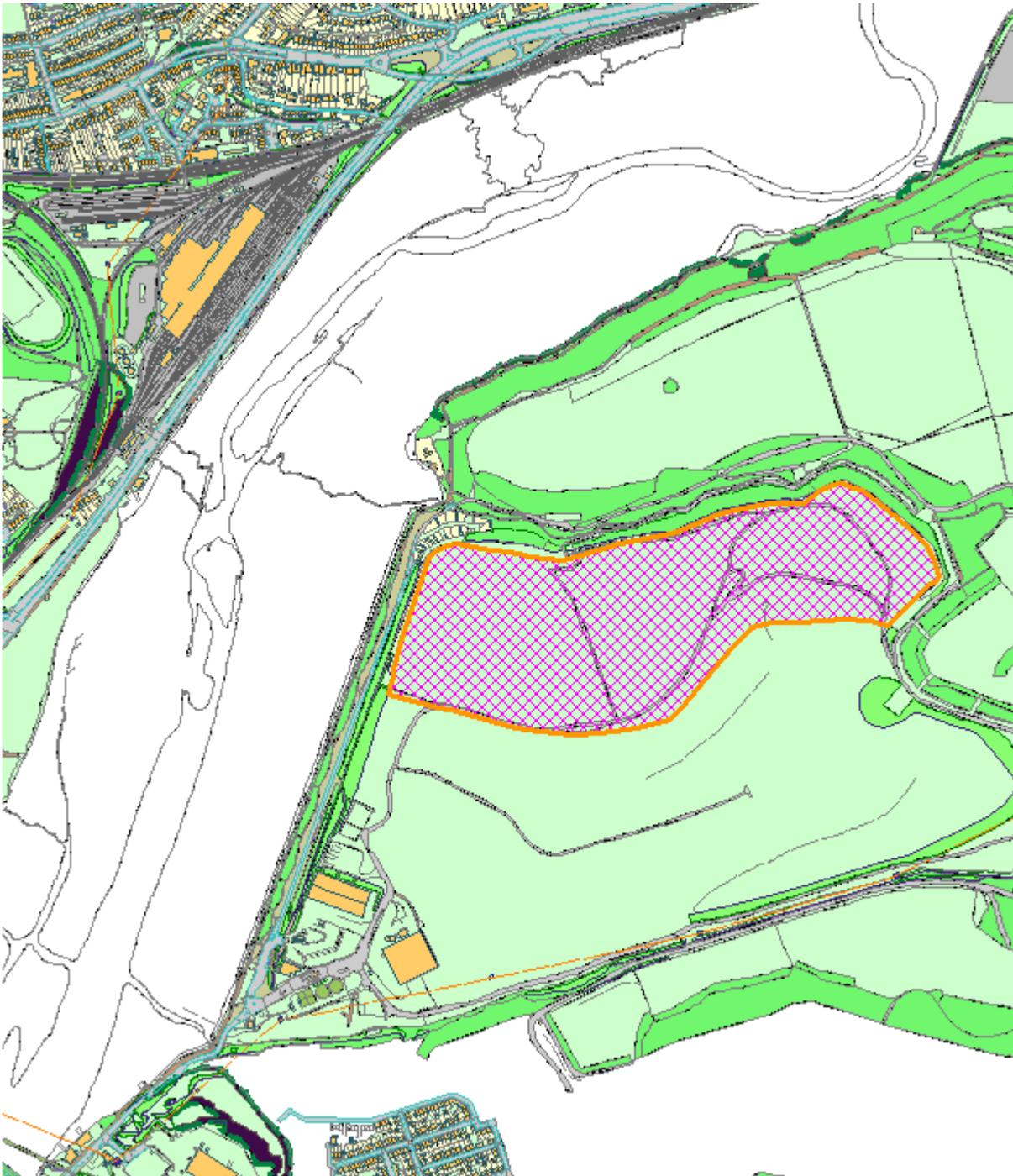


PLANNING APPLICATION OFFICERS REPORT



Application Number	22/00219/FUL	Item	04
Date Valid	18.02.2022	Ward	PLYMSTOCK RADFORD
Site Address	Chelson Meadow Plymouth PL9 7JS		
Proposal	Installation and operation of a Solar Farm (approx. 13 MW) together with all associated works, equipment and necessary infrastructure		
Applicant	PEC Renewables And Plymouth City Council		
Application Type	Full Application		
Target Date	20.05.2022	Committee Date	23.06.2022
Extended Target Date	N/A		
Decision Category	Departure from Local Plan		
Case Officer	Miss Amy Thompson		
Recommendation	Grant Conditionally		



This application is scheduled for determination by the Council's Planning Committee because the proposal has been advertised as a departure from the Development Plan.

I. Description of Site

The application site is a parcel of land in the northern part of Chelson Meadow. Chelson Meadow measures approximately 68ha in total, however the application site is located in the lower lying northern sector of the meadow, in an area measuring approximately 18ha.

The application site is located on the capped landfill, east of Plymouth city centre and north of Plymstock. Chelson Meadow was reclaimed from the Plym Estuary in the 19th century, after which it went through various stages of use associated with the adjacent Saltram Estate before it was converted to a landfill in the 1960s. The landfill closed in 2008 and was later capped. The area now consists of grassland and landfill gas extraction infrastructure with access tracks.

The site is accessed from the A379 at the eastern end of Laira Bridge. The River Plym runs adjacent to the land to the west, separated by the embankment, The Ride public right of way and cycle path. At the north-western corner of the site there is a permanent gypsy and traveller site at The Ride. The National Trust's Saltram Estate is located to north which includes the Grade I listed Saltram House and the House and Garden are registered as historic park and gardens (Grade II*). The former Plymstock Quarry is located to the south, which has been developed as Saltram Meadows, a mixed use development providing approximately 1,600 homes. Between the application site and Saltram Meadows is the Chelson Meadow recycling Centre.

The application site is owned by Plymouth City Council.

2. Proposal Description

Installation and operation of a Solar Farm (approx. 13 MW) together with all associated works, equipment and necessary infrastructure. The applicant is seeking a temporary consent of 30 years.

The proposed development seeks to install and operate a solar farm with a generating capacity estimated to be approximately 13MW from an area of approximately 18ha of solar panels. The proposal includes:

- solar photovoltaic panels mounted onto frames to form arrays;
- central inverter/transformer substations;
- switchgear building with control room and satellite mast;
- security fencing;
- access tracks;
- on site cabling
- battery containers
- storage container
- CCTV masts
- customer substation
- offsite cabling connecting the customer substation to the grid on the land immediately adjacent to the west of the site
- management of around 20ha of land outside of the solar farm, including grassland, scrub and woodland, to contribute to a 25% net biodiversity gain
- providing a north-south footpath link in the south-east corner of the site
- providing a future connection through Chelson Meadow

3. Pre-application Enquiry

21/01597/MJR - Pre-application for a solar farm (13.2 megawatt approx) – The officer concluded the pre-application report stating that the principle of the development could be supported subject to the proposal complying with policy, specifically PLY54. The officer advised that the proposal would need to demonstrate an overall positive gain for the strategic greenspace, address visual and landscape impacts and address any harm to the setting of the surrounding heritage assets. The officer also noted that the proposal would bring significant public benefits to the City by providing renewable energy, reducing carbon and help the Council achieve its pledge to make Plymouth carbon neutral by 2030 through investment in a large scale solar farm.

4. Relevant Planning History

22/00007/ERS103 - Request for EIA Screening Opinion for proposed Solar Farm - A screening opinion for this application issued on 26th January 2022 based on the submitted plans and documentation received on 22nd December 2021. The opinion took into account all material considerations that had arisen throughout the consideration period. This concluded that an Environmental Impact Assessment (EIA) was not required. In view of the characteristics, scale and

potential impacts of the development, whilst clearly Schedule 2 development it was considered that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location and that an EIA was not required. Overall, it was not considered that the development on its own or cumulatively would have significant effects upon the environment to warrant an EIA. It was considered that the development would not be of more than local importance and would not involve unusually complex and potentially hazardous environmental effects.

06/00811/FUL- Extend existing fenced compound and install an additional engine/generator set – Granted conditionally

03/00836/FUL- Construction of leachate cut-off wall and associated drainage – Granted conditionally

00/00264/FUL- Construction of wall below ground level to cut off leachate – Granted conditionally

94/01122/FUL- Use of landfill site and agricultural land as golf courses with erection of associated golf driving range, clubhouse, caretakers flat, car park and access roads – Granted conditionally.

5. Consultation Responses

Public Health- Did not wish to comment.

Local Highway Authority- No objection subject to recommended condition requiring a construction traffic management plan to be submitted prior to work commencing on site.

Economic Development- Very supportive of the proposal. That there is a need both for the City to continue to grow its renewable energy sector and for wider business users of electricity to be able to access 'green' energy.

Public Protection Service- Approval.

Natural England- No objection – subject to appropriate mitigation being secured.

Designing Out Crime Officer- Originally sought further details, which were provided by the applicant. The Designing Out Crime Officer confirmed that the security and crime prevention measures proposed for the site are considered acceptable.

Lead Local Flood Authority- No objection in principle subject to further technical details which are conditioned to be submitted prior to the commencement of works on site.

Natural Infrastructure Team- Originally sought further details, which were provided by the applicant. The Natural Infrastructure Team confirmed that the details were acceptable subject to their recommended conditions.

Devon Wildlife Trust- Object to the planning application as they consider that the proposal does not provide sufficient evidence to satisfy the requirements relating to biodiversity.

Environment Agency- Originally sought further information, which the applicant supplied. The Environment Agency reviewed the submitted details and advised that sufficient information has now been submitted for the proposed foundation designs for the solar panels.

Urban Design- Strongly supports the principle from an urban design perspective.

Given the site's location within the Saltram Countryside Park Strategic Greenspace (JLP Policy PLY54) it will be important that the design of all components (including the PV arrays, frames, fences, gates, service buildings and transformers etc.) helps to ensure they are as visually recessive as possible in the sensitive landscape context (the frames of the solar panels, for example, should be in a dark colour rather than a high contrast colour, such as silver or pure brilliant white). Living green walls and sedum roofs should be considered for the service buildings. Recommended a condition requiring details for all of the above. .

The provision of new public footpath links connecting the National Trust perimeter path to Wixenford Way south-east of Chelson Meadow are welcome, as is the provision of a new public viewpoint.

Historic England – No objection on heritage grounds.

Historic Environment Officer- No objection.

National Trust – No objection to the proposed development on heritage grounds. They have sought reassurances on the future use of the wider Chelson Meadow site. The applicant has responded to them on this direct.

The National Trust welcome further discussions with the developer regarding additional planting to further mitigate the limited visual impact from within the Grade II* Saltram Registered Park and Garden at Stag Drive.

With regards to Ecology, it is considered that further information/clarification, is required before the application can be progressed.

Low Carbon Team – Supports the proposal - The proposal would make a very significant contribution to reducing carbon emissions associated with electricity use, and therefore support the mitigation of climate change, in line with the JLP policy but also the Climate Emergency Declaration, which is a material consideration alongside the adopted planning policies. There are very few opportunities to install renewable energy at this scale within Plymouth.

