

No.5	APPLICATION NO.	2018/0409/FUL
	LOCATION	Land To The East Of Lords Cottage Hall Lane, Lathom And Pilkington Technology Centre Hall Lane, Lathom
	PROPOSAL	Installation and operation of a solar installation and associated infrastructure.
	APPLICANT	Lightsource SPV 40 Ltd
	WARD	Newburgh
	PARISH	Lathom
	TARGET DATE	20th July 2018

1.0 SUMMARY

- 1.1 This is a full application for planning permission for a solar farm in two separate locations to provide electricity to the NSG Technical Centre. Elements of the development would constitute inappropriate development in the Green Belt and would impact on openness, however, the very special circumstances put forward by the applicant have been found to outweigh this harm. There would also be a limited level of harm to the setting of the Lathom Park Conservation Area which is outweighed by the public benefits that would arise from the development. On balance, the siting of the proposed solar arrays is considered acceptable and there would be no undue harm to residential amenity. Subject to suitable planning conditions there would not be an adverse impact on archaeology, ecology and drainage.

2.0 RECOMMENDATION: APPROVE subject to conditions.

3.0 THE SITE

- 3.1 The application site comprises two parcels of land with the route of the underground cable connection between the two:

Land within the NSG European Technical Centre, off Hall Lane, Lathom (Northern Array)

Land to the east of Lord's Cottage, Hall Lane, Lathom (Southern Array)

- 3.2 The Northern Array comprises approximately 0.95ha of land located within the grounds of the Technical Centre, and accessed from the main site entrance off Hall Lane. The site lies to the north of the main building within the Technical Centre complex. The site of the Northern Array lies within the Lathom Park Conservation Area.
- 3.3 The site of the Southern Array is located to the east of Lord's Cottage, Hall Lane. Access to the site is taken from Hall Lane which is to the west. The site is approximately 4.94ha in size and is a field currently used for agricultural purposes. The southern and northern field boundaries are mature hedgerows and the eastern and western edges are made up of an agricultural fence and sporadic vegetation. In the middle of the southern boundary there is a shed which is in a poor state of repair.

4.0 THE PROPOSAL

- 4.1 The proposed development comprises the installation of ground mounted solar panels arranged in a regular pattern in both the Northern and Southern Arrays, with a total generating capacity of 2.5MW. The panels would be approximately 2.009m x 1.232m and have a depth of approximately 480mm and be placed onto mounting frames which would

be pile driven into the ground, onto which the frames would be placed at an angle of 22 degrees from the horizontal. The panels are to be fixed and will not track the movement of the sun. The panels will start at approximately 0.8m above ground level at their lowest point, and will rise to no more than 2.358m at the highest point.

- 4.2 The mounting structure is designed to allow for smaller livestock, for example sheep to graze underneath and between the rows of panels. In terms of foundations, the type of structure used to mount the panels requires four steel poles per unit to be pile driven into the ground to an approximate depth of 1.5m.

- 4.3 Along with the solar panels and mounting structures the following equipment and infrastructure will be required:

Inverters to convert the direct current electricity generated by the panels into alternating current. Small string inverters sit beneath the panels.

Transformers to transfer electrical energy from one circuit to another, allowing the energy generated to be fed into the Technical Centre's substation. The open air transformers within the Northern Array will be surrounded by a 2.2m high weld mesh fence; the transformer in the Southern Array will be surrounded by a 2.2m high timber and wire fence.

A substation (approximately 7.7m x 2.6m and 3.3m high) cabinet would be located within the Northern Array area together with a smaller switchgear substation (approximately 4.2m x 2.6m and 3.15m high).

A 2m high agricultural timber and wire fence around the Southern Array.

Security cameras to monitor the entrance of the Southern Array and the cabinets within the Northern Array. The cameras would be motion sensed and employ infrared technology so no lighting would be required. The cameras would be mounted on 2.5m high poles.

A monitoring building (approximately 3.2m x 3.86m and 3.3m high) located within the Northern Array to enable remote monitoring of the site. A 5m high satellite dish would stand alongside the monitoring building.

A battery storage unit located within the Northern Array area, allowing for storage of electricity generated at peak times, where it exceeds the Centre's demand, for use at a later time. The unit would comprise of two battery containers 12m long, 2.4m wide and 2.6m high, and one switchgear building measuring approximately 6m in length, 2.4m in width and 2.5m in height, with air conditioning units.

An underground cable to connect the Southern and Northern Arrays.

Cable trays will be used to install the low voltage cables connecting the panel arrays to the transformer in the Southern Array, to avoid earth works impacting on any archaeological features.

Swales will be constructed for drainage purposes.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 None.

6.0 CONSULTEE RESPONSES

- 6.1 Historic England (14.05.18) – No comments.
- 6.2 Cadent (11.05.18 and 15.05.18 and 31.05.18) – Land and Development Asset Protection Team (High Pressure Gas Transmission and Electricity Transmission Apparatus) consulted. The applicant should ensure that proposed works do not infringe on Cadent's legal rights. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus.

- 6.3 Lancashire Archaeology Advisory Service (22.05.18) – No objections. Condition in respect of implementation of a programme of works requested.
- 6.4 Penspen (23.05.18) – no effect to the Shell pipeline.
- 6.5 National Grid (24.05.18 and 19.06.18) – No objection.
- 6.6 West Lancashire Conservation Areas Advisory Panel (23.05.18) – The PV array on the larger site to the south of Pilkingtons, would because of the size of the array and the panel's reflective nature, cause an industrialisation of the landscape which would cause harm to the natural Parkland setting to the Conservation Area and the historic setting to Stand Farm.
- 6.7 Sabic (04.06.18) – The proposed development is situated within the inner consultation zone of a Major Accident Hazard Pipeline. The developer must consult Sabic if any work within 50m is to be carried out.
- 6.8 Highway Authority (11.05.18) – No objection. Conditions recommended.
- 6.9 Natural England (27.06.18, 09.07.18 and 17.07.18) – No objection.
- 6.10 Environmental Protection (02.07.18) – No objection in principle. Conditions recommended.
- 6.11 Lead Local Flood Authority (11.07.18) – No objection.
- 6.12 Merseyside Environmental Advisory Service - Comments to follow as late information.

