of West Ardsley is set approximately 250 metres to the north-west. Leeds City Centre lies approximately 10km to the north, Dewsbury to the south-west and Wakefield to the south-east. Haigh Hall Farm is approximately 80m to the north and Haigh Hall bungalow is 25m to the east. The nearest neighbouring property to the north-east facing boundary is known as 240 Batley Road; there is a property approximately 150m further north-east; and, another building 100m beyond this. The Springs is situated roughly 400m north. The closest property to the north facing boundary is approximately 200m to the north-west.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/12/01105: Photovoltaic installation. Advice given 21.12.2012
- 4.2 23/94/93/FU: Change of use of agricultural site to landscaping contractor erection of tractor shed and alterations to farm buildings. Approved on 07.09.1993
- 4.3 H23/70/92: Extraction of coal to agricultural site. Approved on 20.07.1992
- 4.4 H23/227/91: Extraction of coal and clay and tipping of waste material to constructed void space to agricultural site. Refused on 14.01.1992
- 4.5 H23/14/89/1: Extension of permission for tipping to agricultural site. Approved on 03.09.1991
- 4.6 H23/14/89: Tipping to agricultural site. Approved on 20.03.1989.
- 4.7 H23/346/86: Laying out of access road and tipping to agricultural site. Approved on 19.01.1987

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant submitted a pre-application enquiry concerning this proposal on the 13th November 2012. The following are the key recommendations made by the Local Planning Authority (LPA):
 - 5.1.1 Officers outlined that very special circumstances would have to be demonstrated due to the site's location within the Green Belt, details of site selection would have to be included and that consideration would need to be given to the setting of Haigh Hall Farm.
 - 5.1.2 The applicant was advised that they were required to undertake community consultation.
 - 5.1.3 The internal tracks that were proposed were considered unacceptable. They are an intrusive feature that urbanises the Green Belt and goes beyond what is strictly necessary to enable this development.
 - 5.1.4 Information concerning glint and glare would be required.
 - 5.1.5 Landscape and visual impact assessment would be required in relation to the proposal.

- 5.1.6 Planting should be used to minimise any potential impact and to provide long-term environmental benefits to the area.
- 5.1.7 A 10m wide wildlife corridor link between the Haigh Hall Spring Wood Leeds Nature Area (to the north-east of the site) and Hay Beck (to the south-west of the site) is recommended to mitigate against any potential visual harm around the eastern half of the site if located on the outside of security fencing.
- 5.1.8 A Phase 1 habitat survey and protected species survey should be carried out to reveal any potential ecological receptors.
- 5.1.9 Details of landscape management would be required.
- 5.1.10 The quality of the existing public right of way (PROW) should be protected by allowing sufficient space provided between PROW corridor and any development. Planting to the footpath corridor boundary would be necessary to avoid the proposal introducing harm to amenity.
- 5.1.11 Design and location of ancillary infrastructure – cable trenching, provision of a substation and internal junction box structures for example.
- 5.1.12 Details and location of proposed security measures – including how they are to be fixed to the ground. Discussion should also focus on why natural features cannot be used and how the technology and fencing would impact upon ecology.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised via site notices posted on 5th April 2013 and published in the local paper (Yorkshire Evening Post) on 3rd April 2013. Copies of all plans and supporting information have also been made available on public access and at Morley Library.
- 6.2 At the time of writing this report, 2 letters of representation had been received. The points raised can be summarised as the following:
- Impact upon residential amenity in terms of glare and obtrusiveness of the sheer mass.
 - Harm to the openness of the green belt.
 - A poor use of agricultural land and will introduce harm to visual amenity.
 - There is no evidence to suggest that on a long term basis the solar panels will be cost effective.
 - Lets stop the building and maintain the landscape for future generations to enjoy, not least the wildlife.

7.0 CONSULTATION RESPONSES:

7.1 Statutory:

- 7.1.1 Coal Authority: Requests a Coal Mining Risk Assessment Report.
- 7.1.2 Environment Agency: No objection subject to condition.
- 7.1.3 Highways Agency: The Highways Agency (HA) would like to understand more about how glint and glare may

affect the short section of the M1 (between Gawthorpe Lane and Batley Road) that is identified within the Landscape & Visual Impact Assessment and the Glint and Glare Study. In addition, the HA question whether the site would be visible further away from the M1 NB dropping down from M1_J40 towards M1 J41? The HA would also like to understand more about the frequency with which the M1 is likely to be affected, such as the amount of time each day during different times of the year and what mitigation is proposed to address any issues identified.