6. Representations

283 public comments have been received, 123 objecting to the proposal and 160 supporting the proposal. The main concerns raised by objectors are as follows:

Ecology/ Biodiversity

- * The impact and importance of the site for deer is not properly addressed.
- * Deer should have free access to the wider site.
- * Bird records for Chelson Meadow were submitted by Friends of Saltram Meadows to the developer but not taken into account.
- * The submitted details under-values the importance of the wetland area for birds.
- * The SUDS provides a form of mitigation, but there is no mention of how this will be managed for birds.
- * Scrub planting on the edge of site will not replace isolated scrub in the centre of the site that is important for migrant birds.
- * RSPB is mentioned as good practice in submitted documents, however no mention in Outline Biodiversity Management Plan of involving RSPB expertise.
- * The area is used by many species of bird for nesting

- * Bird boxes will only help certain species of birds not all birds that are known to use the area
- * Submitted details omits significant records of birds that use the site and fails to highlight the majority of migratory and wintering birds that use the proposed area.
- * Surveys have identified significant numbers of birds using the site, including red listed and amber listed species.
- * There is an active badger sett close to the site, which is not considered.
- * Chelson Meadow attracts a wide diversity of butterflies but no detail on whether the proposed mitigation habitat will be provided and the expected gain.
- * Areas for reptiles/amphibians are not well thought out
- * The UK is in a midst of a 'biodiversity collapse' and the harm of this proposal outweighs the benefits
- * Most important parts of the site for biodiversity will be destroyed
- * Net gains of biodiversity are welcome, but focussed on the easy-win of improved grassland management rather than mitigation for the other harm.
- * Net gain details are vague and do not detail it on a species level
- * Questions whether biodiversity gain can be achieved.
- * Site is an extremely valuable wildlife habitat.
- * Submitted details states that wetter areas will be retained, however plans show the best areas will be covered in panels. The management plans states these areas 'will maintain openness', but panels there will confine the area and result in willow removal.
- * No compelling case on panels on wetland habitat whilst creating SUDS very close by.
- * Panels over the whole open mosaic area cannot be mitigated by grassland improvements.
- * Submitted details states that scrub should not cover more than 5% of areas but this is vague.
- * Submitted details did not include bird surveys from autumn migration period.
- * No mention of wildlife recording methods and whether infra-red was used.
- * Future monitoring of wildlife omits involving local volunteers and raises questions on the independence and breadth of the process.
- * Loss of wildflowers, loss of area full of flowers used by pollenating insects.
- * No mitigation for threat to Orchids currently growing in the open mosaic.
- * Loss of green field/ space, green space should be protected
- * Area only just been improved from being landfill
- * Proposal will not meet Policies PLY54 and DEV27 and will not have a positive effect on the natural environment.
- * Community Involvement Statement states 45% of respondents objected, all on wildlife grounds.
- * Developer has not taken on all comments from Community Consultation.
- * Lack of engagement with local interested parties over the wildlife impact.
- * Impact on ecology
- * Destroy habitats and impact/ harmful on wildlife, should conserve existing habitat
- * Damage to natural scrub and wetlands
- * Will damage wildlife corridors
- * Parts of the Ecological Appraisal do not seem relevant
- * Impact on the environment through production and disposal of solar panels
- * Proposed mitigation for impact is insufficient
- * Destroying habitat on Chelson Meadow will have knock-on effect elsewhere that is not dealt with properly.
- * Sheep grazing could be damaging
- * Site is not suitable and alternative sites should be considered
- * Close proximity to Plym Estuary, other nature reserves and Sites of Special Scientific Interest.

Landscape/ Visual Impact

- Blot on the landscape/ spoiled views
- Site is not discrete in location in comparison to other solar farms (e.g. Ernesettle) and will be highly visible.

- Visual impacts to visitors coming along Embankment Road, those visiting Saltram and residents opposite Chelson Meadow.
- Not in keeping with the neighbouring Saltram National Trust site.

Amenity/ Health and safety

- Concern over glare from panels towards homes
- Potential fire risk from the methane under the meadow and battery storage units
- Risk of toxic chemicals from the solar panels and cleaning materials contaminating the soil and leaching into the Plym Estuary via rainwater.
- Bird strikes have been known to produce huge blazes on solar farms that are difficult to extinguish and produce toxic clouds and fumes.
- Solar farms give off electromagnetic radiation, which may reduce life expectancy. Some people suffer from electromagnetic hypersensitivity which may lead to health problems.
- Noise pollution from the invertors
- Light pollution from security lights
- Reports from medical and firefighting professions that solar farms should not be situated close to residential areas due to potential health and safety risks.
- Impact on quality of life

Location

- Solar farms should only be considered on brownfield sites
- Solar panels should be on existing buildings
- No detail of why more suitable alternative sites were not considered
- Would be better to encourage solar panels on new-builds instead
- Doubts raised over why it can't be positioned on alternative sites.

Other

- Concerns over monitoring, future monitoring should be for 30 years with detail of what is out and results put in public domain.
- When landfill was closed and capped local plans were that it should be allowed to re-wild with the view to incorporate back into Saltram
- Right idea, but in the wrong location.
- Half of the site will be permanently in shadow.
- Public access should be considered alongside a nature reserve.
- Only easiest option has been considered for the siting through the flattest layout. Other options were dismissed on 'engineering grounds' with no surveys undertaken.
- Doubts raised over why panels could not be built on the 'cap' of the tip as no information on how deep the cap lies. Would be no danger to the cap if the panels were placed on spreader plates rather than piled footings.
- Solar panels do not generate electricity during darkness when there is a need
- Lack of 'extensive community consultation'. Letters should have been sent to residents and other parts of the city are not aware. Councillors should have knocked on doors to gauge opinion.
- Loss of house value
- Human rights issues in the mineral supply chain for solar panels
- Planners are determined to ruin the city
- Cost of building the farm it will take years for it to be financially viable.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 -

2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030. Additionally, the following planning documents are also material considerations in the determination of the application:

- Plymouth and South West Devon Supplementary Planning Document (2020)
- Plymouth City Council's Climate Emergency Action Plan 2022
- The Saltram Countryside Park Masterplan Report (May 2011)
- Plymouth and South West Devon Climate Emergency Planning Policy and Guidance (under consultation)
- Overarching National Policy Statement for Energy (EN-1): Published by the Department of Energy and Climate Change (2011)
- National Planning Practice Guidance – 'Planning Practice Guidance for Renewable and Low Carbon Energy' (2018)
- The Sixth Carbon Budget – The UK's path to Net Zero (2020)

8. Analysis

This application has been considered in the context of the development plan, the Framework and other material considerations as set out in Section 7.

In considering to grant planning permission which affects a listed building or its setting the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses in accordance with Section 66 (1) and Section 72 (1) of the Listed Building Act.

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area includes the Plymouth and South West Devon Joint Local Plan.

Material considerations do not displace the statutory duty of the Council to determine planning applications in accordance with the development plan.

Material considerations should be weighed in the planning balance to establish whether the decision should be made in accordance with the development plan, or whether there is good reason to grant planning permission for development that departs from the development plan.

The proposed development conflicts with policy PLY PLY54 - Saltram Countryside Park Strategic Greenspace of the Joint local Plan (JLP) which seeks to fully integrate the restored Chelson Meadow into the Countryside Park, it has therefore been advertised as a 'departure' from the Development Plan. The application must be considered against the Development Plan as a whole and the relevant material considerations as part of the planning balance.

The fundamental assessments to be made:

- Whether the proposed development conflicts with the policies outlined in the Development Plan;

- If a conflict is identified, whether the application can be considered to be in accordance with the Development Plan when taken as a whole;
- If the proposed development is not in accordance with the Development Plan, whether there are any material considerations, including emerging policies and the NPPF, which indicate that planning permission should be granted.

This application will be considered in the context of the Council's adopted planning policy in the form of the Plymouth and South West Devon Joint Local Plan (March 2019) policies are SO1 - Delivering the spatial strategy, SO5 - Delivering growth in Plymouth's Eastern Corridor Growth Area, SO11 - Delivering high quality development, SPT1 - Delivering sustainable development, SPT2 - Sustainable linked neighbourhoods and sustainable rural communities, SPT11 - Strategic approach to the historic environment, SPT12 - Strategic approach to the natural environment, PLY54 - Saltram Countryside Park Strategic Greenspace, DEV1 - Protecting health and amenity, DEV2 - Air, water, soil, noise and land, DEV20 - Place shaping and the quality of the built environment, DEV21 - Development affecting the historic environment, DEV23 - Landscape character, DEV26 - Protecting and enhancing biodiversity and geological conservation, DEV27 - Green and play spaces, DEV28 - Trees, woodlands and hedgerows, DEV29 - Specific provisions relating to transport, DEV30 - Meeting the community infrastructure needs of new homes, DEV31 - Waste management, DEV32 - Delivering low carbon development, DEV33 - Renewable and low carbon energy (including heat), DEV34 - Community Energy, DEV35 - Managing flood risk and water quality impacts and DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy, Plymouth and South West Devon Supplementary Planning Document (2020), Plymouth City Council's Climate Emergency Action Plan for a carbon neutral city by 2030, The Saltram Countryside Park Masterplan Report (May 2011) and the National Planning Policy Framework (NPPF).

This report assesses the following issues:

- Principle of the Development;
- Landscape Character and Visual Appearance;
- Impact on Heritage Assets;
- Biodiversity, Ecology and Trees;
- Access and Highway Safety;
- Flood Risk and Drainage;
- Residential Amenity;
- Site Security
- Contamination and Pollution
- Planning Balance and Conclusion

The key considerations in determining this application are whether the benefits of the scheme including the production of electricity from a renewable source, outweighs any harmful effects having regard to the principle of the development, impact on the landscape, visual impact, impact on designated green space, impact on heritage assets, impact on ecology and biodiversity, flood risk and highway safety.

Principle of the Development

1. Climate change is a critical issue facing the world at this current time and, a key factor in addressing the climate crisis is the reduction in fossil fuels. This is recognised both in National and Local policy.

2. The Climate Change Act of 2008 and subsequent amendment in June 2019 sets a legal requirement of the Secretary of State to reduce Greenhouse emissions by 2050. On 20 April 2021, the Government announced that it "will set the world's most ambitious climate change target" to reduce emissions by 78% by 2035 compared to 1990 levels as part of its sixth carbon budget. The

UK's carbon budgets place a restriction on the total amount of greenhouse gases the UK can emit over a five-year period.

3. The UK is currently in the third carbon budget period (2018 to 2022). The Climate Change Committee has said that the UK is currently on track to meet its target of a 37% reduction in emissions compared to 1990 by 2022, but it is not on track to meet its targets outlined by the fourth and fifth carbon budgets—a 51% reduction compared to 1990 levels by 2025 and a 57% reduction compared to 1990 levels by 2030. The committee said that the Government would have to “introduce more challenging measures” if the UK is to meet future carbon budgets and the net zero target for 2050. Renewable energy plays a key factor in supporting the demand and tackling the climate crisis.

4. There is support from the Government with regards to planning proposals for renewable energy and this is highlighted by the NPPF. At paragraph 152, the NPPF supports the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

5. Paragraph 156 of the NPPF states that Local Planning Authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.

6. Paragraph 158 of the NPPF states that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognises that even small-scale project provides a valuable contribution to cutting greenhouse emissions. If impacts are (or can be made) acceptable, permission should be granted.

7. Similarly, Policies DEV32 and DEV33 of the Joint Local Plan provide the Council's adopted planning policy in regards to renewable energy development and establish that applications will be supported where the development would have no unacceptable impact on the landscape, natural environment and heritage assets.

8. Plymouth City Council declared a Climate Emergency in March 2019 and pledged to make Plymouth carbon neutral by 2030. The Climate Emergency Action Plan (CEAP) lists all the actions that the Council are taking to reduce emissions across the city and to encourage others to do the same. The Climate Emergency Action Plan 2022 sets out an aim at point 3.69 to secure planning permission for a Community Solar Farm at Chelson Meadow in partnership with Plymouth Energy Community (PEC), with a view to deliver a 13.2MW array.

Weight of renewable energy provision

9. With regard to this application, the proposed solar farm would have the potential to generate approximately 13 MW peak of electricity. The proposed solar farm would produce around 14,000 MWh of renewable energy each year, equivalent to the energy required to power approximately 3,800 homes. Furthermore, this would have the potential to reduce carbon emissions by around 3,300 tonnes of CO₂ per year.

10. While applicants for energy development are not required to demonstrate the overall need for renewable energy, the energy created by the panels would contribute to the Government targets on renewable energy. This would assist in reducing carbon emissions, thereby contributing to improving air quality, addressing climate change, and delivering social and economic benefits. These factors must be given significant weight in the overall consideration of the application.

11. The NPPG guidance establishes that 'planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable'. The NPPG is also clear on the fact that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities.

12. In light of the above, it is necessary to balance these considerations with the need to provide renewable energy, while avoiding any unacceptable damage to the environment and its key assets. If, on the balance of considerations, any identified harm outweighs the benefits, having regard to all the material considerations, the development will not be acceptable. This balance of considerations is assessed below.

13. Therefore, subject to other relevant policies and considerations within the development plan, there is clear national and local policy support in principle for the proposal's contribution to cutting greenhouse gas emissions and producing renewable electricity. This should therefore be given significant weight in the determination of the application.

Strategic Green Space

14. The application site is within Chelson Meadow and is set within the Saltram Countryside Park. The Saltram Countryside Park covers over 600 hectares on the eastern edge of Plymouth, lying between the Plym Estuary and the urban areas of Plympton and Plymstock. The Saltram Countryside Park Masterplan Report (May 2011) sets out the long term vision for Chelson Meadow. The report states that "over the coming years it will be transformed into an attractive feature within the Countryside Park that reconnects to the designed landscape of Saltram House. The work will take place in stages, as the land becomes available for conservation management and public access".

15. The report sets out the long term vision for the site which includes a new area of Parkland to reconnect it with the wider park, a new network of footpaths that loop around the meadow and provide access across the site, new views will be established that had previously been lost, new planting to screen the waste site around Chelson Meadow until restoration of Chelson can be implemented.

