

DELEGATED ASSESSMENT

Application No: PA/2014/0892

Date: 07/08/2019

Proposal: Planning permission for installation of ground-mounted photovoltaic (PV) solar arrays to provide 38MW generation capacity together with inverter stations, transformer station/control building, switchgear building, internal access track, landscaping, fencing, security measures, access gate and ancillary infrastructure.

Location: Raventhorpe Farm, Raventhorpe Farm Road, Broughton and Holme parishes

Applicant: [REDACTED], Kinetica Solar

Officer: [REDACTED]

POLICIES

National Planning Policy Framework: Core principles of the NPPF encourages sustainable development. Section 10 requires decision makers to consider climate change, flooding and coastal change. Section 11 requires decision makers to consider conserving and enhancing the natural environment. Section 12 requires consideration of heritage issues.

Planning Practice Guidance (2014)

PPS5 Practice Guide (2010) Heritage

National Planning Practice Guidance: Renewable and low carbon energy.

Planning for Renewable Energy Development - Supplementary Planning Document November 2011

North Lincolnshire Local Plan: Policy DS1 (General Requirements) is a criterion-based policy against which all developments will be considered and includes reference to quality of design, conservation and visual amenity.

Policy DS21 (Renewable Energy) is a permissively constructed policy that encourages the generation of energy from renewable resources.

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy ST3 (Development Limits) development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy IG9 (Ironstone Extraction) refers to a small part of the site to the north to be safeguarded against future development which would sterilise the ironstone reserves.

Policy RD2 (Development in the Open Countryside) development will be strictly controlled in the open countryside and should benefit economic activity, promote social inclusion or enhance the environment. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources.

Policy RD7 (Agriculture, Forestry and Farm Diversification) proposals for agriculture, forestry and farm diversification will be permitted where the proposal does not conflict with the operational requirements of the farming enterprise, there is no adverse impact on high quality agricultural land, it is appropriate in design, scale and construction appropriate to its surroundings and traffic levels are acceptable.

Policy T1 (Location of Development) proposals which generate high levels of traffic will be permitted only within the urban area and where there is good access to the strategic traffic network.

Policy T2 (Access to Development) this policy requires that all development must be provided with satisfactory access arrangements.

Policy LC4 (Development Affecting Sites of Local Nature Conservation Importance) development which would adversely affect such areas will not be approved unless it is clearly shown that there are reasons for the proposal which outweigh the need to safeguard the intrinsic value of the site.

Policy LC5 (Species Protection) this policy is designed to protect species identified in the Wildlife and Countryside Act).

Policy LC7 (Landscape Protection) development in the open countryside requires special attention to be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not protect this quality will be refused.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) requires all new development wherever possible to protect existing trees and hedgerows, with particular regard to ancient woodland and historic hedges. Landscaping and tree and hedgerow planting will be required to accompany applications for new development where it is appropriate to the development and its setting.

Policy HE5 (Development affecting Listed Buildings) proposals which damage the setting of a listed building will be refused.

Policy HE8 (Ancient Monuments) proposals which would have an adverse effect on a Scheduled Ancient Monument will not be permitted.

Policy HE9 (Archaeological Evaluation) an archaeological assessment will be required with a planning application for development affecting such areas. Archaeological areas will be protected and any development affecting such sites will need mitigation of any damage. When preservation in situ is not justified the developer will be required to make adequate provision for excavation and recording before and during development.

North Lincolnshire Core Strategy: Policy CS2 (Delivering More Sustainable Development) requires a sequential approach to development encouraging development on brownfield sites and not within open countryside unless this can be justified.

Policy CS5 (Delivering Quality Design in North Lincolnshire) sets out key principles for all new development, which includes the maximising of on-site renewable forms of energy.

Policy CS6 (Historic Environment) aims to ensure that important sites and areas of historic and built heritage value are protected, conserved and enhanced.

Policy CS17 (Biodiversity) promotes effective stewardship of North Lincolnshire's wildlife.

Policy CS18 (Sustainable Resource Use and Climate Change) promotes the reduction of the size of North Lincolnshire's ecological carbon footprint and causes of climate change and to move towards a more resource efficient future.