- 7.1.4 Natural England: No objection subject to the Local Planning Authority considering that the proposal will not introduce harm to protected species.
- 7.2 Non-statutory:**
- 7.2.1 Conservation Team: The topography of the site and proposed planting are such that the development will not introduce harm to the setting of the listed farm house.
- 7.2.2 Highways Authority: More details of the type and frequency of vehicles should be provided. The proposed site compound looks big enough to provide turning. However if more than one HGV turns up on site this might not be the case, additionally swept path turning movements must be indicated at the junction of Batley Road and Scott Lane and the available visibility achievable at 2.4m. Regardless of the above a comprehensive Construction Management Plan will be required.
- 7.2.3 Kirklees Metropolitan: No comments received to date.
- 7.2.4 Land Contamination: No comments received to date.
- 7.2.5 Landscape Team: Awaiting comments.
- 7.2.6 Leeds And Bradford Airport: No comments received to date.
- 7.2.7 Mains Drainage: No objection subject to the swales being constructed in accordance with the submitted drawing nr. 1073-D02-rev4.
- 7.2.8 National Planning Casework Unit: No comments received to date.
- 7.2.9 Nature Team: Awaiting comments.
- 7.2.10 Neighbourhoods And Housing: No comments received to date.
- 7.2.11 Open Spaces Society: No comments received to date.

7.2.12 Ramblers Association:

A holding objection has been submitted requesting further information in the form of photomontages and confirmation that the run-off from the site will not compromise the public rights of way to the west and south of the site. There is an opportunity to regularise an anomaly with the definitive route and to improve the habitat along the beckside by suitable planting.

7.2.13 Public Rights Of Way:

Public Footpath Nos.109 & 141 Morley run along side the western boundary of the site along the access track. After a site visit it was noted that the land rises up giving limited views. Therefore, the security fencing would not obstruct views from the footpath.

Care should be taken by vehicles accessing the site whilst the installation is under construction. The rights of way will not be affected by the development but the footpath should be open and available for use at all times.

The developer is requested to consider entering into a Permissive Path Agreement for the duration of the site operation for a footpath along the access track to the south of the site and over the bridge to the viewing point for the dam as shown on the attached map.

7.2.14 Wakefield Metropolitan:

Having reviewed the submitted plans and supporting documentation it is considered that the proposed development would not have any impacts upon WMDC or land within their jurisdiction. According MWDC do not object to the proposed development.

7.2.15 Yorkshire Water:

No objection subject to a condition concerning no building or other obstruction shall be located over or within 3 (three) metres either side of the centre line of the water main, which crosses the site.

8.0 PLANNING POLICIES:

8.1 The proposals will be considered in the context of both national planning policy and the Development Plan. At the time of writing the Development Plan includes the Leeds Unitary Development Plan (Review 2006) (UDP), policies as saved by directions of the Secretary of State, dated September 2007 and June 2009, the Natural Resources and Waste Development Plan Document and any material guidance contained in the emerging Local Development Framework (LDF).

8.2 Natural Resources and Waste Development Plan Document

8.2.1 General Policy 1: Presumption in favour of sustainable development;

8.2.2 Water 7: Surface water run off

8.3 Local (UDP Review 2006)

- 8.3.1 Policy GP5: Refers to detailed planning considerations and any loss of amenity;
- 8.3.2 Policy N32: Seeks to preserve the openness of the Green Belt in addition to visual amenity;
- 8.3.3 Policy N33: Outlines acceptable development in the Green Belt;
- 8.3.4 Policy N37: Seeks to avoid harm to the character and appearance of special landscape areas;
- 8.3.5 Policy N49: Development that introduces harm to the wildlife or habitat. Design of new development, including landscaping, should minimise its potential adverse impact;
- 8.3.6 Policy T2: Refers to maintenance of highway safety;
- 8.3.7 Policy LD1: Outlines the parameters for an acceptable landscaping schemes

8.4 National

- 8.4.1 National Planning Policy Framework: paragraphs 17, 87, 88, 91, 93, 97, 98 and 138.

9.0 **MAIN ISSUES:**

- Principle of Development
- Highway Safety
- Landscape & Visual Impact
- Ecological Impacts

10.0 **APPRAISAL:**

Principle of development

- 10.1 Local plan policy (the Natural Resources and Waste Development Plan Document (NRWDPD)) supports the development of renewable energy. The Government outlines 12 core principles, within paragraph 17 of the National Planning Policy Framework (NPPF), that should underpin planning and decision making. The sixth principle outlines that the use of renewable resources should be encouraged. Paragraph 93 goes onto to reiterate how important renewable energy is and that it is essential to the three (environmental, economic and social) elements that form sustainable development. Local Planning Authorities are strongly encouraged to take positive steps towards renewable energy in plan making (paragraph 97) and should not require the applicant to demonstrate need (paragraph 98).
- 10.2 The site is located in Green Belt. According to Unitary Development Plan (UDP) policy N33 and guidance contained within the NPPF, the proposal is considered to be inappropriate development. By definition, inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and “very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.” (NPPF, paragraph 88).
- 10.3 The NPPF gives due consideration to the situation of renewable energy schemes being located within the Green Belt. The NPPF states:

'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. ... Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'

- 10.4 The proposal is forecast to produce approximately 7,200MWh of renewable energy per annum (sufficient to power approx. 2,180 homes) from natural resources in a sustainable manner. This would in turn be an annual saving of around 3,800,000kg of CO₂ emissions. Considering this, the applicant has put forward the proposal's renewable energy credentials as very special circumstances to justify inappropriate development in the Green Belt.
- 10.5 After 25 years the panels are expected to operate at only 80% of their original efficiency; at which point the applicant anticipates their removal. It is the opinion of the applicants that given the development of the proposal and its long term maintenance would have a low impact upon this greenfield site, the proposal should be considered of a temporary nature. The temporary nature of the development is put forward as further very special circumstances to justify the proposal in this location.
- 10.6 Do Members have any views on the principle of the development and proposed use of this site?**

Highway Safety

- 10.7 As previously outlined the site is accessed via Scott Lane. The greatest number of trips generated by the proposal would be during the construction phase. The Highways Authority has requested additional details concerning the type and frequency of vehicles. They are satisfied that one large vehicle could turn satisfactorily within the compound. However, they would like the applicant to provide more information to determine whether the junction with Batley Road could accommodate more than one vehicle and if a 2.4m visibility splay can be achieved.
- 10.8 The Highway Agency were consulted regarding the proposal due to the site's proximity to the M1. The applicant has provided a Landscape & Visual Impact Assessment and also a Glint and Glare Study, which has identified that there would be some visibility of the development along the short section of the M1 between Gawthorpe Lane and Batley Road. The Highways Agency has requested further information concerning whether the proposal would introduce harm through glint and glare to highway safety and whether the time of day or time of year would make a difference. The Agency have also requested that the applicant examine whether the site would be visible when travelling between north between junctions 40 and 41 of the M1 and if so what impact this may have on the highway at different times of day and at different times of the year.
- 10.9 The applicant has submitted the additional information requested by the Highways Authority and an addendum to their original Glint and Glare Study. The study demonstrates that the angle of the solar panels is such that the locations where the farm would be visible from the M1 would not suffer from glint. The Highways Authority are currently reviewing this information.

- 10.10 Do Members have any comments regarding highways and associated issues?**

Landscape & Visual Impact

- 10.11 The site slopes to the south and therefore no views of the site from areas to the north would be possible. The applicants are proposing planting around much of the perimeter of the site which, when established, should screen, or at least soften, views of the site from adjacent footpaths. Views of the site from the south in Kirklees and Wakefield would be possible, although such views would be at some distance.
- 10.12 Officers have requested photomontages of the developed site from the applicants and it is hoped that these will be available to display at the Panel meeting. The production of accurate photomontages from agreed viewpoints will be essential in assessing the potential impact from the proposals.
- 10.13 **Do Members have any comments at this stage on the visual impact of the proposal and the proposed landscape scheme?**

Biodiversity

- 10.14 Enhancement of current hedgerows is largely proposed through their management. New hedgerows along the western boundary would be created and gaps in existing retained hedges would be stopped up. The improvements centre around the enhancement of the current hedgerow network. In addition, along the eastern boundary a grassland buffer of 10m would be established between the proposed perimeter fence and the existing hedgerow, composed of existing grassland where present, or seeded grassland along the current arable areas.
- 10.15 A wildlife corridor is proposed to enhance links between Haigh Hall Spring Wood, directly to the north of the site boundary and the habitat that surrounds Hey Beck some 90m to the south west of the site boundary.
- 10.16 Current grassland on site is proposed to be retained with arable areas seeded with a suitable grassland mix. The site would be divided into three separate fields with management options including sheep grazing or cutting.
- 10.17 A strip of land at the western boundary has been proposed to be set aside as a wildflower meadow. Given the likely high nutrient content of the soil, a seed mix has been selected, containing native vigorous species, which are likely to produce a reasonably diverse sward. Although this may not have the variety of the traditional wildflower meadow, this type of grassland can nevertheless have benefit to wildlife providing food plants for invertebrates and cover for a range of species.
- 10.18 Along the southern and western boundaries a number of small attenuation ditches (swales) are proposed to be constructed on gently sloping land beyond the perimeter fence to collect run off from the site. These would have additional biodiversity benefits.
- 10.19 **Do Members have any comments in relation to the impact of the proposals on biodiversity?**