16. The application site is designated as Strategic Green Space (SGS) within the Plymouth and South West Devon Joint Local Plan, which is the highest classification of protected greenspace in the city.

17. Policy DEV27 – Green and play spaces, states that development that would result in an unacceptable conflict with the functions or characteristic of Strategic Green Spaces will be resisted. In these areas development will normally only be permitted where it enhances the value of the green space. When assessing whether development delivers a value enhancement to the SGS, the LPAs will review the application against the specific SGS allocation within the JLP, in this case policy PLY54 sets out clear objectives for the green space.

18. The application site is designated under policy PLY54 Saltram Countryside Park Strategic Greenspace. The policy seeks to provide a regionally significant recreational resource on the eastern edge of Plymouth in a manner that is sensitive to, and enhances, the area's exceptional biodiversity, landscape, historic assets and productive farmland. The policy states that development will need to be sensitive to the unique historic value of the Saltram Estate, protecting this resource, conserve, and promote the wider setting.

19. Policy PLY54 will achieve its aims for the Countryside Park by:

1. Enhancing and protecting the historic character and national importance of Saltram House, Gardens and Parkland and other sensitive features within the Estate through the development of new infrastructure to manage increased visitor numbers. This will include:

- a. The creation of a second visitor entrance to the National Trust Saltram property within the South East area of the estate, near Stag Lodge.
- b. Addressing inadequate visitor car parking by developing a new, purpose-designed visitor car park and developing high quality sustainable transport links to the park.
- c. Providing new visitor arrival facilities and enhanced interpretation of the designed landscape to encourage exploration of the historic parkland and wider landscape.
2. Enhanced connectivity to and through the Countryside Park. This will be delivered through a series of sensitively designed footpaths, cycleways and bridleway routes and circuits throughout the Park area providing better connections to the existing and new communities. Improved access to the park through sustainable means will also be encouraged.
3. Significant enhancement to the wildlife value of the site and its key role as a green corridor linking with the network of greenspace that run through Plymouth and out into the wider countryside.
4. The safeguarding of land to meet the current and future burial needs of Plymouth. New burial, memorial and associated facilities will be designed to fit sensitively into the Countryside Park's landscape.
5. Fully integrating the restored Chelson Meadow into the Countryside Park, allowing landscape and biodiversity enhancements that will complement the park and the adjacent Registered Park and Garden, and in the longer term integrate public access routes.
6. Identifying opportunities to support the Countryside Park with complementary commercial recreation activities where appropriate to the character of the area, such as cycle hire, horse riding or similar facilities. These will provide both recreational and economic benefits, where the individual impact is compatible with the countryside park activities.

20. This proposal is considered to be a 'departure' from the Development Plan as the proposed development is contrary to provisions of point 5 of policy PLY54 that aims to fully integrate the restored Chelson Meadow into the Countryside Park. The proposal would result in this part of Chelson Meadow being fenced off for the provision of the solar farm.

21. While the proposal does not fully integrate this part of Chelson Meadow into the Countryside Park, which conflicts with point 5 of policy PLY54, the proposal seeks to comply with the other aims and aspirations of the policy by seeking to provide wildlife improvements resulting in a 25% biodiversity net gain that would uplift the wildlife value of the Strategic Green Space. The proposal is also seeking to provide additional access across parts of the Countryside Park in accordance with policy PLY54.

22. The officer is also aware that public access is currently restricted on Chelson Meadow due to public safety concerns associated with the ongoing gas extraction from the old landfill and will be for a number of years. The application seeks temporary consent for 30 years, after which the solar farm will be decommissioned. Once the site is declared safe for public access the site will be able to be fully integrated within the Countryside Park and provide public access routes in accordance with the aims of PLY54.

23. The officer considers that while the proposal conflicts with point 5 of policy PLY54, the proposal would not conflict with the overall long term aims and objectives of the policy, which will be able to be delivered once this ex-landfill site is considered safe to do so. The application site is a small section of this large Countryside Park and the proposed solar farm is seeking to provide significant benefits to biodiversity gain, to cutting greenhouse gas emissions and producing renewable electricity. While the proposal will not comply fully with the Development Plan, it is considered that the proposal complies and supports other material considerations such as Plymouth City Council's Declaration on Climate Emergency (March 2019) and Plymouth City Council's Climate Emergency Action Plan 2022 and these factors must be given significant weight in favour of granting planning permission for this proposed development.

24. In accordance with Policy DEV27.2 the applicant has submitted an Open Space Assessment that seeks to demonstrate that one of the following tests is satisfied:

Test one - the open space is surplus to requirements;

Test two - the loss will be replaced by equivalent or better provision in a suitable location; or,

Test three - the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

25. The Natural Infrastructure Team have considered the submitted Open Space Assessment. While they did not agree that the assessment demonstrated and passed test one that the site was surplus to requirements, they did agree that the assessment had demonstrated and passed test 2 of policy DEV27, by uplifting the value of the green space to meet its value threshold for its size and typology.

26. The proposal would not result in an unacceptable conflict with the functions or characteristic of SGS and will provide benefits to the SGS through the additional access and wildlife improvements resulting in a 25% biodiversity net gain which would uplift the wildlife value of the SGS. While the proposal would not deliver fully integrating Chelson Meadow within the Countryside Park it would not restrict it from being delivered in the future. Due to the landfill nature of the site, this prevents delivery of the Saltram Countryside Park Masterplan and Parkland restoration ambitions for this area of the Countryside Park within the near future, the 30 year consent allows this ex-landfill site to be used as a renewable energy source meeting climate emergency aspirations. The long-term aspiration remains to fully integrate this site in to the wider Saltram Park.

27. When considering the aims of PLY54 the DEV27 the proposed development proposes to enhance the biodiversity of the site to provide a 25% net gain in biodiversity, provide north-south access at the south-eastern edge of Chelson Meadow to improve connectivity around the National Trust's perimeter path, Provide a future connection through Chelson Meadow from the Saltram Estate to the Wixenford Way to provide better access into the Saltram estate from the growing communities to the south of Saltram and provide interpretation boards detailing the value and function of the solar farm.

28. The Natural Infrastructure Team have raised no objections to the proposed development subject to conditions. Having regard to the above, it is considered that the proposal would not conflict with the long term aims of Policy PLY54 for the Saltram Countryside Park Strategic Greenspace and would not result in an unacceptable conflict with the functions or characteristic of SGS in accordance with DEV27.

Landscape Character and Visual Appearance

29. Paragraph 174 of the NPPF states that development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on and providing net gains for biodiversity.

30. JLP Policy DEV23 (Landscape character) is a policy to ensure new development conserves and enhances landscape, townscape and seascape character and avoids adverse landscape or visual impacts. This will be achieved by considering the character and distinctiveness of the area and how the siting and design of the proposed development responds to the landscape and townscape character. For instance through the conservation and enhancement of distinctive landscape features, the use of local design characteristics, materials and development patterns etc.

31. JLP Policy DEV33 (Renewable and low carbon energy (including heat)) seeks to increase the use and production of renewable and low carbon energy to contribute to national targets. It states that renewable energy development will be supported where the proposal has been robustly assessed and shown to be acceptable, both individually and cumulatively, in terms of its likely impact on

landscape sensitivity and capacity, and on the natural environment and heritage assets. It should also be demonstrated that the proposal does not compromise the purposes of nationally designated landscapes.

32. As mentioned, the proposed development site is part of a wider Strategic Greenspace, recognised as a regionally significant recreational resource on the eastern edge of Plymouth and is the highest classification of protected greenspace in the city. The Saltram House Registered Park and Garden is also situated immediately to the north and east and further afield to the south which includes a number of listed structures.

33. The site itself is located within the South Plympton Farmed Fringes Character Area, which identifies the following site applicable key characteristics for the area:

- function of the landscape as a rural separation between Plympton and Plymstock, comprising an extension of South Hams countryside into the fringes of the city.
- Valued semi-natural habitats
- The wider setting the landscape provides to the Grade II* Registered Park and Garden of Saltram (CA 14), immediately adjacent to the north-west.

34. And sets out the following site applicable guidance for managing change:

- Support the Vision and Aims of the Saltram Countryside Park Masterplan (2011).
- Protect the wider setting of the historic Saltram Estate in CA 14
- Conserve and enhance valued semi-natural grassland, protecting their integrity
- Pursue opportunities to extend and link habitats, including as part of a Green Infrastructure network, utilising native, climate-resilient species wherever possible.
- Utilise dips in the land and existing tree cover to effectively screen new development.
- Create further opportunities, including through new development, for access and enjoyment of the landscape including creating new links to the South West Coast Path and National Cycle Route 27.

35. The application site is located on the northern edge of Chelson Meadow and is a relatively flat and low lying section of land. The land that forms the southern section of Chelson Meadow rises above the application site to form a large mound. The recycling centre and waste facility is located in the south-west corner of Chelson Meadow, but the remainder has been largely grassed.

36. Chelson Meadow is bounded to the west with trees and shrubs along the fence line, beyond which the land falls to The Ride public right of way and a largely tree lined river bank to the River Plym. To the south-west, it is bounded by modern development along Billacombe Road, but elsewhere to the south and east, it is bordered by a mixture of plantation and enclosed fields. Saltram Registered Park and Garden is located directly to the north of the Site, where the boundary is formed by a thick linear band of trees and undergrowth.

37. To the west of the application site and across the River Plym are residential areas including Mount Gould, Laira and Efford, which can look out towards the application site. To the east there is open ground comprising of pasture, hedges and copses.

38. The landscape around the proposed development is diverse and consists of varied urban areas, sloping well-vegetated farmland, including the adjacent Saltram Estate and an industrial landscape associated with the adjacent waste facility. Visual receptors consist of the adjacent varied landscape of the city, connected by a network of transport corridors including roads, railways and public rights of way.

39. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which assesses the landscape impacts and visual impacts of the proposed development. It includes photomontages showing the development from various viewpoints in the surrounding area.

40. There are no national or regional landscape designations covering the site itself, however, the South Devon Area of Outstanding Natural Beauty (AONB) is located 3 km to the south-west. Given this separation distance the application would not impact on the setting of the AONB

41. Saltram House Registered Park and Garden (RPG), to the north of the site, is largely screened from the proposed solar farm by variations in landform and by vegetation. Glimpsed views may be possible in winter and there will be some views into the site, however these views are in the context of the City beyond. At worst, the LVIA states that there would be a low impact leading to a minor adverse effect on the Saltram House RPG and its associated Landscape Character Area and Public Rights of Way.

42. From residential areas in Laira and Efford, there will be expansive views across the estuary that would include views of the solar farm. The LVIA states that this would appear as an additional built element in a diverse landscape, as opposed to a unique element in an otherwise uniform landscape. The LVIA states that the impact would be medium-low, leading to a minor adverse effect.

43. The LVIA states that the proposed development will be viewed as a contained built element, set within a well-vegetated landscape and will easily become 'lost' within the wider landscape. The majority of effects on landscape character, landscape relevant designations and visual amenity receptors and their views will therefore be neutral, largely because of the enclosure provided by the surrounding dense trees, copses and woodlands, subtle variations in the surrounding landform (including the adjacent mound to the south) and the screening by development and vegetation focussed within the settlement and along transport corridors in the immediate and wider landscape.

44. The proposed development will directly impact the Saltram Countryside Park Strategic Greenspace (SGS). The LVA however, highlights that the proposal includes the provision of new access links and will secure the management of the development site and additional land around it for the 30-year lifetime of the project, ensuring that the site is maintained in a way that will provide a net gain in biodiversity and facilitate its long-term integration into the SGS. The LVIA therefore states that the project will have a minor positive effect on the SGS.

45. The LVIA concludes that the construction and operation of the solar farm will have limited impacts on landscape relevant designations, landscape character and visual amenity receptors and their views, and includes the addition of positive landscape elements whilst also delivering renewable energy and improved access links for the benefit of the local community.

46. The Natural Infrastructure Team has considered the LVIA, agree with its findings, and consider the scheme to be compliant with policy DEV23. The Natural Infrastructure Team have recommended a condition for final site layout and detailed landscaping to be submitted and agreed by the Local Planning Authority prior to work commencing on site. These details should include the following:

- Succession planting within the woodland belt along the north to ensure this belt is retained in the face of ash-dieback
- Tree planting to be included in the new shrub belt along the western boundary this will soften views of the development from Laira and Efford.
- The new public access track
- DNO substation satellite mast to be no higher than 4.5m
- Fencing to be no higher than 2m

- CCTV masts no higher than 3m
- Cabling positioning to not adversely affect the final landscaping
- Final design and location of the proposed buildings and associated infrastructure making sure they integrate well into the wider landscape (e.g. no white buildings, use of green roofs and walls, etc)
- Coordination with the final drainage strategy making use of SuDS features to deal with site run-off.
- The final site layout and detailed landscaping should not extend photo-voltaics beyond their current indicated extent or their current indicated max height of 2.4m.