7.0 OTHER REPRESENTATIONS

- 7.1 Lathom Parish Council (16.05.18, 30.05.18 and 31.05.18) – The application conflicts with NPPF paragraphs 88 - 91. The special circumstances would be limited as the energy generated would only provide 30% of the applicant's requirements, leaving 70% to be obtained by the National Grid and provides no energy for public consumption. The impact from the development would not outweigh the loss of Grade 1 agricultural land and impact on the Green Belt. The loss of Grade 1 agricultural land will have the effect of increasing food prices as we will not be able to produce our own food. The site is at risk of being affected by unacceptable levels of noise, soil and water pollution and there would be impacts on the local and natural environment. There are sequentially preferable sites that should be considered, such as placing the panels on the roof, or using nearby brownfield land. The solar farm would spoil views from Parbold Hill and Beacon Country Park. The site is of historical significance as it is believed to be a war horse burial site. The site is in the flight path for birds and it is suggested that solar farm magnetic fields disturb migratory patterns. Bees and deer could be disturbed by the installation. The capacity of the field to deal with flooding would be reduced. Inappropriate development in the Green Belt. There would be a detrimental impact on the character of Lathom.
- 7.2 Parbold Parish Council (04.06.18) – Object due to impact on the Green Belt. The panels would be reflective and therefore visible immediately next to a stone wall forming a garden area boundary. There would be impact on the views from Parbold Hill. The development could lead to infilling of an open area between this site and buildings of Historic Lathom Park.

- 7.3 Lathom Burscough Military History Society (15.05.18) – Green Belt should be protected. It is disturbing that such a historical site will be developed.
- 7.4 Lathom Park Trust (29.05.18) – There are possibly horse burials within the site and whilst a Geophysical Survey has been undertaken of the site, this does not demonstrate that there is an absence of a horse cemetery. If planning permission is granted a watching brief should be included as a condition of the permission.
- 7.5 Historic Lathom Residents Group (18.05.18, 29.06.18 (and updated ecology objection), 09.07.18) – Loss of best and most versatile land. Damage to the openness of the Green Belt. Visual impact on the surrounding area and listed buildings and structures. It would make economic sense to renew the roof at NSG to make it capable of supporting solar panels, or the panels should be sited within the grounds of NSG and car parks. The area is historic from Roman times through to WWI. There are war horse graves on the site. Planting will not hide the solar farm. The solar farm would be seen from The Beacon and Parbold Hill. There will be tonnes of scrap metal, concrete, glass and plastic once the solar farm is out of use; the land will probably be brownfield land prime for housing following decommissioning. Photovoltaic panels degrade over time so the predicted levels of energy generation are overoptimistic. The solar farm would be compromised by shadows from trees and hedges and winds blowing leaves onto the panels. The ecology reports are inadequate. Flooding will increase. There would be a loss of best and most versatile land. Dispute the Statement of Community Involvement.

Insufficient evidence has been submitted to demonstrate that the development would not affect protected species and habitat. There is also inadequate evidence to demonstrate compliance with the statutory duty to assess the likely significant effects on nearby designated sites and supporting habitats. The submitted survey is not independent as the applicant has commissioned the ecologists. The survey work has concentrated on Pink-footed goose and not other SPA species. The survey work has not followed Natural England and Scottish National Heritage guidelines. The numbers of Pink-footed geese recorded in the survey is much lower than would be expected from local people. The report lacks integrity. The development is contrary to paragraph 118 of the NPPF. The applicant has failed to take into account the cumulative input of developments. The development may impact on owls, bats, Water Vole and Great Crested Newt, this has not been addressed fully in the submission. Ground nesting birds would be affected by the development. The land would be too fertile for a wildflower meadow.

The development would result in significant encroachment into the countryside and have a negative effect on and reduce openness. Inappropriate development in the Green Belt and there is land available on the NSG site that could be used. The very special circumstances put forward by the applicant does not outweigh the harm.

- 7.6 West Lancashire Civic Trust (04.05.18) – The southern array will introduce industrialisation into a rural area and will have a detrimental effect on the setting of the Conservation Area. The scheme will adversely affect the setting of Stand Farm which is Grade II listed. If permission is to be granted a condition should be imposed requiring the developer to carry out a watching brief in accordance with the Archaeological Report.
- 7.7 Newburgh Parish Council (28.06.18) – The proposal does not demonstrate the very special circumstances necessary to justify encroachment of the Green Belt and impact on openness. There are also sensitive historical characteristics.
- 7.8 Dalton Parish Council (28.06.18) – Object to the development because it is not within the NSG site itself. The site is of historic value. There may be glint and disturbance for drivers on Spa Lane. The development could be seen from Ashurst Beacon. Stand Farm is a listed building and would be degraded by the development.

7.9 A petition objecting to the proposed development has been submitted by Skelmersdale Veterans Association.

7.10 There have been representations objecting to the application, the main grounds of objection can be summarised as:

The solar farm would be out of place in the grounds of Pilkingtons.

Lathom is a historic area and the solar farm would impact on this.

There are buried remains of war horses on the site.

The site is of local and national historic significance.

Development on the site of the WWI Remount Depot would be disrespectful and insensitive, especially at the time of the centenary commemoration.

The local community will not benefit in any way.

Blight on the landscape.

There is already enough development in Lathom.

There would be glint and glare for drivers.

The Fire Service would have to be trained for potential explosions.

The site is a point of interest for orienteering groups.

The application is contrary to the House of Commons Statement 29th January 2014.

Deer are not mentioned in the ecology report.

Pink footed geese would be affected.

The ancient stone boundary wall supports wildlife.

There would be increased flooding to neighbouring fields.

The amount of water that would channel from the panels down to the brook would increase in speed and volume, and the brook would not be able to receive that amount of water.

There would be a loss of Grade 2 Agricultural Land.

If NSG want to reduce carbon footprint they could introduce car sharing.

Noise will be generated by the operation of the transformer, disturbing the local environment.

The nearby listed buildings will be affected.

Impact on the adjacent Conservation Area.

Detrimental impact on the setting and outlook from Stand Farm which is listed.

Cable suspended solar technology systems should be considered.

Planning Committee should look at the impact from other solar farms before making a decision.

A wind turbine would take up less space.

There are no special circumstances to override the impact on the Green Belt.

Dispute the Statement of Community Involvement.

NSG need to carry out an Energy Saving Review to identify where energy savings can be made.

There would be noise from the site.

The Noise Survey submitted with the application is inadequate.

Horses can be unsettled by noise and glint.

There are gravestones to war horses in other areas.

There is a pipeline running through the site.

Lithium Iron batteries are a fire risk.

Loss of a hunting ground for wildlife.

Construction lorries could harm deer.

There would be no public benefit from the development.

The soil on the site would be too rich to plant a wildflower meadow.

Lightsource want to expand the site of the solar farm and sell to grid.

Natural England should take account of evidence supplied by local residents.

The vantage points chosen by Avian Ecology are inadequate.

The ecology survey is inadequate.

There is no public need for the development.

There are insufficient very special circumstances that outweigh the harm to the Green Belt.

Birds suffer from having their wings melted or burned off from the panels.

Chemicals used for dust suppressants, dielectric fluids and herbicides will contaminate ground water.

Employees of NSG may be forced to support the application.

Landscape character of the area will be adversely affected.

Rates on houses in the area should be reduced.