CONSULTATIONS

Highways: Recommend conditions including HC42

Highways Agency: No objections

Transport Planning: Comments awaited

Public Rights of Way Officer: Originally placed a holding objection on the application subject to confirmation of the definitive line of the footpath not being affected by the development and upgrading the footpath to a bridleway in line with requirements of the NPPF and local plan. The applicant has now put forward an alternative permissive bridleway along a different route which would follow the boundary of the application site on the western side. This is acceptable and should be secured through conditions. On this basis the holding objection has been removed.

Ramblers Association: Comments awaited

British Horse Society: Comments awaited

Environmental Health: No objections subject to conditions regarding contamination, noise, dust, hours of construction.

Ancholme Internal Drainage Board: Comments awaited

Severn Trent Water Ltd: Comments awaited

Anglian Water Developer Services: Comments awaited

Yorkshire Water: Comments awaited

Environment Agency: No objection subject to conditions relating to surface water drainage.

Campaign to Protect Rural England (CPRE): Object on grounds that the proposal is on greenfield land in open countryside and will result in a loss of good quality agricultural land. National Policy guides development to brownfield land and it is considered that land within the TATA Steel site should be used in preference to the use of a greenfield site. CPRE considers that the use of agricultural land must be shown to be necessary and that poorer land is used in preference to higher quality land. The objective of using brownfield land over greenfield and then poorer quality over higher grade mirrors the approach adopted by the NPPF. CPRE believes that high quality agricultural land should not be used for solar farms. This reflects the growing importance of food security. It is recognised that solar farms can increase farm incomes in areas for marginal farming. Higher grades of agricultural land are usually arable so the availability of land within a solar farm for grazing should not be used to justify the loss of such valuable land. CPRE considers that the proposal conflicts with Policy RD7 Agriculture, Forestry and Farm Diversification. and Policy CS2 Delivering More Sustainable Development.

English Heritage: Original comments: Recommend either delay in determination or withdrawal of the application until such time as proper archaeological investigations have taken place such that direct impacts and setting impacts upon Nationally Designated Heritage Assets can be subject to re-consultation and advice in line with NPPF 128,129 and 132. Consideration given to the additional information including geophysical and glint and glare but await full suite of heritage documentation which is in preparation (as discussed with the applicant's consultants)

Following additional field work and trial trenching EH were reconsulted. EH advised in letter dated 30th October that the setting impacts of the proposed development upon nationally important scheduled monuments and the associated Grade 11 listed farm house has not been adequately assessed under the EIA process or to a level required in respect of a safe determination under the NPPF. The additional information submitted fails to look at the more expansive experience of the landscape which forms the setting of the medieval settlement.

The additional field walking and trial trenching is accompanied by brief summaries but final detailed reports remain outstanding. As a result of the lack of information the potential impacts of the scheme on the significance of heritage assets cannot be properly understood or weighed against any public benefits arising from the development.

EH advises that if your authority is minded to determine the application prior to receipt of final reports on the field evaluation we advise that you must be convinced that you have received sufficient information to understand the significance of the non-designated archaeological remains identified within the development site and

the potential impacts of the proposed development on that significance in accordance with the policies of the NPPF.

On the basis of our experience across the country of similar schemes, we would advise that the cumulative effect of ground works associated with solar farm developments should not be underestimated. We would advise that regardless of whether the significance of the identified non-designated archaeological remains would be likely to preclude development, in our opinion the cumulative impacts of the number and type of supports for the photovoltaic panels, below ground disturbance for the construction of elements such as inverter cabins and substations, the extensive nature of cable runs, and further below ground disturbance for the construction of fencing, security measures and access routes can result in significant physical impacts on archaeological remains. Therefore we advise that a well informed and nuanced approach to mitigation is required with such developments based on the results of prior evaluation. We have previously advised that consideration should be given to whether the significance of any areas of non-designated archaeological remains would warrant either exclusion from the development or construction by alternative methods should the depth of topsoil over the remains be sufficient to allow this.

On the basis of the information submitted to date English Heritage is minded to consider that the proposed solar farm will result in a level of harm to the significance of the scheduled monument through development within its setting and on the significance of non-designated heritage assets through direct physical impacts. If your authority intends to determine the application on the basis of the currently submitted information, we advise that you will need to decide for yourselves whether the applicant is correct in their assessment of the level of impact on the significance of heritage assets. If your authority intends to determine this application without the benefit of the specialist advice of your HER Officer, you must be convinced that you would be able to oversee the conditions as drafted and ensure that they would be appropriately discharged.