47. The overall impact of the proposed solar farm on the landscape character area and on the character of the site is considered to be minor adverse. The impact of the development would also be ultimately reversible due to the temporary consent of the solar farm at 30 years and thus any impact would not be permanent.

48. Overall, the submitted LVIA has identified no significant effects on the landscape and visual receptors within the site and surrounding area. The development would sit within a relatively flat and low lying section of land, largely contained by surrounding landform, as well as its enclosure by existing mature vegetation will restrict its visual profile in the immediate and wider landscape. Mitigation measures have also been proposed such as additional planting on the western boundary to help with screening and wide grassland buffer zones at boundaries to protect and retain the immediate screening that will reduce the visual impact or enhancing local landscape characteristics. In the long term, the solar farm can be completely removed and any non-significant effects would no longer exist.

49. Overall, whilst there would be a minor adverse impact on the landscape arising from the proposal, the impact would not be significant and would not outweigh the significant benefits associated with the generation of renewable energy. The proposal is considered to therefore accord with Policy DEV23 of the JLP.

Impact on Heritage Assets

50. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Council to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess.

51. Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

52. Paragraph 200 of the NPPF is clear that any harm or loss to the heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

53. Paragraph 201 of the NPPF is clear that where developments will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal.

54. The significance of large scale solar development on heritage assets is derived from both its physical presence and physical impact on any fabric of a heritage asset, and also from its setting. Due to the scale of the development there is potential for large scale solar PV to harm the setting of heritage assets. The Decision Maker must pay particular note to the effect of the scale, design, prominence and proximity of the solar farm on heritage assets and their settings, and the intervisibility between the heritage asset and the solar development. Where the effect on the setting of the listed building will be less than substantial, the Decision Maker must balance the significance of harm of the development against any positive public benefits to be derived from the scheme.

55. A Heritage Settings Assessment was submitted that provided an assessment of the impact of the solar development on heritage assets, taking account of the significance of heritage assets identified (within 1 km) and the magnitude of effect in terms of whether there will be substantial harm, less than substantial harm and no harm in accordance with Paragraphs 200-202 of the NPPF.

56. The site does not contain any Heritage Assets in terms of listed buildings or other heritage assets. Therefore, the proposal is considered in terms of the impact of the development on the setting of heritage assets within the immediate and wider landscape.

57. The Heritage Setting Assessment states that while there are no designated heritage assets located within the site, within the surrounding landscape there are a large number of statutorily protected designated assets. Most notably the Grade II* Registered Park and Garden (RPG) surrounding Saltram House that sits adjacent to the north of the site with a small outlying area of plantation and parkland located south of the site. The RPG forms the setting to the Grade I listed Saltram House, and in turn, Chelson Meadow contributes to the setting of the RPG. There are 15 Listed Buildings of Grades, I, II* and II within Saltram House RPG, including the Grade I Listed Saltram House. There are additional Grade II and II* Listed Buildings located within the wider Saltram Estate. Beyond the park boundary are the 19th century Victorian defensive works of Efford Fort, Efford Emplacement and Laira Battery, all located on the west bank of the River Plym, approximately 900m north of the Site, designated as Scheduled Monuments and included on the Heritage at Risk Register.

58. The RPG is separated into two pieces. The principal, larger, section surrounds the house, while a smaller separate section has been designated to the south and is referred to as the Pomphlett Plantation. The plantation forms a key visual boundary, which is designed to give the impression that the park extends into the wider topography in views from, in and around the house.

59. The assessment states that the proposed development would not impact upon the setting of the majority of assets surrounding the site, including the Scheduled 19th century military fort, batteries and emplacements at Efford and Laira to the north of the Site. The Site is not located within an area of their setting which would contribute to the significance of these designated assets. Consequently, the assessment considers the proposal would offer no harm to their significance in any way.

60. The assessment acknowledges that Chelson Meadow forms an 'essential' part of the historic setting of Saltram RPG. However, the assessment concludes that the proposed development would introduce changes to significant outward looking views from within and around the House and gardens, and from some areas of high ground within the park. However, given the scale and nature of these changes, with solar panels distantly visible through trees and just above the tree line due to their southern extent, these impacts were assessed to be limited. Moreover, the infilled grass mound which dominates the mid-ground in these views would remain unchanged. Therefore, on balance, it was considered that the proposed development would offer 'less than substantial harm (lower end)' to the heritage significance of Saltram Park RPG, and those relevant designated heritage assets contained within, through changes to the experience of them within their setting.

61. Historic England were consulted on the application and have stated that they are content that views of the proposed solar farm from the Registered Park will be very limited. They have considered the submitted details including the LVIA and highlight one point where the solar farm is likely to be conspicuous in views from Stag Drive. From this point, Chelson Meadow reads as green open space - or "borrowed landscape" - and makes a modest contribution to the setting of the Registered Park. However, the meadow is also viewed from this point with the cityscape of Plymouth as a backdrop. The addition of a solar farm to the view would have a minor adverse impact on the setting of the Registered Park, through a change to the present green and open character of the meadow.

62. Historic England are content that the proposed solar farm will not be visible from the Grade I listed Saltram House, and will consequently have no adverse impact on the property's setting and thus significance. The proposed solar farm would not be visible in any key views from the Pomphlett Plantation, the Southern part of the Registered landscape. Neither would it interject in any key views between the two separate parts of the registered landscape.

63. Historic England state that the proposals would have a minor adverse impact on the setting of the Saltram Estate, in the context of the particular view identified above from Stag Lodge drive. However, the level of harm is towards the lowest end of "less than substantial" and has been minimised as far as is possible, through sensitive landscape design. Historic England are therefore content the Local Planning Authority could balance the minor harm to the setting of the Grade II* Registered Park against any wider public benefits offered by the proposals, in accordance with NPPF paragraph 202.

64. The Historic Environment Officer considered the submitted details as well as the comments from Historic England and agreed that the proposal produces less than substantial harm to the setting of the Grade II* Saltram RPG. The Historic Environment Officer also stated that there are no setting issues in relation to the Grade I Saltram House or other Heritage Assets in the vicinity.

65. Both the Historic Environment Officer and Historic England consider the effect of the scheme on the setting of heritage assets to be 'less than substantial', and that the scheme should therefore be assessed under the terms of paragraph 202 of the framework whereby, the public benefits to be derived from the scheme must be assessed against the impact on the setting of the heritage assets. In this case, there are no direct effects on the fabric of heritage assets, and the impact on the setting is not considered to be so severe as to comprise significant detriment to the setting of the identified heritage assets. This scheme will be visible in the landscape, but retains its existing treed lined boundaries and patterns within the landscape. The degree of physical change is affected by the panels themselves, but this is temporary development, and following the decommissioning phase, will revert back to its original form. On balance the scheme results in moderate to small alterations to the setting of heritage assets and does not adversely affect the desirability of the framework and the local plan to preserve the historic environment. The public benefits in terms of production of renewable energy and social and economic gains are not outweighed by the less than significant impacts on the setting of the identified heritage assets, accordant with policy DEV2I and the terms of paragraph 202 of the framework.

Biodiversity, Ecology and Trees

66. Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

67. Government Circular 'Biodiversity and Geological Conservation' 06/05 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the

proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

68. When determining planning applications, paragraph 180 of the NPPF states if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Paragraph 180 also states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

69. JLP policy DEV26 (Protecting and enhancing biodiversity and geological conservation) states that development should support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area. The policy states that

Specific provisions are identified below:

1. The highest level of protection will be given to European Sites. Development will not be permitted unless it will not adversely affect the integrity of a European site, either alone or in combination with other development. Proposals having a harmful impact on the integrity of European Sites that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances. These circumstances will only apply where:
 - a. There are no suitable alternatives.
 - b. There are Imperative Reasons of Overriding Public Interest.
 - c. Necessary compensatory provision can be secured to ensure that the overall coherence of the Natura 2000 network of European Sites is protected.
2. A high level of protection will be given to sites of national significance for nature conservation. Development proposed on land within or outside such a site which would be likely to have a harmful impact on the site (either individually or in combination with other developments) will not be permitted unless the benefits of the development, at the site, clearly outweigh both the impacts on the notified special interest features of the site and any broader impacts on the national network of sites of national significance for nature conservation.
3. Development likely to have a harmful impact on locally designated sites, their features or their function as part of the ecological network, will only be permitted where the need and benefits of the development clearly outweigh the loss and where the coherence of the local ecological network is maintained.
4. Harmful impacts on European and UK protected species and Biodiversity Action Plan habitats and species must be avoided wherever possible, subject to the legal tests afforded to them where applicable, and unless the need for, or benefits of the development clearly outweigh the loss.
5. Net gains in biodiversity will be sought from all major development proposals through the promotion, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations. Delivery of net gains in biodiversity should be designed to support the delivery of the identified biodiversity network that crosses the Plan Area and links the city of Plymouth to the countryside and coast, as well as the network within the city itself. The level of biodiversity net gain required will be proportionate to the type, scale and impact of development. Enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.
6. Development will provide for the long term management of biodiversity features retained and enhanced within the site or for those features created off site to compensate for development impacts

70. The site forms part of an area designated as JLP Future Core Biodiversity Network Site, which was designated for its wildflower meadow habitat and the species it supports. Council records show various bat species are present in the area and the site itself holds records for invertebrate species,

including protected species. The SAC is approximately 2.8km away from the site, the site is however approximately 60m away from the Plym Estuary which is directly linked to the SAC and is designated a County Wildlife Site. The Site adjoins Saltram Estate County Wildlife Site and is approximately on 68m away from Saltram Wood Ancient Woodland.

71. The application is supported by an Ecological Impact Assessment (EclA), Biodiversity Net Gain (BNG) Defra Metric Assessment, Construction Environmental Management Plan (CEMP), Outline Biodiversity Management Plan, shadow Habitats Regulations Assessment and indicative Master Plan.

72. The submitted EclA demonstrates that Chelson Meadow is home to an interesting mix of grassland and mosaic habitats that support a wide range of species including slow-worms, bats, notable bird species and invertebrates. The areas designation as a strategic green space in the Local Plan recognises Chelson Meadow's key ecological functions as a local Biodiversity Network Site, designated because of its role in buffering the neighbouring County Wildlife Site of Saltram House and Gardens, and as a wildlife corridor.

73. The submitted details state that the habitats and associated biodiversity on the northern sector of Chelson Meadow exist by virtue of the way in which the landfill has been capped and managed, and in part because public access and the associated disturbance that comes with this has been restricted.

74. The submitted EclA identifies three Important Ecological Features (IEF); the habitats on site, which are included in Chelson Meadow Biodiversity Network Site; foraging and commuting bats; and breeding and wintering birds. In the absence of avoidance or mitigation measures, the proposed solar farm could have locally significant impacts upon these IEFs through temporary disturbance, habitat loss and long-term habitat degradation.

75. To avoid and mitigate for these potential impacts, the proposed project design includes measures targeted specifically at maintaining, creating and enhancing habitat for the Biodiversity Network Site, for birds and bats within and adjacent to the site. These will be delivered and monitored through a detailed Biodiversity Management Plan, an outline of which is submitted with the planning application.

76. The EclA details the built in design features of the project that would avoid or mitigate impacts on wildlife, which include:

- The design of the solar farm will retain over 90% of the grassland and open mosaic habitats;
- The solar panels and infrastructure have been designed so as not to alter runoff rates, which has the benefit that existing seasonally wet areas, that are beneficial for wildlife, can be retained;
- Measures to avoid impacts on wildlife during construction are designed into the Construction Environmental Management Plan (CEMP).

77. The submitted CEMP includes measures that will avoid and minimise dust, noise and vibration as well as the potential for fuel and chemical spills. The CEMP also includes measures that would avoid impacts on wildlife such as:

- Work compounds and access tracks will use existing infrastructure wherever possible and will be located away from areas of high ecological value;
- Site fencing will be used to prevent access to areas outside working areas, particularly in areas adjacent to features of ecological value;
- Briefings and instruction would be given to contractors regarding the biodiversity issues associated with the site;
- Any excavations that present a danger to animals will be provided with a means of escape such as ramps or graded ends when the Site is closed (e.g. overnight) to prevent entrapment of animals; and

- Pollution prevention guidelines provided by the Environment Agency would be followed to prevent pollution of water courses by silt or chemicals.