- 7.11 There have been representations in support of the application, the main grounds for support can be summarised as:

The investment into the site gives confidence to Unite Trade Union that there will be sustained employment in the future.

The development would bring significant sustainability enhancements to the region.

The reduction in costs will improve competitiveness within the glass industry.

The reduction in energy costs will help to secure jobs at the site over the longer term.

The site will have a reduced carbon footprint as carbon emissions will be reduced.

Lighsource BP have a proven track record of delivering safe and reliable projects.

The site will not be visible from the road.

Approving the development may mean that NSG stay in West Lancashire rather than relocate to Europe.

Local wildlife would benefit.

There would be local employment during construction.

Environmental Impact Assessment shows that solar installations have low impact.

NSG provide the glass used in the production of the solar panels and the development would allow this to be showcased.

The development is an example of UK based research delivering world beating products.

It will demonstrate that solar is a viable, low cost and renewable source of energy.

There will be no material impact on any meaningful archaeological features.

The development is forward looking.

Renewable energy initiatives are limited in this region.

No nearby landmarks would be disturbed.

It would be cleaner, environmentally friendly energy.

The addition of livestock to the area would make it more versatile and a useful space.

A balanced approach to energy management in the UK is needed and solar farms form a part.

The development meets the need of both government and company targets for CO2 reduction.

The area for solar panels will be landscaped to ensure hedgerows and wildlife are protected, and to screen the panels and gaps will be filled in.

8.0 SUPPORTING INFORMATION

- 8.1 Design and Access Statement, April 2018
Agricultural Land Classification, December 2017
Archaeological Written Scheme of Investigation, April 2018
Mineral Resource Assessment, December 2017
Settings Impact Assessment. January 2018
Geophysical Survey Report, February 2018
Geophysical Survey Report, April 2018
Archaeological Desk Based Assessment, April 2018
Construction, Decommissioning and Traffic Management Plan, April 2018

Ecological Assessment Report
Statement of Community Involvement, April 2018
Planning Statement, February 2018
Landscape and Visual Assessment, April 2018
Written Scheme of Investigation, April 2018
Flood Risk Assessment, January 2018
Topographic Survey, October 2017

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.
- 9.2 The site of the Northern Array is located within an area of land designated as an 'other significant employment site' whilst the site of the Southern Array is in the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD. The site of the Northern Array is within the Lathom Park Conservation Area. The following policies are relevant:

The National Planning Policy Framework (NPPF)

Supporting a prosperous rural economy
Requiring good design
Promoting healthy communities
Protecting Green Belt land
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

West Lancashire Local Plan 2012-2027

GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire's Natural Environment
EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Guidance – Natural Areas and Areas of Landscape History

BRE 'Planning Guidance for the Development of Large Scale Ground Mounted Solar PV Systems'

Renewable Energy - Policy Background

- 9.3 In November 2008, the Climate Change Act was published, which created a new legal framework for the UK to achieve a mandatory 80% cut in the UK's CO₂ emissions and other greenhouse gases by 2050. The UK Renewable Energy Strategy (2009) set a Government target of 15% of the country's energy to come from renewable sources by 2020.
- 9.4 *The National Planning Policy Framework (NPPF)*
At the heart of the NPPF is the presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. In terms of the environmental role, the planning system is required to “*contribute to protecting and enhancing our natural, built and historic environment; and, as part of this, help to improve biodiversity, use natural resources prudently, minimise waste and*

pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.

- 9.5 One of the core planning principles stated in paragraph 17 of the NPPF is to *“support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example by the development of renewable energy)”.*
- 9.6 Paragraph 93 states that *“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development”.*
- 9.7 Paragraph 97 lists a number of ways in which to help increase the use and supply of renewable and low carbon energy and confirms that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable and low carbon sources.
- 9.8 Paragraph 98 advises that when determining planning applications, local planning authorities should:-
*“Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse emissions; and
Approve applications, unless material considerations indicate otherwise, if its impact are (or can be made) acceptable”*

National Planning Practice Guidance (NPPG)

- 9.9 The Renewable and Low Carbon Energy Chapter sets out a number of factors that need to be considered by Local Planning Authorities in determining applications for large-scale solar farms. At paragraph ID 5-013 it states that *‘the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively’.*
- 9.10 Paragraph ID 5-007 indicates that local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on the landscape and which recognises that impacts can be just as great in predominantly flat landscapes as in hilly or mountainous areas.
- 9.11 The PPG at paragraph ID 5-010 says that *“Renewable energy developments should be acceptable for their proposed location”* and indicates at paragraph ID 5-008 that distance away from a development is just one consideration, stating that *“Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses”.*

National Planning Statement – Overarching National Policy Statement for Energy (EN-1)

- 9.12 This sets out the national policy for energy infrastructure and at paragraph 2.2.6 states that *‘the UK needs to wean itself off a high carbon energy mix: to reduce greenhouse gas emissions and to improve the security, availability and affordability of energy through diversification’.*

- 9.13 This strategy sets out four guiding principles for solar PV, the third of which states, that solar PV should be appropriately sited with proper weight being given to environmental considerations such as landscape, visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them.

West Lancashire Local Plan 2012-2027 DPD (WLLP)

- 9.14 Policy EN1 of the WLLP supports proposals for renewable, low carbon or decentralised energy schemes, provided they can demonstrate that they will not result in unacceptable harm to the local environment, having regard to policies EN2 and EN4, which cannot be satisfactorily addressed and which is not outweighed by the benefits of such proposals.

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of development – employment land

- 10.1 The Northern Array is located on land designated as an 'other significant employment site'. Policy EC1(b)(iii) states that only B1 development will be allowed on the site. The proposed solar array does not fall into this category of development, however, the impact of climate change is acknowledged throughout the Local Plan and according to the supporting information submitted with the application direct benefits would be experienced by the business through the reduction in energy cost associated with the solar development. Therefore, whilst the development would not strictly accord with Policy EC1, I am satisfied that it would be in accordance with one of the main themes of the Development Plan, to promote sustainable development.

Principle of development – Green Belt

- 10.2 The proposed Southern Array would be located within land designated as Green Belt. Paragraphs 89 and 90 of the NPPF set out the forms of development deemed not inappropriate in the Green Belt. The proposal does not fall into any of the categories of development set out. Moreover, paragraph 91 of the NPPF states that when located within the Green Belt, elements of many renewable energy projects will comprise inappropriate development.
- 10.3 On that basis the proposal would be an inappropriate form of development in the Green Belt. Paragraph 87 of the NPPF explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 clarifies that '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.