11.0 CONCLUSION:

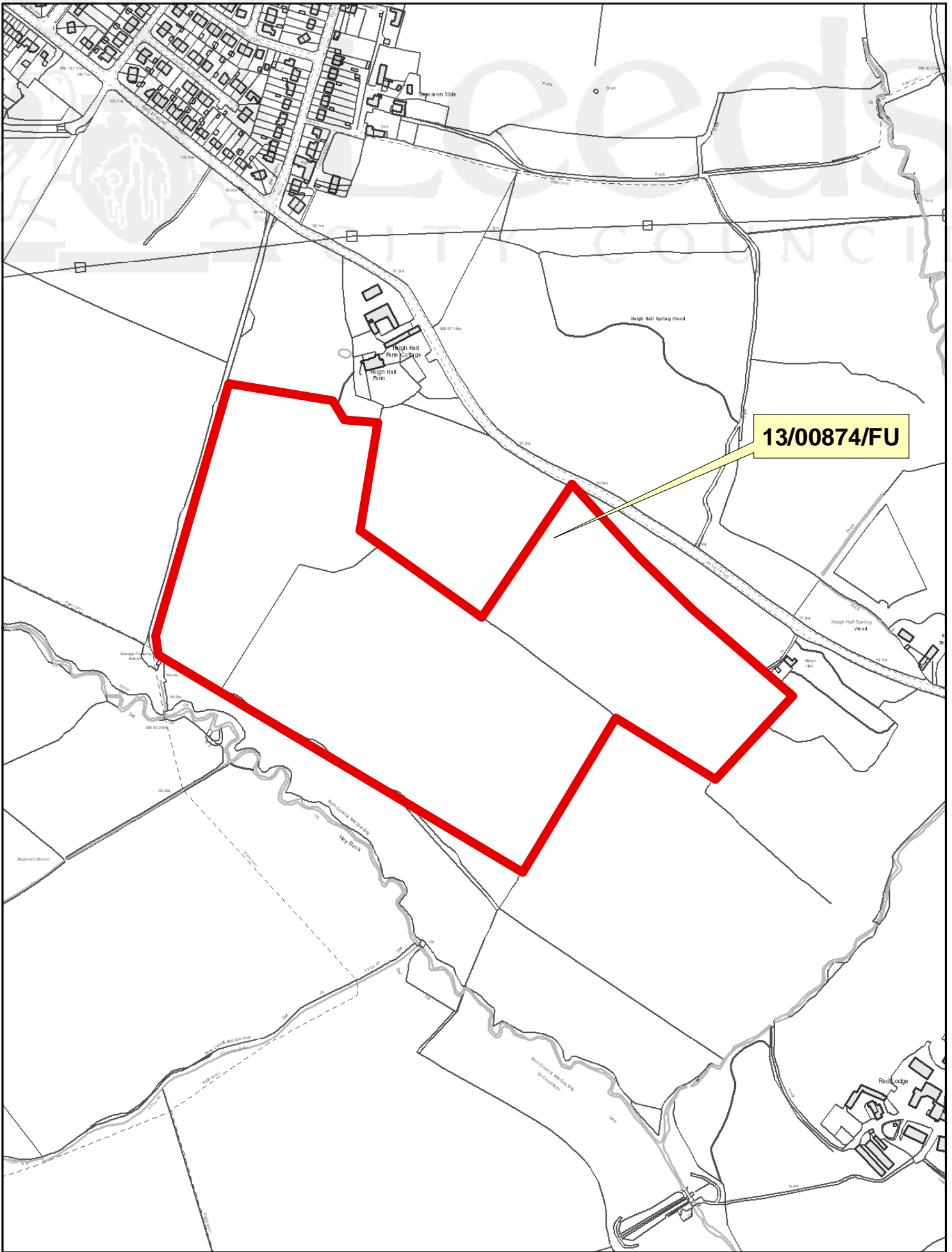
- 11.1 Members are requested to consider all the matters raised within this report in order to provide officers with appropriate comments and / or advice on the proposal. Specifically, feedback is requested from Members on:

1. Do Members have any views on the principle of the development and proposed use of this site?
2. Do Members have any comments regarding highways and associated issues?
3. Do Members have any comments at this stage on the visual impact of the proposal and the proposed landscape scheme?
4. Do Members have any comments in relation to the impact of the proposals on biodiversity?
5. Are there any other comments that Members wish to make?

12.0 BACKGROUND PAPERS:

- 12.1 Application and history files; 13/00874/FU
PREAPP/12/01105

Notice served on Land Owner (Stephen Butterfield).



13/00874/FU

SOUTH AND WEST PLANS PANEL