78. The EclA states that the project includes the delivery of habitat enhancement and management for biodiversity across the solar farm and an additional 20ha of land adjacent to the solar farm. The delivery of this management is set out in the submitted Outline Biodiversity Management Plan and includes:

- Enhanced management of the retained grassland and open mosaic habitats within the proposed solar farm to improve their ecological condition
- Enhanced management of an additional 18ha of grassland to the south of the solar farm, to improve its ecological condition
- Management to provide dynamic edge habitats around the boundaries of the solar farm, to increase habitat diversity
- Planting of new native shrubs to create species-rich scrub on land adjacent to the solar farm
- Management of SUDS features to secure benefits for biodiversity
- Provision of bird nesting boxes and bat roosting features on land to the north of the solar farm, in woodland that will be managed for biodiversity benefits
- Provision of seven new hibernacula (piles of logs, brash and soils) for reptiles and amphibians
- Provision of at least two new bee hives.

79. Concerns have been raised within the public comments, Devon Wildlife Trust (DWT) and the National Trust about adequacy of the assessments and surveys.

80. The DWT object to the scheme stating that the proposal does not demonstrate good siting or design and does not provide sufficient evidence to satisfy the requirements relating to biodiversity in the National Planning Policy Framework or the requirements of the Government Circular 06/05 Biodiversity and Geological Conservation. The DWT raise the following concerns:

- The Open Mosaic Habitat located on the eastern extent of the site should be classed as a Priority Habitat. Full assessment of the impact of the proposals on Priority Habitat is therefore required.
- The report does not adequately assess the impact of the proposals on protected habitats or species, stating that the loss of habitat is limited to consideration of direct habitat loss as a result of the construction footprint of the development and has not considered the impacts of shading and disrupted rainfall pattern on floral diversity.
- The winter bird survey is inadequate given the sites proximity to sites designated for wintering bird interest (Plym Estuary County Wildlife Site and the Tamar Estuaries Complex Special Protection Area). A Bird survey that considers the autumn migration period has not been undertaken.
- The research that has been referenced suggests that the installation of solar panels does not have an adverse impact on the number of skylark using a site. However, the DWT consider it to be unclear whether the research cited was conducted on sites with similar high densities of skylark or whether the densities of solar panels considered by each study are similar to that of the proposed development.
- The reports do not expand upon how important plant species will be protected during development or how their range will be expanded following completion of the works.
- The report does not include survey information on the location, number and diversity of orchid species present, along with appropriate mitigation and compensation required to protect these plants.
- No survey or assessment has been undertaken that identifies any species or assemblages of invertebrates and inform impact assessment
- Fencing being installed around the whole site rather than separated into several smaller areas that have separate fences, leaving unfenced corridors across the site to allow movement of wildlife. Fencing should have a gap under boundary fences so they do not act as barriers to small animals.

- Retention of the old creek-side tree-line and the new estuary edge tree-line as they likely hold populations of species that may not survive elsewhere on site.

81. The public comments have mentioned similar concerns as raised by the DWT with the addition of:

- The omission of a number species within the submitted details;
- Concerns that the wetter areas are not retained and have been under-valued;
- Insufficient information and evidence on wildlife wetland habitat and how SUDS will be managed for relevant birds;
- The Outline Biodiversity Management Plan omits any mention of involving local volunteers;
- Concerned about location of new planting/ habitat and impact on migrant birds;
- The proposed biodiversity net gains do not compensate for the loss of habitat.

82. The National Trust have stated that they consider that the ecological surveys and assessments are inadequate. Most significantly, the submitted information has not recognised that the open mosaic habitat located to the north-east of Chelson Meadows is priority habitat; has not considered migratory birds sufficiently, and there is a lack of invertebrate surveys. They state that they have considered the comments received by the public and the DWT and agree with the concerns that have been raised.

83. The applicant has considered the concerns that have been raised and has provided a response back which include the following points:

84. The applicant agrees that the habitats in the eastern part of the site qualify as a habitat of principal importance and was considered as priority habitat in the assessments. The value of the open mosaic habitat on previously developed land is considered within the EclA and the Biodiversity Net Gain assessment.

85. Careful consideration of the impacts of the presence of solar panels on the flora was undertaken in the course of preparing the ecological impact assessment. Using available literature on the botanical diversity of solar farms it was concluded that whilst the project may result in changes to the sward, it would be possible to maintain a structurally and botanically diverse habitat. Whilst the precise botanical character of the habitats may change, the ability to manage the site with conservation in mind, to adapt that management over time as required, and to introduce a greater diversity in management treatments to create variation was considered to be a positive result by the applicant.

86. The applicant also highlighted that the existing grassland at Chelson Meadow is not a traditionally managed meadow that has evolved over generations, hence it is not the intention to preserve its exact make up forever. The grassland was created when the landfill was capped and thus it is appropriate to consider adjusting its structure and composition as long as the result is a net gain for biodiversity.

87. The bird surveys were completed in accordance with the methods published by the RSPB and other relevant literature and was agreed with the local planning authority at pre-application stages. The three winter survey visits are supplemented by additional data collected since 2010 and presented in Appendix 4 of the EclA. The timings of the survey visits were timed to coincide with the tides so that potential bird roosting activity would be picked up. The survey data, supplementary data and the assessments of the site's suitability for various bird species together provided a robust basis for assessing the project's potential impacts on breeding birds, passage migrants and wintering birds. The applicant has stated that while the installation of solar panels will alter the ecology of the site, it will not make it unsuitable for birds, and the proposed long-term management of the site aims to ensure that management is beneficial for the widest possible assemblage of birds (as research has

shown that solar farms can be used by a large number and variety of species). This management will be supported by long-term monitoring so that adjustments to the management can be made as needed.

88. The applicant has stated that the bird survey approach is compliant with the guidance and the survey data is adequate to assess the likely impacts of the proposal. The potential for any impact on protected sites and species is set out in detail in the Shadow HRA. The applicant has also advised that the potential for impact on the Tamar Estuaries Special Protection Area has been considered in the shadow HRA submitted as part of the application and Natural England have not objected to the proposal or raised a concern regarding bird survey effort in relation to the Tamar Estuaries Special Protection Area.

89. The applicant states that the best available evidence was used to estimate the impacts of the proposals on skylarks and other nesting birds. The mitigation hierarchy has been robustly applied to avoid effects where possible, to mitigate them where this is not possible, and to compensate for any residual effects. The applicant states that the installation of the solar panels will alter the ecology of the site but the impact on breeding birds is not considered to be significant when considering the measures to avoid, mitigate and compensate the potential impacts.

90. In relation to plant species, the applicant highlights that because Devon Notable species were recorded from several areas of the site, the Construction Environmental Management Plan sets out detailed measures for the protection of the existing vegetation during construction. This includes measures limiting habitat loss (such as the re-use of existing access tracks) and measures to re-instate temporarily disturbed areas that will protect the existing turf and the seedbank in the soil. The proposed management of the site seeks to improve the condition of retained grassland by reducing the dominance of coarse grasses, which will facilitate the spread of less competitive plants such as the Devon notable species referred to here. Whilst this is only briefly covered in the EclA it is set out in more detail in the OBMP.

91. Bee orchids were recorded during botanical surveys of the site. Whilst this is one of the commoner orchid species it is nevertheless a Devon notable species, and the proposed management (opening up the sward and ensuring space for germination of less competitive species) is designed to allow the continuance and spread of the population, Whilst not specifically referred to in the EclA, this and other species recorded during the surveys are included in the condition assessment sheets submitted with the Biodiversity Net Gain report, which indicates the abundance and distribution of these species. The applicant considers that surveys to map the precise number and location of bee orchids would not add substantially to the assessment of the project or the management plan for the site – bee orchids typically come up in varied numbers and locations depending on the seasons so results from one year are unlikely to be the same in following years.

92. The impact on invertebrates is considered in the EclA and the Outline BMP provides management targeted specifically at enhancing the site for invertebrates. The applicant states that the net biodiversity gain will maintain and enhance the site for invertebrates. The proposed monitoring of the site post-construction focusses on measuring habitat parameters (such as vegetation structure and botanical diversity). These parameters have been designed specifically to provide beneficial conditions for invertebrates, and if they are not being met then adjustments will be made to the management of the site. The reason for focussing on habitat monitoring over species-specific monitoring is that it is very difficult to relate invertebrate monitoring results to any variables within the control of the site management: climate, weather and natural population cycles all play a huge role in the results of monitoring and therefore the results of monitoring may not be related to any changes on site.

93. The applicant has advised that the security fences will have small gaps at the base to allow the movement of wildlife, making sub-dividing fences unnecessary. Whilst deer will be excluded from some areas of the site, the remainder of the site will be open to them and the project will not create a complete barrier to their movement through the landscape.

94. The applicant has stated that none of the old creek-side tree-line and the new estuary edge tree-line will be removed, and the arboricultural reports submitted with the application set out how trees will be retained and protected. The OBMP sets out measures to retain and enhance these tree-line features so that lichens and other species of ecological value are retained and protected.

95. The Natural Infrastructure Team (NIT) initially sought further information to be submitted which was provided by the applicant. The NIT have stated that they are still concerned that the construction impacts on the existing sward associated with the installation of the panels is still underestimated, however they do acknowledge this is unlikely to affect the long term BNG outcomes. To ensure best construction practices are followed the NIT require the conditioning of a CEMP and to guarantee the BNG delivery they will require a condition to ensure the set out 25.88% will be delivered.

96. In relation to invasive species, the NIT will require a CEMP condition to ensure the removal of invasive species within the construction area. They will also require the conditioning of a Landscape Ecological Management Plan (LEMP) incorporating management measures to either remove or contain the invasive species, whichever approach is most appropriate for the habitat in which it is found.

97. The NIT also stated that the CEMP to be conditioned will need to include details of turf stripping, storage and re-use. The LEMP to be conditioned will need to include the management of ash-dieback present on-site and the management of the woodland areas to the north and west of the solar farm. As part of the final site layout and the LEMP, the NIT will require the over-seeding of the existing sward with yellow rattle to reduce the dominance of the coarse grasses. The NIT also recommend a condition for the provision of hedgehog holes in the boundary fence.

98. The Natural Infrastructure Team have considered all the submitted details and recommend the application be approved with pre-commencement conditions that require the submission of a Construction Environmental Management Plan (CEMP), details of Biodiversity Net Gain – including the Landscape Ecological Management Plan (LEMP), Landscape details including final site layout, hard and soft landscape measures and measures to address the landscape visual concerns and incorporating the necessary BNG measures and the detailed drainage strategy, details of the proposed green space delivery in the form of a completed Open Space Assessment Audit Form and a detailed drainage strategy.

99. Natural England have considered the submitted details and have stated that no objection to the proposal subject to appropriate mitigation being secured. Natural England concur with the findings set out in the submitted shadow HRA, stating that:

- the impacts due to construction of the solar farm creating increased noise pollution and vibrations on the Plymouth Sound & Estuaries SAC features, namely Allis Shad, are unlikely to occur.
- the likely impacts on the Plymouth Sound & Estuaries SAC features, due to construction of the solar farm creating increased water pollution through the risk of the release of landfill material, spills, and sediment mobilisation, can be mitigated. The measures needed to avoid and minimise any increase in water pollution being discharged from the site will need to be agreed in a detailed Construction Environmental Management Plan which can be conditioned.

- Mitigation measures would be required to prevent impacts on the SPA notified bird species. The HRA states that construction will be during the summer months. Controls will need to be in place to ensure that noise and disturbance from construction does not affect the Tamar Estuaries Complex SPA birds during the winter months, which can be agreed through the Construction Environmental Management Plan.

100. Natural England have therefore recommended conditions requiring the submission of an appropriate detailed Construction Environmental Management Plan (CEMP) to ensure no impacts on water quality or disturbance due to noise and vibrations and a landscape and ecology management plan (LEMP) to secure management of biodiversity habitats. They also recommend a condition requiring the site to be decommissioned and restored when planning permission expires.

101. The potential ecological impacts during the construction of the solar farm can be largely mitigated as set out in the CEMP. These short-term impacts will have no long-term strategic effect on the areas designated strategic biodiversity function and the proposed development provides the following opportunities to generate long term wildlife enhancements:

- (i) Improved management of grassland and open mosaic habitats through a targeted grazing or mowing regime.
- (ii) New managed edge habitats around the site margins
- (iii) New SUDS features on northern margin to enhance opportunities for wintering birds
- (iv) Control of invasive species that are current threats to wildlife interest

102. The proposed solar farm will not have any significant adverse effects on any European designated sites. It is not functionally linked to any such sites and no qualifying features of these sites are dependent upon Chelson Meadow. The potential impacts of construction and operation of the solar farm are sufficiently avoided and mitigated within the design of the project and through the CEMP.