Impact on openness

- 10.4 Paragraph 79 of the NPPF advises that openness is an essential characteristic of the Green Belt. Openness is generally defined as the absence of built form and development, and this does not depend on visibility. In addition to the array of the solar panels themselves and their resultant impact upon the openness of the Green Belt, the proposal also comprises a number of other elements, namely, the fencing, a CCTV pole and camera, transformer, and switchgear substation (although it is acknowledged that the larger substation, battery storage unit and monitoring building would be located in the Northern Array). The cumulative impact of all these elements will magnify the impact of the proposed development upon the openness of the Green Belt.

- 10.5 Therefore the proposed solar farm would have an impact on openness. Taking into account the rural character of the surroundings, it would also be contrary to one of the five purposes of the Green Belt, that being to safeguard the countryside from encroachment.
- 10.6 The proposed solar farm is inappropriate development in the Green Belt, resulting in a reduction in openness and encroachment into the countryside and is by definition harmful to the Green Belt. This harm must be weighed against the very special circumstances put forward by the applicant.

Very special circumstances

- 10.7 The proposed development has been identified as inappropriate development in the Green Belt and one which causes harm to its openness and conflicts with one of the purposes of including land within the Green Belt, that being to safeguard the countryside from encroachment. In accordance with paragraphs 87 and 88 of the NPPF, inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and substantial weight should be given to any harm to the Green Belt. It is important that Green Belt consideration should assess, in a balanced way, the very special circumstances put forward by the applicant. The NPPF confirms that 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. There are no defined criteria for assessing what constitutes very special circumstances and each case must be judged on its own merits.

- 10.8 A number of special circumstances have been put forward by the applicant, these include:

The solar installation would have the capacity to generate 2.5MW of energy, and provide approximately 30% of the Technical Centre's electricity. The battery storage facility included within the proposals will mean that the efficiency of the generated electricity will be increased, with excess generation being stored for use at times of greater demand or lower production.

Environmental benefits of increased renewable energy generation and associated carbon reduction (908 fewer tonnes of carbon dioxide emissions from energy generation in the UK each year – the equivalent of removing 193 standard cars from the road).

The development would support one of the Council's key objectives, to mitigate climate change.

As the electricity generated will be fed directly into the NSG Technology Centre, the development must be deployed in proximity of the private connection point to be a viable enterprise (extent of the viable area is no more than 600m from the substation at the Technology Centre).

Direct economic support and benefit, through the reduction in electricity costs for the NSG Technology Centre, a key local employer (500 staff and contractors on site).

Protection for the NSG Technology Centre against volatile commodity price rises, providing certainty for the business.

Assistance for the Technology Centre to remain profitable and viable to allow operations to continue in this location, maintaining local employment and allowing the business to make long term investment decisions.

The work undertaken at Lathom Technical Centre has played an integral role in the development of the solar modules to be used in this development; the installation will allow NSG to showcase their work.

Ecological enhancements.

There would be landscape benefits as a result of tree and hedgerow planting which would remain in place once the installation is decommissioned.

Archaeological investigation presents the opportunity to provide valuable information regarding the history of the site, therefore increasing archaeological understanding. The agricultural use of the land will continue and following decommissioning will revert back to sole agricultural use. The development is for a temporary period and therefore the effect on the Green Belt is not permanent.

- 10.9 It is imperative that the above very special circumstances put forward by the applicant are carefully and properly considered. The proposal would cause harm to the Green Belt by reason of inappropriateness and because of the reduction in openness it would involve, and its encroachment into the countryside. The proposal would be for a temporary period and so the harm in Green Belt terms would be temporary and reversible. Nevertheless, paragraph 88 of the NPPF tells us that when considering any planning application, local planning authorities should ensure substantial weight is given to any harm to the Green Belt.
- 10.10 In addition, while paragraph 91 of the NPPF accepts that very special circumstances will need to be demonstrated if renewable energy projects are to proceed in the Green Belt, it continues that such very special circumstances may include wider environmental benefits associated with increased production of energy from renewable resources. It is clear therefore that renewable energy projects are not prohibited outright in the Green Belt. It is a matter of balancing any benefits they would bring forward against any harm they would cause.
- 10.11 The proposal would have a total capacity of 2.5MW, meeting the needs of approximately 30% of the Technical Centre's energy needs, and has the potential to offset 908 tonnes of carbon dioxide per year. Reflective of wider Government policy, designed to address the potential impacts of climate change, and to ensure energy security, one of the core planning principles of the NPPF is to encourage the use of renewable resources. Paragraph 97 says that to help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to energy generation from renewable or low carbon sources. Comparatively speaking the solar farm would be relatively small in scale to others that have been considered in the Borough, however, paragraph 98 of the NPPF states that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
- 10.12 The proposed solar farm and creation of renewable energy, would have a direct benefit to the NSG Technical Centre, which is a significant employer in the Borough, by bringing economic benefits to NSG by reducing their overall energy cost and in addition to this, allowing them to showcase their work to visitors of the site. Economically, the creation of the solar farm would also assist rural diversification and would provide a mixed use of the land functioning for agricultural purposes, and for the production of renewable energy.
- 10.13 In environmental terms, the proposed development would allow for the retention of grassland habitats beneath and around the solar PV panels, allowing small livestock such as sheep to graze on the field maintaining the use of the land for a form of agriculture.
- 10.14 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Whilst it is acknowledged that the development is inappropriate and harm will be caused to the Green Belt, given that this will be for a temporary period and that there would be environmental and economic benefits from the scheme which are outlined above, I consider that the very special circumstances identified will contribute to sustainable development in accordance with the NPPF and will outweigh the harm to the Green Belt that has been identified in the above assessment.

Landscape character and visual amenity

- 10.15 The site falls within the Ormskirk, Burscough and Lathom landscape character area, predominantly characterised by undulating, well-wooded places, contrasting with adjacent flatter areas to the north.
- 10.16 The site of the proposed Northern Array is located within an area of amenity grass within an existing complex of three and four storey factory buildings and the NSG Centre. A line of ornamental trees and shrubs lies to the east of the grassed area, whilst a mature native deciduous woodland belt encloses the Technical Centre to the east and north. The Southern Array would be located within an agricultural field south of the Technical Centre. The northern boundary of the field is marked by a stone wall forming the southern edge of the former parkland associated with Lathom House; within the field an irregularly spaced row of mature trees line the field boundary. The southern field boundary is formed by a mature Hawthorn hedge approximately 4m high. There are several gaps in the existing hedge. The eastern and western field boundaries are marked by 1.3m high post and wire fences.
- 10.17 The submitted Landscape and Visual Assessment (LVIA) considers the effects of the proposed development on the landscape features within the application site, on the character of the surrounding landscape, and on the visual amenity perceived by receptors likely to be present in the surrounding area.
- 10.18 In terms of the potential effects on landscape features, overall the proposed development would have little effect on the landscape resource of the application site, as the development would result in a temporary change in land use on the Southern Array, from agricultural use to an agricultural use with energy generation, but on decommissioning would revert back to purely agricultural use. There would be no loss of existing trees or hedges, and approximately 445m of new native hedgerow is proposed which would bring a landscape benefit.
- 10.19 As regards landscape character, the LVIA includes a review of landscape character up to 2km from the application site and concludes that the landscape has some capacity to accommodate the proposed development. I agree with the conclusion that the amount of vegetation in the local landscape helps to provide screening and therefore limit the impact from the solar arrays, and that the perception of landscape elements that influence the agricultural character of the landscape would not be redefined if the development was implemented.
- 10.20 With reference to visual amenity, the Northern Array would be visually well contained by the buildings of the Technical Centre. The Southern Array would be visually contained to the north by the tree belts and buildings of the Technical Centre, and to the south west by the mature boundary hedge and trees at Stand Farm. Views from Hall Lane and the footpath to the west would be restricted by the topography of the site (which slopes down to the east) and by the proposed hedgerow planting along the western boundary. Views of the solar panels would be available from a section of Spa Lane and from some residential properties on Spa Lane to the southeast of the proposed Southern Array site. The Visual Assessment found that there would be moderate effects on users of sections of Hall Lane and Spa Lane, and residents at seven houses on Spa Lane. However, all of these effects would be reduced once the proposed landscape scheme is established. There would be a limited number of distant views of the Southern Array, but as these would be over 2km away from the proposed Southern Array the effect would be minimal.