103. The proposal has been designed to incorporate measures to protect the site's existing biodiversity values and to provide new features targeted specifically at biodiversity enhancements. The Outline Biodiversity Management Plan submitted with the application sets out how the site and additional land will be managed to deliver a 25% net biodiversity gain as measured using the Defra metric.

104. Concerns have been raised about the adequacy of the assessments and surveys on biodiversity, citing species that are considered to be omitted, lack of recognition of the priority habitat, insufficient consideration of migratory birds and lack of invertebrate surveys. While further details and clarification has been sought, Natural England and the Natural Infrastructure Team have not identified any concerns about the adequacy of the submitted assessments and welcomes the proposed mitigation and enhancement measures.

105. Concerns have been raised with regards to the impact on birds, however it is considered that the applicant has acknowledged the potential impact on birds and has demonstrated that it can be suitably managed so that there will not be a significant adverse effect on breeding or wintering birds. The applicant has advised that the best available evidence has been used to estimate the impacts of the proposals on skylarks and other nesting birds. The mitigation hierarchy has been robustly applied to avoid effects where possible, to mitigate them where this is not possible, and to compensate for any residual effects.

106. The potential for impact on birds has been considered in the submitted EclA. The EclA states that protected and/or notable bird species were recorded in limited abundance within the survey

area, with the majority of species observed in association with the boundary features. Furthermore, no species associated with Tamar Estuaries Complex SPA were observed on site.

107. When considering the potential impacts on birds the EclA states that the construction footprint equates to approximately 8% of the grassland, scrub and open mosaic habitat that provides suitable breeding opportunities and wintering foraging resource for a number of bird species. The EclA states that the impact of habitat loss on breeding and wintering birds of local importance is considered to be small in magnitude and not likely to be significant. There will be a period when nesting birds are dissuaded from using the site whilst construction is in progress, for the 4-month construction period.

108. The EclA acknowledges that the occupation of the site by solar panels and the ongoing management of the site has the potential to adversely affect breeding and foraging habitat for birds. The EclA states that, in the absence of suitable measures, the installation of the solar farm would have a potentially significant effect at a local level, but that with the application of appropriate measures, the solar farm has the potential to maintain habitat suitable for a diverse assemblage of breeding and wintering birds.

109. The proposed avoidance and mitigation measures when considering the impact on birds are:

- * The CEMP contains provisions to avoid and mitigate potential impacts on nesting birds during construction.
- * The construction and operation of the solar farm will not remove the existing wet areas of the site – sensitive infrastructure has been located away from these areas and the solar panels are capable of withstanding standing water. This will maintain the interest for foraging birds in winter. In addition, new SUDS features will be provided as part of surface water management, and these will be managed for invertebrate and bird interest.
- * The new security fence around the site will prevent the disturbance that currently occurs from occasional dog walking.
- * The loss of scrub in the center of the site (in the open mosaic habitat) will be mitigated by providing new scrub habitat around the edges of the site. Nest boxes will be installed in woodland around the northern edge of the site to further mitigate the effect on nesting habitat.
- * The management of the grassland will be targeted specifically at improving the biodiversity value of the site and at making it ideal for ground nesting birds. Within the solar farm some areas will become more suitable for foraging and other areas will be managed for nesting. On land to the south of the solar farm, the areas will be managed to enhance them for nesting birds.

110. The submitted Biodiversity Management Plan also stated that the proposed development would enhance the site for birds by:

The proposed project could enhance the site for birds in several ways including:

- Maintaining and creating diverse habitats for foraging birds with a mix of scrub, wet ground, open vegetation and closed sward grassland;
- Creating more scrub-edge habitat for species such as curlew buntings to forage and nest in;
- Maintaining areas of short and long grass in a balance that benefits ground nesting birds including skylarks;
- Creating and maintaining habitats with an abundance of late-autumn and winter berries and fruits for species such as redwing and fieldfare;
- Providing additional nesting opportunities in artificial bird boxes, including a barn owl box.

111. The EclA states that with the proposed avoidance and mitigation measures the development will result in a temporary impact during construction on breeding and wintering birds of local importance. This impact will not be ecologically significant. It will result in a measurable net gain in

habitats, with measures and management targeted specifically at birds and there will therefore not be a significant adverse effect on breeding or wintering birds.

112. Whilst the installation of solar panels will alter the ecology of the site it will not make it unsuitable for birds, and the proposed long-term management of the site aims to ensure that management is beneficial for the widest possible assemblage of birds. This management will be supported by long-term monitoring so that adjustments to the management can be made as needed. It is therefore considered that the proposed development, with the proposed mitigation and avoidance measures will not have a detrimental impact on breeding or wintering birds.

113. The submitted info (EclA) has not identified any significant effects on designated sites, protected species and habitats, and or other species of principal importance for the conservation of biodiversity. The mitigation measures would ensure no significant residual effects are anticipated.

114. It is considered that the development proposal has been very carefully designed to target the enhancement of biodiversity, by addressing the current limitations on ecological value of the retained habitats, by creating new habitats appropriate to the area and the species found on site, and by setting out a management plan for land beyond the solar array. Altogether this will bring over 32ha of land under a 30- year management and monitoring plan. Using the Defra metric this has been shown capable of delivering a substantial gain for biodiversity.

115. Overall it is considered that subject to conditions the proposal will enhance the biodiversity value of the site and provide effective ecological mitigation in accordance with the policy DEV26 and the NPPF.

Habitats Regulations Assessment

116. The Natural Infrastructure Team undertook Appropriate Assessment as the Competent Authority for the purpose of the Habitat Regulations 2017. It was concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the European and Internationally protected sites, this represents the authorities Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2018.

117. Having made this appropriate assessment of the implications of the plan or project for the site in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representations received the authority's assessment is that the application complies with the agreed approach for recreational impacts and with the presence of the other mitigation and avoidance measures, it can be concluded that there will be no adverse effect on the integrity of the European sites identified above and that it may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Access and Highway Safety

118. Paragraph 110 of the NPPF states that new development should ensure that safe and suitable access to the site can be achieved for all road users, and significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 111 is clear that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on the highway safety, or the residual cumulative impacts on the highway would be severe. This is reflected through policy DEV29 (Specific provisions relating to transport) of the JLP which also requires development to contribute positively to the achievement of a high quality, effective and safe

transport system in the Plan Area. It will promote sustainable transport choices and facilitate sustainable growth that respects the natural and historic environment.

119. A Transport Report was submitted to support the application which outlines the proposed access arrangements and likely traffic generation.

120. From a Transport and Highway perspective the main impacts of a Solar Farm occur during the construction and decommissioning phases. The latter will be at the end of the design life of the facility. Operational traffic generation is minimal and only generates maintenance traffic on occasion.

121. The transport report indicates a likely, maximum, traffic generation of up to 10 HGVs a day during the construction phase (notably this will be similar to the decommissioning phase, but it is accepted that this will be a number of years in the future so may require further assessment at that time).

122. Access will be made via the existing road network which, historically, provided access to the landfill site and also still does to the recycling centre. Contractors/staff trips will be made mainly by cars, vans or minibus. Therefore, the level of associated traffic is unlikely to give rise to any significant changes to the capacity and function of the highway network. Any impacts will certainly not give rise to a severe impact.

123. Once a contractor is appointed a Construction Traffic Management Plan (CTMP) will be required to provide fixed details of access routes, compound and contractor parking. It is understood that the site will not require staffing levels over 25 persons and as such a Travel Plan will not be necessary. However, measures to promote sustainable travel, such as cycle storage, should be provided and this can be included within the CTMP. As such a condition is requested to require the CTMP for submission and approval prior to any development taking place.

124. The submitted transport report states that construction hours are expected to occur between 0700- 1800 Monday to Friday and 0800-1400 Saturdays. The Councils policy for construction works require 0800-1800 Monday to Friday and 0830-1300 Saturdays, with no works permitted on Sundays or Bank Holidays. The CTMP should confirm the intention to follow the Councils Policy on working hours.

125. No Public Rights of Way are impacted by the proposal. The National Cycle Network does follow the access road, for the initial section up to the site, but again this will not be impacted by the works and is segregated from the road.

126. The application has been supported by a Visual Comfort & Reflection Study (Glint & Glare Assessment) to assess the potential impact of the proposed PV installation on glint and glare upon car and train drivers. The glint and glare assessment was carried out for a total of 6 no. road route receptors and 1 no. train line route receptor. Of the 164 observation points, only 38 are recorded to have the potential to be in receipt of glare subject to suitable weather conditions, either very early in the morning or late in the afternoon.

127. The results of the glint and glare analysis demonstrated that there would be either a negligible or potentially local, short term minor adverse effect from reflected solar glare, but that this will not be detrimental to the safe movement of either the car or train drivers. Therefore, the assessment concluded that throughout the year, the car and train drivers will be subject to no distressful conditions from the proposed development.

128. The Local Highway Authority has raised no objections to the proposed development. Having regard to the above, it is considered that subject to conditions, the proposal would have no adverse

impact on highway safety in accordance with Policy DEV29 of the Joint Local Plan and relevant guidance within the NPPF.

Flood Risk and Drainage

I29. Policy DEV35 states that the Local Planning Authority will assist the Lead Local Flood Authority in the management of flood risk and water pollution within the Plan Area by directing development away from areas at highest risk, but where development is necessary ensuring that it is safe without increasing flood risk and pollution elsewhere.

I30. The proposed 19.2ha site is in EA Flood Zone I and considered at a low risk from fluvial or tidal flooding. Surface water flood risk mapping indicates the site is at a low risk of flooding from a 1 in 100 year return period event. There is an ordinary watercourse to the north of the site that discharges to the River Plym to the west of the site. The watercourse does not form the boundary of the site. The River Plym estuary lies to the west of the site, but does not form the boundary of the site.

I31. The site is identified as having the potential for contaminated land due to former use as a landfill site. The site has been capped with an impermeable layer. Leachate from the site is collected along the western boundary, and conveyed to treatment works to the south. Public sewer records indicate there are no SWW sewers in the vicinity of the works.

I32. A Flood Risk Assessment and Surface Water Drainage Strategy has been submitted that concludes the site is at a low risk from fluvial and tidal flooding. A surface water drainage strategy has been included that proposes to discharge surface water to a 'V ditch' located around the boundary of the site which then discharges to the ordinary watercourse, referred to as The Belt, to the north of the site.

I33. Isolated impermeable swales are located around the perimeter of the site that are 200mm deep. These are designed to contain surface water and are described as not being part of the proposed surface water drainage strategy. Surface water is stored in three impermeable attenuation ponds located at the north of the site, with each pond discharging to a 'V' ditch which then discharges to the watercourse.

I34. Modelling results have been submitted that support the design standard of 1 in 100 year return period with a 40% allowance for climate change. A total catchment area of 1.244ha appears to have been modelled.

I35. The Lead Local Flood Authority considered the submitted details and considered the principle of the drainage proposal to be acceptable. The LLFA however have recommended conditions requiring further details be submitted and agreed prior to work commencing on site, such as details of the exceedance flow routes should there be a surcharge on site and a construction environment management plan incorporating method statements demonstrating how the new drainage system and water environment is protected during the construction phase.

I36. Having regard to the above, it is considered that the proposed development would not be at significant risk of flooding and subject to the recommended conditions, it is considered that the proposed development would cause no unacceptable risk of flooding elsewhere in accordance with the requirements of Policy DEV35 of the JLP and the NPPF.

Residential Amenity

I37. The NPPF at paragraph 130 states that planning should always seek to secure a high standard of amenity for existing and future users. Policy DEV1 states new development provides for satisfactory

daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors.

138. The nearest residential properties are located at the Travellers Site located adjacent to the development site's northwest corner. The submitted planning statement states that the development has been designed so that the noise-producing elements such as the transformer and inverter buildings are located over 275m away from the edge of the site and would therefore not lead to a noise nuisance.

139. The residential properties within the Saltram Meadow development to the south of the site are situated approximately 400m away from the development site, it is therefore considered unlikely that the proposal would cause a significant noise nuisance.

140. A Construction Environmental Management Plan has been submitted that considers mitigating noise impact during construction. However the applicant has suggested in their submitted details that a full CEMP would be produced prior to commencement once the appointed engineering, procurement and construction contractor is in place. The Public Protection Service were consulted and considered the submitted details and did not raise any objections to the proposed development.

141. Overall, it is considered that the proposed development would not give rise to a detrimental impact on the amenity of existing residents and the proposal is in accordance with JLP Policies DEV1 and DEV2 and the NPPF.

Site security

142. JLP policy DEV20 seeks to ensure the layout and details of new development adequately contribute towards high standards of community safety and reduce opportunities for crime and fear of crime.

143. The application was supported by a Secured by Design Statement which set out the design principles for the proposal to ensure compliance with Secured by Design (SBD). The Statement refers to an approximately 2metre high wire mesh deer fence to be constructed around the compound, with security gates. The gates will connect to access tracks within the Chelson Meadow wider site (which is restricted to site staff and contractors only beyond the waste recycling centre). Infra-red night vision CCTV cameras are also proposed to be installed to the inside of the fence line to provide security coverage of the site 24 hours per day.

144. The Designing Out Crime Officer has considered the submitted details and has stated they consider the security and crime prevention measures to be acceptable. It is therefore considered that the proposal complies with policy DEV20 that seeks to reduce crime opportunities.

Contamination and Pollution

145. A Geo-Environmental Risk Assessment was submitted to support the application. The assessment looks to demonstrate that the proposed development will not lead to a significant impact during and following the construction phase of the solar farm, on the hydrogeological and hydrological ground regime, and on people on and adjacent to the site.

146. The risk assessment provides details on the history of the site, stating that the landfilling at Chelson Meadow commenced in August 1964 and ceased on 31 March 2008, with the exception of the receipt of soils for restoration purposes. The landfill has been capped and covered in soil. As part of the assessment ground investigation works were carried out which included trial pits to a maximum of 1.5m in depth to investigate the nature of the capping layer above the historical landfill.

147. The risk assessment concluded that the greatest potential risk posed by the proposed development would be breaching the cover across the site. This will be mitigated by using the site investigation information to decide on a maximum depth to which foundations and other excavated structures (e.g. attenuation ponds or swales, ducts for cabling) will be allowed. The intrusive investigation indicates that generally there is at least 1.5m of cover and therefore a maximum depth of excavation of 0.6m has been set for the project.

148. Following the findings from the assessment the proposal seeks to fix the solar photovoltaic panels to a mounting structure that is secured to the ground. The mounting structures will be secured to the ground so not to puncture the semi-permeable part of the landfill capping with a maximum depth of 0.6m in accordance with the geo-environmental risk assessment. The mounting structures will be secured to the ground using ballasted anchors (shallow concrete footings of precast sections into which the steels are secured), piled steel foundations, or a combination of the two as ground conditions and existing landfill infrastructure allow.

149. The risk assessment also concluded that during and following construction there is potential for excessive volumes of silt to be washed into drainage ditches through surface water run off. The assessment advised that this can be mitigated through minimising disturbance of the soil and capturing or removing silt in the drainage system. The assessment advises that standard procedure and measures will be put in place to contain any spill or leak of fuel (or other contaminative substances) during construction and maintenance works.

150. The Environment Agency considered the submitted risk assessment and advised that the boreholes, landfill gas wells and other landfill gas and leachate infrastructure must be retained and kept accessible during the construction of the solar farm and solar farm infrastructure must not compromise the operator's ability to manage, maintain and monitor Chelson Meadow Landfill. The landfill is still generating landfill gas.

151. The Environment Agency states that the risk assessment highlights the risks to controlled waters from the proposed development and the control measures required as mitigation. The Environment Agency state that the submitted CEMP incorporates these recommendations and consequently they have no further comments on the proposal. However advise that if the CEMP or proposed works are significantly altered the geo-environmental risk assessment will need to be reviewed. A condition will be added to ensure the works comply with the submitted details.

152. The Environment Agency have raised no objection to the scheme and have stated that sufficient information has been submitted for the proposed foundation designs for the solar panels. They have however advised that if the proposed piling design is used for the solar panels then further trial pits should be carried out to confirm there is sufficient depth of cap and soils above the waste.

153. Overall, and subject to the added conditions, it is considered that the proposed development would not give rise unacceptable on- or off-site risk or harm to human health or the natural environment. The proposal is therefore considered to comply with JLP policy DEV2 and the NPPF.

Renewable Energy and Community Energy

154. Policy DEV33 seeks to increase the use and production of renewable and low carbon energy to contribute to national targets, renewable energy development will be supported where:

- The impacts arising from the construction, operation and de-commissioning of installations (both individually and cumulatively) are or can be made acceptable.
- The proposal has been robustly assessed and shown to be acceptable, both individually and cumulatively, in terms of its likely impact on landscape sensitivity and capacity, and on the natural environment and heritage assets. It should also be demonstrated that the proposal does not compromise the purposes of nationally designated landscapes.

- There are appropriate plans in place for the removal of the technology on cessation of generation, and restoration of the site to an acceptable alternative use.
- There has been early consultation with the local communities affected by the development, the planning application demonstrates how the proposal has been informed by the outcome of the consultation, and the development contains proposals for shared ownership between the developer/operator and the community or justification as to why this is not appropriate.
- For renewable or low carbon energy generating proposals (including energy from waste), where appropriate, the development should provide for the efficient distribution of heat off site, for the co-location of energy producers with users, and for the maximisation of energy recovery or efficiency of generation.
- The proposals do not lead to unsustainable, isolated development in the countryside.

155. It is considered that the submitted information along with the added conditions will ensure that the impacts from the construction, operation and de-commissioning of the solar farm would or be made acceptable.

156. A suitable LVIA and Heritage Settings Statement has been submitted and reviewed by the relevant consultees and considered to demonstrate that the proposal would not compromise the purposes of nationally designated landscapes. No objections have been received from Natural England, Natural Infrastructure Team, Historic England or the Historic Environment Officer and with added conditions it is considered that the development would not have a detrimental impact on the landscape, natural environment or heritage assets.

157. A suitable worded condition will ensure that the decommissioning of the solar farm will ensure that the land is restored and there will be no long-term impacts on site.

158. A Statement of Community Involvement was submitted with this application and sets out a summary of the pre-application and ongoing consultation and communication with stakeholders. It details how four online public events were held, along with three in person stakeholder meetings, and multiple online briefings to key stakeholders. It states that information on the project and the opportunity to give feedback, had been shared widely across the city. In addition to direct consultation and events, an online survey to gather public opinion on the project was promoted and responded to by more than 300 people. The survey found that 95% agree that more renewable energy should be generated in Plymouth, it also noted that concerns were raised and that they mostly related to the impact on wildlife.

159. The Statement of Community Involvement states that the applicant listened to the concerns raised and responded with a number of actions including:

- Extended the scope of our ecological and landscape impact surveys to reflect the feedback received.
- Organised a specific open online event to address concerns about the impact on biodiversity.
- Held an in-person event with the wildlife enthusiasts who were concerned about the impact on biodiversity.
- Clarified that the installation of solar panels is not appropriate in an alternative location at Chelson Meadow for a number of reasons including technical constraints, visual impact and public safety.

- Committed to 25% biodiversity net gain, taking on and protecting further areas of Chelson Meadow for biodiversity, including much of the area found through survey to have the highest number of skylarks.
- Amended the site design to improve biodiversity outcomes, including creation of new scrub habitats and using SUDs as seasonally wet areas with wildlife benefits.
- Created a 30-year Outline Biodiversity Management Plan to ensure our commitments are realised.
- Defined a Construction Environmental Management Plan to mitigate harm to breeding birds and in particular skylarks. Defined the need for an Ecological Clerk of Works through this plan to ensure the plan is delivered on through expert assessment.

160. The proposed solar farm is a community led project for a community owned solar farm, as a joint venture between Plymouth Energy Community and Plymouth City Council.

161. The proposed solar farm is located within the city of Plymouth that provides suitable access and in an area where the local energy network as managed by Western Power Distribution has the capacity to accommodate the forecast levels of electricity generation. It is not considered that the proposal would lead to unsustainable, isolated development in the countryside.

162. DEV34 looks to support Community-led energy efficiency and energy generation projects where:

- The impacts arising from the proposal are acceptable or can be made acceptable.
- They are community led and there is evidence of community consensus in support of the proposal and/or the proposals are brought forward as part of neighbourhood planning processes.
- The proposals deliver local social and community benefits.
- There are administrative and financial structures in place to deliver/manage the project and the income stream from it.

163. The proposed solar farm would generate approximately 13MW of renewable energy. As a community led project, the applicant has stated that they are working with the sole purpose of benefiting the local community and surrounding area by reducing the reliance on fossil fuels, and therefore the carbon emissions, as well as generating income for local community benefit.

164. It is considered that the proposed development has demonstrated compliance with JLP policy DEV33 and DEV34 and paragraph 156 of the NPPF that states that Local planning authorities should support community-led initiatives for renewable and low carbon energy.

Public Comments

165. Concerns have been raised regarding the impact of glare on residential homes. While the submitted glint and glare assessment did not consider the impact on residential properties, however most of properties that overlook the solar farm look either from behind or adjacent to the panels and do not face the reflective surface directly. It is therefore considered that the glint and glare from the panels would not have a detrimental impact on residential properties.

166. Objections have been raised in respect of health and safety due to the potential fire risk and hazardous components within the proposed solar farm. BRE Global has investigated this issue and found that, in reported cases, fires have generally resulted from poor installation or the use of wrongly specified, incorrect or faulty equipment. The report concludes that at the present time there is no reason to believe that the fire risks associated with PVs are any greater than those associated with any other electrical equipment. In determining an application for a solar farm it

should be assumed that the development would be constructed correctly to avoid any undue fire risk.

167. Concerns have been raised regarding to the potential for bird strikes causing a fire. In Natural England's 'Evidence review of the impact of solar farms on birds, bats and general ecology', (2016), states the following at pgs. 2 and 17: "Some scientific and grey literature data, based upon carcass searches around solar PV developments suggests that bird collision risk from solar panels is very low" and, "In summary, little scientific evidence exists that demonstrates a direct impact of solar PV on birds". It is therefore considered that the likely fire risk from birds strikes are low.

168. The integrity of the landfill cap and the gas infrastructure has been carefully considered as part of the proposal, it is not considered that the proposal would result in any increased risk to fire from gases from the landfill.

169. Impact upon public health from electromagnetic radiation has been raised. Electromagnetic radiation is common throughout the environment and is produced by a whole host of different activities, including the use of electronic equipment in the home through microwave, televisions, computers, domestically installed solar panels etc. Beyond the home these would include substations, overhead electricity distribution line and communication masts. Officers do not consider there to be any grounds on which to resist this application due to a perceived potential impact on public health.

170. Concerns were raised regarding light pollution from security lights, however there will be no lighting within the site at night as standard – emergency lighting will be brought to site only when required to make essential repairs during dark hours. Any lighting required during construction will be in line with the terms set out in the Construction Environmental Management Plan, with works expected to generally be completed in daylight hours.

171. An objection raised concerns of toxic chemicals from the solar panels and cleaning materials contaminating the soil and leaching into the Plym Estuary via rainwater. A condition has been added requiring details of how water environment will be protected and clarification of the responsibility for the maintenance of the surface water drainage system. The Local Lead Flood Authority have considered the submitted details and did not have any objections subject to the further details being provided. It is therefore considered that the proposal would not result in a detrimental impact on the local water environment.

172. Concerns have also been raised regarding the inappropriate location of the solar farm and how the panels should be placed on existing buildings on new builds. The council's Corporate Carbon Reduction Plan sets out how the Council looks to reduce emissions from the Councils estate and operations to work towards net zero emissions by 2030. As parts of the plan, planning permission was sought and granted for the erected on of solar panels on Council buildings such as Prince Rock Depot, Chelson Meadow Recycling Centre, Ballard House and the Council House. Policy DEV32 of the Joint Local Plan requires all new residential developments of 10 units or more to incorporate low carbon or renewable energy generation to achieve regulated carbon emission levels of 20 per cent less than that required to comply with Building Regulations Part L. This policy will result in the provision of more solar panels and other renewable energy sources to be placed on new dwellings.

173. While the objections have raised concerns about the inappropriate location of the proposed solar farm, it is noted that the application site is one of the only major opportunities for a large scale solar farm that could make a substantial contribution to Plymouth's ambition to get to carbon neutral emissions. As Plymouth is predominantly an urban area, there are not many location is which a solar farm of this size can be accommodated. The site also has capacity to take the generation from the solar farm on the local electricity grid. This is often a restriction that makes solar farms unviable.

174. Objections raised human rights concerns in the mineral supply chain for solar panels, however it is noted that this is a concern in most supply chains and is not a reason to refuse this planning application.

Planning Balance and Conclusion

155. The proposed development is a direct local response to a national, regional and local agenda which seeks to focus on the provision of renewable energy to reduce greenhouse gas emissions.

156. The proposal would not result in an unacceptable conflict with the functions or characteristic of Strategic Green Space and will provide benefits to the green space through the additional access and wildlife improvements resulting in a 25% biodiversity net gain which would uplift the wildlife value of the green space. The proposal would not conflict with the long term aims and objectives of the Saltram Masterplan or Saltram Countryside Park Strategic Green Space.