- 10.21 Although the character of the site which would contain the proposed Southern Array would be altered by the development, any effect would be restricted to the site itself with key landscape features and the surrounding area remaining largely unaffected. There would be some effect on visual amenity but vegetation would provide notable screening. Views would be restricted to the immediate area around the site and would not be overly prominent throughout the Green Belt. I consider that the proposed development accords with paragraph 17 of the NPPF which includes a requirement for account to be taken of the different roles and character of different landscape areas, and Policy EN2 of the Development Plan which requires new development to have regard to different landscape characteristics in the Borough.

Heritage impacts

- 10.22 In coming to decisions on heritage matters Local Planning Authorities should refer to the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires decision takers to pay special regard to the desirability of preserving listed buildings or their setting (s.66), and to the desirability of preserving or enhancing the character or appearance of conservation areas. Recent High Court judgements identify the need to give considerable weight and importance to the duty imposed and to the presumption in favour of the desirability of the preservation of heritage assets, including their setting. Decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.
- 10.23 The main heritage issues to consider in this case are; whether the proposed development will preserve the historic setting to the nearby designated listed buildings, and; whether the proposed PV installation(s) would preserve the character or appearance (and setting) to Lathom Park Conservation Area.

Setting to the Listed Buildings

- 10.24 The setting of a heritage asset is defined in the NPPF glossary and identifies that the setting is the surroundings in which an asset is experienced. It need not be fixed and can change and evolve with its surroundings and elements of the setting may make a positive or negative contribution to a heritage asset.
- 10.25 Historic England's advice on setting is contained in its Planning Note 3 (The Setting of Heritage Assets 2nd Edition – December 2017). Setting can be more extensive than its immediate curtilage and whilst it is often simply expressed by reference to visual considerations, the setting can also be influenced by the historic relationship between places.
- 10.26 The proposed Northern Array would be internal to the site and visually contained, and whilst the land is not developed it forms part of the existing NSG site, bounded by a car park and a number of existing modern buildings. I consider that the installation of a PV array on this land would not impact beyond the site and even if glimpsed at, there would be no impact on the setting to any nearby listed buildings.
- 10.27 The site of the Southern Array is set within open farm land which lies outside of the NSG site. There are a number of listed buildings in the vicinity of the site, the closest being Stand Farmhouse which lies approximately 200m to the south of the site edge. Stand Farm sits on slightly raised site within a cluster of mature trees and the site is partially enclosed from view. The farmhouse is somewhat separated from the wider landscape and I do not consider that the application site makes any marked contribution to the significance of its setting. In terms of the potential impact on other nearby listed buildings

(including Ormskirk and Lathom Lodges, Cranes Hall, Lathom Chapel of St John, Almshouses and Stable Block) there would be either no harm or the harm would be very low level and negligible.

- 10.28 However, the remaining part of Lathom House derives part of its significance from its historical landscape setting and further insensitive development could harm its historic significance. Whilst the visual link between the remaining part of Lathom House has been severed by the development of the NSG site, this does not mean that the historical association and significance of the wider parkland landscape to the heritage asset should be ignored and/or need be compromised further. This is discussed further below.

Impact on the setting to Lathom Park Conservation Area

- 10.29 Lathom Park Conservation Area draws much of its significance from its association to the historic events relating to Lathom House and its landscape significance.
- 10.30 In terms of impact from the Southern Array, I consider that because the site is set some way from the road frontage on raising ground and is, to some degree, screened by existing hedges I do not feel that the site plays a significant role in the setting to the southern portion of the Conservation Area. However, the site can still be experienced from the surrounding land, albeit any views, including the more distant views, are already compromised by the presence of the buildings on the Technical Centre site. Other visual detractors include the power line and pylons which lie to the east of the site.
- 10.31 In relation to character, the rural parkland qualities of the conservation area are well defined and the presence, in the landscape of the medieval park is a key characteristic of the area. Whilst grazing can still exist around the arrays I consider that the character of the open farmland site would be changed and the introduction of the upstanding PV panels would to some degree change the character of the landscape along the southern boundary of Lathom Park Conservation Area. This is further emphasised by the fact that the site lies within an area designated as being of Regional Importance in the Areas of Landscape History SPD. However, I consider that the harm to the character and appearance of the Lathom Park Conservation Area would be low level and regarded as being 'less than substantial' (as identified under paragraph 134 of the NPPF).
- 10.32 The supporting information submitted with the application states that mitigation measures would be imposed (additional tree and hedge planting) with the aim of lessening the visual impacts of the arrays over time. I do not think that the measures proposed would wholly mitigate the limited harm on the setting to the Conservation Area because the changes to the character of the site will remain regardless.
- 10.33 The Council is required to give the duty imposed by the P(LBCA) Act 1990 considerable weight in its planning judgement. The guidance in the NPPF allows the harm to the heritage asset to be balanced in the planning judgement by any stated public benefits of the proposal.
- 10.34 In terms of potential heritage impacts I conclude that the proposal would result in a low level of harm to the setting of the Lathom Park Conservation Area. In terms of impact on the historic environment I would regard the harm caused by the proposals to be 'less than substantial' and therefore would need to be balanced by the public benefits of the proposal. The benefits of the proposal have been outlined above as very special circumstances. I consider that the benefits of the proposed development, which include environmental benefits by the reduction in carbon dioxide emissions outweigh the less than substantial harm identified in the above assessment.

Archaeology

- 10.35 Paragraph 141 of the NPPF states that 'Local planning authorities should...require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible.
- 10.36 An Archaeological Desk Based Assessment (DBA) and Written Scheme of Investigation (WSI) have been submitted in support of the application. The DBA shows that the southern field of the study site has the potential to contain buried remains of potentially regional interest, associated with the use of Lathom Park as a remount station in WWI. Concern has been raised about the potential presence of horse burial pits on the site. A geophysical survey of the site has confirmed that remains of the remount station are present but found no evidence of a horse burial pit. Evidence of Roman and prehistoric date cannot be discounted for the southern field of the study site, however, there is no evidence of remains of more than local interests from these periods in the wider study area.
- 10.37 The site of the Northern Array may have some fragmentary remains associated with the sieges of Lathom Park during the Civil War, however, any that may be present would have been truncated by the construction of the NSG Technical Centre. As such, any remains that survive are likely to be of local interest only.
- 10.38 The DBA concludes that the impact of the proposed development on the study site is very limited, comprising a total below ground impact of less than 1% of the study site area. The 'H' piles which would be used in the construction result in highly localised impacts, and whilst the development proposals have the potential to impact on any sub-surface remains which may survive within the application site, this impact is considered to be minimal. Taking into account the potential for WWI subsurface remains, it is proposed to take additional measures during construction to avoid rutting and other inadvertent impacts. With these measures in place, together with the limited physical impacts from the type of development proposed, the archaeological impact of the proposed development would be minimal.
- 10.39 The documents submitted in relation to archaeology have been reviewed by the Lancashire Archaeological Advisory Service (LAAS) and they have confirmed that the design and proposed construction methods have been developed to ensure that the physical impact of the proposals on the earthworks and buried remains of the World War I Lathom Remount Station is as low as can be achieved whilst allowing the scheme to proceed. It is acknowledged that there would be a significant impact on the setting of the monument, however, the site is not generally publically accessible and this impact is considered to be balanced by the further research and recording that has already been undertaken or is proposed, which will provide and enhanced understanding of the Lathom remount station.
- 10.40 Further, an application has been made to Historic England to ask them to consider scheduling the site of the proposed Southern Array. This application has been rejected and in their response Historic England have advised that whilst there is interest in the physical remains of WWI, these site are relatively well documented, and as a lot is known about the use of horses during WWI, the archaeological potential of the site to provide additional information is relatively limited. The response goes on to say that this assessment would not change even if it was confirmed that the field includes horse burials.

- 10.41 I consider that in terms of archaeology the proposed development is in accordance with NPPF paragraph 141, subject to a condition to ensure that the WSI submitted as part of the planning application is implemented in full.

Agricultural land

- 10.42 Paragraph 111 of the NPPF encourages the effective use of land by reusing brownfield land provided that it is not of high environmental quality. Paragraph 112 indicates that significant development of agricultural land should be shown to be necessary and, where this is demonstrated, areas of poorer quality land should be used in preference to that of higher quality.

- 10.43 Paragraph 13 of the NPPG sets out particular planning considerations that relate to solar development. The first two factors are:

encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;

where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

- 10.44 The PPG also makes reference to a speech by the Minister for Energy and Climate Change, Greg Barker, to the solar panel industry at the Large Scale Solar conference on 25th April 2013. In this speech Greg Barker said ‘...for larger deployments, brownfield land should always be preferred’ and went on to add ‘we need to be careful that we do not over incentivise large-scale ground-mounted projects in inappropriate places – I am thinking of greenfield agricultural land....’ and ‘where solar farms are not on brownfield land, you must be looking at low grade agricultural land...’.

- 10.45 In addition, Nick Boles in his oral statement in the House of Commons on 29th January 2014 stated that ‘where significant development is necessary on agricultural land, the national planning policy framework is equally clear that local planning authorities should seek to use areas of poorer quality in preference to that of higher quality. Where land is designated at a relatively high grade it should not be preferred for the siting of such developments’

- 10.46 Furthermore, the UK Solar PV Strategy: Part 2 of April 2014 sets out the Solar Trade Association’s ‘Solar Farms: 10 Commitments’, the first of which is that focus will be on non-agricultural land or land which is of lower agricultural quality.

- 10.47 It is therefore clear that the emphasis from Government is to steer large scale solar arrays towards previously developed or non-agricultural land. Where the use of agricultural land is necessary, best and most versatile land (BMV) should be avoided and if BMV land is to be used, this should be the last resort and it must be robustly demonstrated that it is justified.

- 10.48 The Agricultural Land Classification of England and Wales provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use. The principle physical factors together with interactions between them form the basis for classifying land into one of five grades;

Grade 1 land being of excellent quality through to Grade 5 land of very poor quality. Grades 1, 2 and 3a are considered to be the BMV.

- 10.49 In terms of Defra's Agricultural Land Classification (ALC) map of England and Wales, the application site is classified as Grade 1 excellent quality. However, these maps were created over 30 years ago, in the early 1980s and have never been updated. As noted by Natural England *'these maps are not sufficiently accurate for use in assessment of individual fields or development sites, and should not be used other than as general guidance'* (Natural England (2012) Technical Information Note TIN049). Natural England are a statutory consultee on development that would lead to the loss of over 20ha of BMV; given the relatively small size of the solar farm under consideration in this application they have not been consulted on their views regarding this matter.
- 10.50 An Agricultural Land Assessment has been submitted with the application which demonstrates that the land within the Southern Array is Grade 2 Agricultural Land, which falls into the definition of Best and Most Versatile (BMV) agricultural land. Based on the ALC the proposed development would result in a change from potential arable use (although the land is currently used for the grazing of cows rather than arable use) with the land being Grade 2 agricultural land to solar power generation together with sheep grazing underneath and around the solar panels. Whilst the development would not have a permanent effect on the land, it would take the site out of arable use for the duration of the development.
- 10.51 In accordance with Government guidance in the NPPF and NPPG, the first consideration should be whether or not the use of agricultural land is necessary. This exercise should demonstrate that no suitable brownfield land or non-agricultural land is available within a reasonable search area.
- 10.52 There is no national or local guidance when defining a study area and each case should be considered on its own merits taking into account both planning and operational constraints.
- 10.53 The application is supported by a Site Selection Justification to justify the development of the solar farm on the site; it sets out how this requirement has been considered in selecting the Southern Array. The determining factor when assessing the potential suitability of a site for a solar farm development is whether there is sufficient grid capacity with an appropriate point of connection.
- 10.54 The site selection justification shows that land surrounding the site is comprised of Grade 1 and Grade 2 agricultural land, with the closest area of Grade 3 land being 1.3km to the east, more than twice the viable distance from the Technical Centre's substation (at this distance the development costs would be significantly higher than a project within the study area and undermine the business case for the proposal).
- 10.55 Land immediately to the west of the Technical Centre was discounted as the proposed solar array would be visible in views of Lathom House, and discussions with the landowner of the fields to the east confirmed that they were not available, these fields are also Grade 1 agricultural land. Several other sites were considered for further assessment as part of the site selection, but these were discounted for a variety of reasons including potential heritage impacts, potential visual impact, and land not being commercially available. I am satisfied that the information provided in respect of potential alternative sites is satisfactory and I accept the findings of the site selection justification and therefore the use of agricultural land is necessary in this particular instance taking into account the result of the site selection assessment and the viability of the development. Furthermore, the land has most recently been used for grazing of livestock and the array has been

designed to accommodate sheep grazing which would continue the agricultural function of the land.