157. The overall impact of the proposed solar farm on the character of the landscape character area and on the character of the site is considered to be minor adverse. The impact of the development would also be ultimately reversible due to the solar farm being removed and land returned after 30 years, thus any impact would not be permanent.

158. The proposal will result in a less than substantial harm to the setting of the local heritage assets however it is considered that the public benefits in terms of production of renewable energy and social and economic gains outweigh the less than substantial impacts on the setting of the identified heritage assets.

159. Concerns have been raised with regards to the impact of the proposal on ecology and wildlife, while these concerns are noted it is considered that the proposal has demonstrated that it would not have a significant impact on designated sites, protected species and habitats, and or other species of principal importance for the conservation of biodiversity. The proposal seeks to enhance biodiversity and any potential ecological impacts will be largely mitigated.

160. Subject to conditions, the proposals would provide satisfactory mitigation of the majority of the visual impacts, protected species and nature conservation interests, and any disturbance to the surrounding environment and operation of the surrounding highways network during the construction phase.

161. It is considered overall that the benefits in this case, comprising the valuable renewable energy resource and the significant annual reduction in carbon dioxide emissions that would arise, would clearly outweigh the harm that has been identified. The proposal therefore comprises sustainable development and it is recommended that planning permission is granted subject to conditions.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

One of the joint applicants for this proposal is Plymouth City Council with the site also under Council ownership. Officers are aware that this application could deliver a financial benefit to the Council through the monies generated by the renewable energy infrastructure. However, this consideration has had no bearing on the Planning considerations or recommendation for this application.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not sought due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Government advice states that local planning authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable. It is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, would outweigh the impact of the proposed PV panels on the local landscape character and appearance, impact on ecology and biodiversity, and any perceived impact on the setting of the nearby heritage assets. In addition, the proposal would not cause significant and demonstrable detriment to highway safety, residential amenity, flood risk and drainage. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, Policies SPT1, PLY54, DEV1, DEV2, DEV20, DEV21, DEV23, DEV26, DEV27, DEV28, DEV29, DEV32, DEV33, DEV34 and DEV35 of the Plymouth and South West Devon Joint local Plan, Plymouth City Council's Climate Emergency Action Plan 2022, Plymouth City Council's Declaration on Climate Emergency (March 2019) and the NPPF.

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 18.02.2022 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

Location plan I6022022 - received 17/02/22
Lateral View 2P I - received 14/02/22
Concept View G 01 Rev A received 14/02/22
Typical Battery Storage Container Details CFR-CHELSON-SD-04 - received 11/02/22
Indicative Landscape Masterplan - Figure 21 P0502 Rev C received 16/02/22
Proposed PV Layout CFR-CHELSON-GA-01 Rev B received 11/02/22
Typical DNO Cabin Details CFR-CHELSON-SD-01 - received 11/02/22
Typical Control Room & Customer Switchgear Details CFR-CHELSON-SD-02 - received 11/02/22
Typical Inverter/Transformer Substation Details CFR-CHELSON-SD-03 - received 11/02/22
Typical Spares Container Details CFR-CHELSON-SD-05 - received 11/02/22
Typical Fence & CCTV Details CFR-CHELSON-SD-06 - received 11/02/22
Tree Constraints Plan (1 of 2) TC/211203/TCP/1 Rev P2 received 11/02/22

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: COMMENCE WITHIN 3 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 CONDITION: CONSTRUCTION TRAFFIC MANAGEMENT PLAN

PRE-COMMENCEMENT

The construction works hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall be submitted prior to commencement and shall include details relating to the detailed programme of works, details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractors parking arrangements. The works hereby proposed shall be carried out strictly in accordance with the approved CTMP.

Reason:

To ensure that the traffic impacts associated with the construction phase of the works does not lead to adverse impacts upon the operation of the Local Road Network in accordance with Policy DEV29 of the Plymouth and South West Devon JLP 2019.

Justification: Necessary to ensure the impact of the works does not prejudice existing residents in the locality.

4 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (BIODIVERSITY)

PRE-COMMENCEMENT

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- o Risk assessment of potentially damaging construction activities.
- o Identification of 'biodiversity protection zones'.
- o Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- o The location and timing of sensitive works to avoid harm to biodiversity features taking account of the requirements of the HRA. This includes the use of protective fences, exclusion barriers and warning signs.
- o Method statement for the removal of invasive species within the construction area
- o The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP: Biodiversity, and the actions that will be undertaken.
- o Responsible persons and lines of communication. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policy DEV26 and Government advice contained in the National Planning Policy Framework 2021.

Justification: This is necessary to ensure protected species and the environment are fully considered before works start on site.

5 CONDITION: SURFACE WATER DRAINAGE

PRE-COMMENCEMENT

No works shall be commenced until final details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) In an extreme event that exceeds the design standard, a surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site from the point of surcharge, including overtopping of the 'V' ditch and demonstrating that these flows do not increase the risk of flooding to properties on or downstream of the site or to Third Party Land including the Public Highway.
- b) Clarification is required of the responsibility for the maintenance of the surface water drainage system.
- c) A construction environment management plan incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected during the construction phase.

Prior to the use of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with Policy DEV35 of the Plymouth and South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2021.

Justification: To ensure the development and surrounding area are safe from flooding.

6 CONDITION:DETAILS OF BIODIVERSITY NET GAIN

PRE-COMMENCEMENT

Prior to the commencement of the scheme, details of how a net gain for biodiversity of 26% or more will be delivered through measures both on and off site shall be submitted to and approved by the Local Planning Authority.

This must include:

- o Details of the overall provision of net gain consisting of a net gain statement, a completed DEFRA-metric, a habitat baseline plan and a Net Gain Plan. The Net gain plan should also be submitted in ESRI Shape Files or MapInfo tab files format
- o Details of any protected species measures
- o A detailed delivery plan including timeframes for implementation
- o A detailed management and maintenance strategy taking the form of a Landscape Ecological Management Plan which shall include the following:
 1. Description and evaluation of features to be managed.
 2. Ecological trends and constraints on site that might influence management.
 3. Aims and objectives of management for both the landscape elements (including hard landscape measures) and the biodiversity features,
 4. Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
 5. Preparation of a work schedule.
 6. Body or organisation responsible for implementation of the plan.
 7. Monitoring and remedial measures.
- o Details of the resourcing of the entire delivery strategy for net gain for biodiversity for at least a period of 30 years including how potential loss of the proposed habitat areas will be avoided.

For the avoidance of doubt the approved delivery plans must commence at the same time as the commencement of development and the development shall be undertaken in full accordance with the approved detail.

Reason: In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT12 & DEV26 and the National Planning Policy Framework 2021.

Justification: To ensure that a net gain for biodiversity is delivered to mitigate the impacts of the proposed development.

7 CONDITION: LANDSCAPE DETAILS

PRE-COMMENCEMENT

No development shall take place until the details of the landscape works have been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the following approved drawings and reports:

- o Biodiversity net gain Information required under condition 6
- o Drainage Information required under condition 5

And the parameters agreed at outline:

- o Extent of PV panels as shown on Indicative Landscape Masterplan, Figure 21
- o The max dimension of various features as set out in the Natural Infrastructure Team Planning Feedback Response - Chelson Meadow Community Solar Farm
- o Deliver a greenspace meeting the required value score of 43

The landscape works shall include:

i. Soft landscape details:

- a. Full soft landscape specification; plant species and size (to HTA standards), planting spec and establishment care including (but not limited to) the over-seeding of the existing sward with yellow rattle, Succession planting within existing woodland area, tree planting along the western boundary
- b. The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.
- c. Planting details (1:20 scale or as appropriate)

ii. Hard Landscape Details: to provide:

- a. Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, street furniture and boundary treatment materials (min 1:200 scale)
- b. Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.
- c. Boundary treatment details (1:20 scale or as appropriate) including but not limited to the hedgehog holes detail
- d. Details of measures to minimize visual impacts

All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development. Any dead or defective planting shall be replaced with a period of 5 years.

Reason: To ensure that satisfactory landscaping works are carried out in accordance with JLP policy DEV20 and DEV23 and the National Planning Policy Framework 2021.

Justification: To ensure that the satisfactory landscaping is agreed in advance of development.

8 CONDITION: GREEN SPACE DELIVERY

PRE-COMMENCEMENT

No development shall take place until a completed open space assessment audit form has been submitted to and approved in writing by the local planning authority. The form shall be completed in line with the adopted SPD and Plymouth's Policy Area Open Space Assessment and shall demonstrate that the proposed green space will meet the value threshold for its typology and size thresholds unless otherwise agreed in writing with the LPA. The assessment process should inform the detailed design and maintenance of the green space.

Reason: To ensure an appropriate standard of green space provision is delivered in accordance with JLP policies SPT2 and DEV27 and the National Planning Policy Framework 2021.

Justification: To ensure an appropriate standard of green space provision is agreed in advance of development.

9 **CONDITION: DETAILS OF COMPONENTS**

PRE-COMMENCEMENT

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details and design of all components of the solar farm (including the PV arrays, frames, fences, gates, service buildings, cabinets, substations and transformers etc.). The works shall conform to the approved details and shall be completed before the development is first in use.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy DEV20 of the Plymouth and South West Devon JLP 2019 and the National Planning Policy Framework 2021.

Justification: To ensure the components are all as visually recessive as possible in the sensitive landscape context and to ensure the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the area.

10 **CONDITION: LANDSCAPE ECOLOGICAL MANAGEMENT PLAN**

PRE-COMMENCEMENT

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site.

The content of the LEMP shall include the following;

- a. Description and evaluation of features to be created, restored, protected and managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management for both the landscape elements and the biodiversity features.
- d. Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
- e. Preparation of a work schedule.
- f. Body or organisation responsible for implementation of the plan.
- g. Monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery (we expect at least a 30year funding plan to be included).

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme and the required Biodiversity net gain. The plan will be implemented in accordance with the approved details.

Reason: In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance Policies DEV20, DEV23 & DEV26 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework 2021.

Justification: To ensure a comprehensive approach to the management and protection of biodiversity and the natural environment is taken to reduce the environmental impacts of the proposal.

11 CONDITION: FOUNDATIONS

PRE-COMMENCEMENT

No development shall take place until details of the type and depth of the new foundations, and all other ground intrusions, are submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not impact upon the capping layer of the existing landfill to ensure that it is not disturbed during construction in accordance with DEV2 of the Plymouth and South West Devon JLP 2019 and The National Planning Policy Framework 2021.

Justification: To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity and surrounding environment.

12 CONDITION: LIGHTING

No floodlighting, security lighting or other external means of illumination to light the proposed development, either directly or indirectly, shall be provided, erected, installed, placed or operated at the site, either on a permanent or, notwithstanding the provisions of Article 3, Schedule 2, Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) on a temporary basis, without the approval in writing of by the Local Planning Authority.

Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on any of the buildings themselves), details of such external lighting (including amenity and security lighting) shall be submitted to and approved in writing by the Local Planning Authority, including through the provision of technical specifications. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and any other parts of the application site edged red (as indicated on the approved Site Location Plan) and the hours at which such lighting is to be operated, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form and under no circumstances shall it cause light pollution.

Reason: To safeguard the character and appearance of the locality and to safeguard the residential amenities of owners/occupiers of the existing neighbouring property; to safeguard biodiversity interests; and in the interests of public safety and convenience, having regard to policies DEV1, DEV2, DEV20 DEV23 and DEV26 of Plymouth and South West Devon JLP 2019 and the National Planning Policy Framework 2021.

13 CONDITION: TEMPORARY USE: REINSTATEMENT

The development hereby permitted shall be removed and the land restored to its former condition within 30 years of the date of the first generation of electricity or within six months of the cessation

of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site. The date of the first generation of electricity shall be confirmed in writing to the Local Planning Authority by the applicant within one week of the first generation of electricity.

Reason:

In the interests of landscape character and visual amenity in accordance with policy DEV20, DEV21 and DEV23 of the Plymouth and South West Devon JLP 2019 and the National Planning Policy Framework 2021.

14 CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars [plan no. C/211203/TPP Rev. P3] (or in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan (March 2019) and the National Planning Policy Framework 2021.

INFORMATIVES

I INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: CODE OF PRACTICE

The applicant is advised to adhere to the Public Protection Service Code of Practice. The aim of this informative is to prevent or control any nuisance or negative impact on the environment and residential amenity arising from any work carried out. A copy of the Public Protection Service, Code of Practice for Construction and Demolition is available to be downloaded via:

<http://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>