- 10.56 The Site Selection justification demonstrates that deployment on agricultural land is necessary to provide a suitable level of electricity to the Technology Centre and that all agricultural land within the search area comprises equivalent or higher grade land.
- 10.57 Whilst the proposed life of the solar farm is 25-30 years and accepting that some restoration of land would be required, I consider that the land would not be irreversibly lost for agriculture. Furthermore, the proposal indicates that the land beneath and between the panels will be continued to be used for agricultural purposes through the grazing sheep. Although this might be seen as a minimum level of agricultural activity, it nevertheless constitutes an accepted farming practice that could be employed by the land owner at any time regardless of this proposal. I am aware that grazing sheep under solar panels is now common practice in the UK and studies have shown that sheep farming and solar panels can operate successfully together. Overall therefore, I am satisfied that the use of this land for solar energy along with the continued agricultural use by the grazing of sheep and biodiversity enhancement is acceptable and there will be no significant loss of higher grade agricultural land.

Highway safety

- 10.58 A Construction, Decommissioning and Traffic Management Plan has been submitted as part of the application, which shows that the development will have its greatest impact on the highway network during its construction period; once complete there would be minimal vehicle movements associated with the development. During construction there would be a combined total of 54 HGVs delivering equipment and infrastructure to both sites. The Highway Authority have advised that this level of vehicle movements throughout the construction period is at a level where there would be no highway capacity issues.
- 10.59 Access to the development would be via two existing access points off Hall Lane. The northern access is an existing hard paved access which serves the Pilkington Technology Centre and no alterations are needed. The southern access is an existing single track which serves Lords Cottage and the farmland beyond. The applicant has stated that the track is to be upgraded prior to construction. This can be secured via planning condition.
- 10.60 The proposed development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site and is considered acceptable in terms of highway safety.

Flood risk/drainage

- 10.61 The site lies wholly within Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted in support of the application in order to comply with Paragraphs 99-104 of the NPPF which require an FRA for proposals of 1 hectare or greater in Flood Zone 1. The FRA identifies that as the solar panels are raised above the existing ground rainfall falling onto the PV panels would runoff directly into the ground beneath the panels and infiltrate into the ground at the same time as it does in the site's existing greenfield state. Any proposed new access tracks will be permeable in nature.
- 10.62 The extent of impermeable cover as a result of the development amounts to 1.96% for the Northern Array, and 0.011% for the Southern Array. The subsequent effect on the Mean Annual Flood is minimal and equates to a 3.3% increase for the Northern Array and 0.36% for the Southern Array, compared with the greenfield runoff rate.

- 10.63 A sustainable drainage strategy, in the form of swales is proposed for managing the disposal of surface water runoff from the proposed development on the site. Swales are proposed at the low points of the application site to intercept extreme flows which may already run offsite.
- 10.64 The FRA identifies that the proposed development would have only a very limited extent of impermeable ground cover as the area beneath the panels would remain grassed. Rainwater falling onto the panels would drain freely onto the ground beneath and infiltrate into the ground at the same rate as it currently does. Existing drainage features would be retained and, although not necessary, a SUDS strategy in the form of swales to intercept extreme flows would be provided as a form of 'betterment'. The Lead Local Flood Authority have reviewed the proposals and confirmed that provided the development is carried out in accordance with the submitted Flood Risk Assessment they have no objection. This will be secured by planning condition.
- 10.65 I am satisfied that the development will not increase flood risk elsewhere and will reduce flood risk overall, in accordance with Policy GN3 of the Local Plan.

Residential amenity

- 10.66 The nearest residential dwelling to the Northern Array would be 'The Bungalow' which forms part of Lathom Park, which would be approximately 165m away from the array. The nearest residential dwellings to the Southern Array would be Stand Farm and Lord's Cottage, which would be approximately 205m and 198m away respectively. These distances combined with the presence of existing vegetation between the proposed solar arrays and the nearest dwellings means that it is considered that views of the development from these properties would be partial and to some extent screened. It is considered that the potential impact on these views would not be so great that they would significantly impact on living conditions of local residents. New hedgerows are proposed along the eastern and western boundaries of the Southern Array, and infill planting of gaps in the existing vegetation along the southern boundary. This boundary landscaping would be secured by planning condition.
- 10.67 In respect of noise, a Noise Assessment has been submitted with the application. The assessment is desk based and was conducted to identify Noise Sensitive Receptors (NSRs) where it is considered a potential exists for increased noise effects due to the proposed development. Residences closest to the proposed development were identified as the key NSRs for the purposes of the assessment and no baseline monitoring was conducted due to the relatively low levels of noise produced from the proposed development. However, the effects were compared against a background noise level of 30dB, which is typical of a low noise environment. As the proposed development is not yet constructed it was not possible as part of the assessment to measure the actual source noise levels on site. However, predicted impacts were calculated using source noise data from the manufacturer of the noise emitting equipment. The report concludes that there would be a low or negligible impact from the development on occupiers of nearby dwellings, therefore, no noise mitigation measures will be required. To provide an element of protection for local residents a condition will be placed on any approval granted to ensure that the rating level of noise emitted from the site during operation shall not exceed 30dB at any time.
- 10.68 CCTV security cameras would be installed on 2.5m high poles at the entrance to the Southern Array and around the cabinets in the Northern Array. The cameras would be fixed in position and face the solar arrays and as such the privacy of the surrounding residents would not be compromised by the proposed development.

- 10.69 Glint refers to reflection produced as a direct reflection of the sun off a surface. Glare refers to a continuous source of brightness, being the general reflection of a bright sky rather than a direct reflection of the sun. Solar panels are not reflective surfaces, they are coated to maximize daylight absorption, and thus minimize the potential for glare. Less than 9% of total incident visible light is reflected by PV panels, whereas normal glass reflects 17%. The potential for glint and glare from a solar farm is therefore much lower than that from other structures such as poly tunnels and glasshouses that are characteristics in the Borough's rural areas, as well as natural features such as water and snow.
- 10.70 In summer, once the sun reaches sufficient height in the south eastern sky, sunlight will fall directly on the panels and there may be a slight chance of glint occurring, however, the reflected beam would be directed back into the sky toward the south west. During winter, the location of the sun in the sky means that light would be reflected back into the sky toward the west-southeast. Because most of the reflections from the panels would be skyward, the arrays would not create a traffic hazard or nuisance to residential properties.
- 10.71 I am satisfied that in terms of impact on residential amenity the proposed development is acceptable in accordance with Policy GN3 of the Local Plan.

Ecology

- 10.72 Ecology Surveys have been submitted with the application. These surveys include a Desktop Study and an Extended Phase I Habitat Survey, and demonstrate that the value of the site for species which represent a qualifying feature for Martin Mere which is a Ramsar, Special Protection Area, and Site of Special Scientific Interest (SSSI) is considered to be negligible, and that the construction impacts on habitats and protected and notable species are anticipated to be low. The Council's ecology advisors (MEAS) have reviewed the reports and advised that they are satisfied with the research methods adopted and the conclusions reached. Following comments from local residents, further information was submitted by the applicant's ecology advisors, this further information has been scrutinised by MEAS and they have confirmed that subject to conditions, they are satisfied that the proposed development would not have an adverse impact on biodiversity of the site.
- 10.73 MEAS have reviewed the information submitted to inform a Habitats Regulations Assessment and advised that there is no pathway that could give rise to likely significant effects on European sites and it does not warrant a detailed Habitats Regulations Assessment report, as Appendix 4 of the Ecological Assessment Report can be adopted as the Habitats Regulations Assessment for the proposal.
- 10.74 Natural England have also scrutinised the Ecology Surveys, the comments submitted by local residents and the further information submitted by Avian Ecology, and have advised that they consider that development will not have a significant effect on Martin Mere Special Protection Area and that they have no objection to the proposed development.
- 10.75 I am satisfied that the proposed development accords with the requirements of Policy EN2 of the Local Plan.

Community Consultation

- 10.76 The UK Solar Strategy Roadmap states that support for solar PV should, inter alia, provide opportunities for local communities to influence decisions that affect them. The NPPG also says that in identifying a suitable area for renewable and low carbon energy by

local planning authorities, the views of the local communities likely to be affected should be listened to.

- 10.77 A Statement of Community Involvement has been submitted with the application. This statement advises that prior to submission of the application 720 information leaflets were mailed to addresses within a 2km radius of the site and a press release was also issued; both of these gave information about a community information event. The local MP, Councillors and the Parish Council were all advised of the application in advance of its formal submission.
- 10.78 Whilst there has been objection to the proposals, I am satisfied that the applicant has followed the recommended procedures for community engagement.

Conclusion

- 10.79 There are some aspects of the development that would constitute inappropriate development within the Green Belt and would impact on openness. Following assessment I consider that the very special circumstances outweigh this harm. There would be less than substantial harm to the setting of the Lathom Park Conservation Area which is outweighed by the public benefits that would come from the development. The siting of the solar arrays is considered acceptable and subject to planning conditions in respect of noise, archaeology, ecology and drainage I consider that the proposed development is acceptable and in accordance with relevant national and local planning policy. I therefore recommend that planning permission be granted subject to the following conditions and reasons:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The planning permission hereby granted is for the development to be retained for a period not more than 30 years from the date when electricity is first exported to the electricity grid (First Export Date). Written confirmation of the First Export Date shall be submitted in writing to the Local Planning Authority within one month of the First Export Date.
3. Not less than 12 months before the expiry of this permission, a timetable for decommissioning of the site shall be submitted to and agreed in writing with the Local Planning Authority. The site shall be decommissioned in accordance with the approved timetable and the Construction, Decommissioning and Traffic Management Plan which will form part of the application. For the avoidance of doubt the site shall be decommissioned within 6 months of the expiry of the 30 year period of planning permission.
4. If any of the solar panels hereby permitted ceases to export electricity to the grid for a continuous period of 6 months then a scheme showing their removal from the site and land restoration shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of restoration shall be fully implemented within 6 months of the date of its written approval by the Local Planning Authority.
5. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference:
LTHM_LOC_HL
LTH_SLP_01
LTH_01
LTH_CL_01
P17-2012_05 REV D
ACB_01
AUX_01
BTT_01

LS_PILK_CAB_0001

CCTV_01

DRF_01

GTD_01

MTH_01

PNL_SINV_2P

SGS_01

STG_01

SWS_01

TFM_02

TFM_01

received by the Local Planning Authority on 17.04.18.

6. The development shall be carried out in full accordance with the details provided within the submitted Traffic Management Plan.
7. Before the access to the Southern Array is used for vehicular purposes in connection with the development, that part of the access extending from the highway boundary for a minimum distance of 15m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.
8. No part of the development shall be commenced until all the highway works (temporary signing) have been provided in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
9. The approved landscaping scheme shall be completed not later than the first planting season following completion of the development. All trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
10. The development shall be carried out in accordance with the Flood Risk Assessment February 2018, received by the Local Planning Authority 17.04.18, and maintained as such thereafter.
11. The rating level of noise emitted from the site during operation shall not exceed 30dB(A)LAeq,15min at any time as measured or calculated at the closest building façade of any residential property on Hall Lane, Lathom and Spa Lane Lathom. All measurements and assessments shall be done in accordance with BS 4142:2014.
12. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with 'Land at and to the south of the NSG European Technical Centre, Lathom, West Lancashire Archaeological Written Scheme of investigation' (Orion Heritage, April 2018, reference PN1536).
13. The development shall be carried out in accordance with the reasonable avoidance measures detailed in Appendix 6: Ecological Assessment Report, Avian Ecology, 3rd April 2018.
14. Prior to construction a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall refer to the document 'Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers'. The approved lighting scheme shall be implemented in accordance with the approved details in a timetable to be agreed in writing with the LPA.
15. No works shall be carried out within a minimum of 5m of the top of the ditch in site, and details of methods of protection to this zone shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
16. No tree felling, scrub clearance, hedgerow removal, vegetation management, or building or demolition works to the roof and associated structures is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows are to be checked first by

an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required.

17. The development shall incorporate the mitigation and enhancement measures set out in Appendix 5 of the Ecological Assessment Report, Avian Ecology, 3rd April 2018.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The character and location of the property are such that the Local Planning Authority wishes to exercise maximum control over future development to protect the openness of the Green Belt in order to comply with the provisions of Policy GN1(b) in the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
3. The character and location of the property are such that the Local Planning Authority wishes to exercise maximum control over future development to protect the openness of the Green Belt in order to comply with the provisions of Policy GN1(b) in the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
4. The character and location of the property are such that the Local Planning Authority wishes to exercise maximum control over future development to protect the openness of the Green Belt in order to comply with the provisions of Policy GN1(b) in the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
5. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. In the interest of highway safety.
7. To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.
8. To enable all construction traffic to enter and leave the premises in a safe manner without causing hazard to other road users.
9. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.
13. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
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Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.