Planning Policy Context - English Heritage's advice is provided in line with the Government's National Planning Policy Framework (NPPF) and published guidance, including the Planning Practice Guidance (2014), the PPS5 Practice Guide (2010). The Setting of Heritage Assets (English Heritage 2011). The NPPF requires development to be guided towards a solution that achieves economic, social and environmental gains jointly and simultaneously. The Authority should ensure that sufficient information has been submitted to enable you to understand the potential impact on the significance of all heritage assets including on their settings. Without an understanding of significance of non-designated heritage assets within the site your authority will be unable to ensure that the impact on their significance will also be taken into account as required by the NPPF.

Your authority should take account of the desirability of sustaining and enhancing the significance of heritage assets (NPPF 131).

Since significance can be harmed or lost through development within a heritage assets setting any harm or loss of significance resulting from the proposals should therefore require clear and convincing justification (NPPF 132)

Recommends that the authority must be convinced that it has received sufficient information from the applicant to understand the significance and that the applicant is correct in their assessment of the level of impact on the heritage assets, and that any schemes to mitigate harmful impacts are appropriate. Urges the authority to determine the application in accordance with the national and local policy guidance and on the basis of your specialist conservation advice.

Ancient Monuments Society: Comments awaited

Conservation Officer: The impacts on the setting and significance of Raventhorpe Farm have been mitigated and there is no objection to the proposal regarding this listed building.

Historic Environment Record Officer: Original submission – Advised that more field evaluation including field walk over and trial trenches. Following the receipt of the application a geophysical survey was submitted and agreed trial trenching and field walking is now almost complete.

Preliminary results from trenches 5 & 6 in the southwest area of the site strongly suggest that these features are Roman; the presence of ceramic building material (roof and box flue heating tile) indicates that a building of some substance and status was located in the near vicinity although none of these features appear to be structural. The field walking has produced a cluster of finds from this area, though I have not yet seen any distribution plots. Additional trenching in this area to define the extent of the remains is now almost completed.

Trench 24 in the north-east corner may contain archaeological features as may trench 15 in the centre, both yet to be investigated. Trenches 13 & 16 contain a single gully each. Other than these areas, the geophysical anomalies (shown in pink on the plan) appear on first inspection to be natural geological fissures in the bedrock, surprising given their regularity which appears man-made.

The field walking plots will be available shortly, but it appears unlikely that these will identify significant new targets that could require further evaluation trenches, but that remains a possibility.

On current evidence, we have one definite area of Roman archaeology that will require mitigation once its extent is determined and a couple more potential areas. The topsoil is incredibly shallow, barely 20cm deep before coming down onto the natural bedrock. Any groundwork, however minimal, leading to the soil disturbance or removal could have archaeological impact, including for example installing the site compound and access tracks.

Appropriate mitigation would be to either avoid developing the area (yet to be fully defined) of the Roman archaeology or employ the non-intrusive panel foundation technique here, as well as potentially within further areas around trenches 24 & 15, together with a programme of archaeological recording; this recording may involve structured archaeological 'strip map and record' excavation before development commences, and/or an archaeological watching brief during development.

Final comments following receipt of field walking and trial trenching summaries. Advises that the archaeological field evaluation currently underway is incomplete; national and local planning policy require that sufficient information is made available to the local planning authority to enable an informed and reasonable planning decision. The HER continues to advise a HOLDING OBJECTION until further information is provided regarding the significance of heritage assets across the development site and the potential impact of the development. The application should not be determined, except for a refusal, until this information is submitted and any appropriate mitigation measures agreed to avoid adverse impact on heritage assets or adequately mitigate and any loss of significance. If the planning authority is minded to approve the application on the basis of current inadequate information conditions securing the completion of the evaluation and the implementation of mitigation measures to be agreed would be needed and conditions are recommended.

Environment Team (Ecology): The surveyors found no signs of badger, reptiles or great crested newts on the application site. Breeding birds include priority species of farm land. The sandy and sandy loam soils are ideal for important arable plants and plants of disturbed ground. Broadly in agreement with the mitigation and enhancement measures in the Environmental Statement. If the application is granted biodiversity enhancements will need to be secured in accordance with the National Planning Policy Framework. Recommends conditions to secure the submission of a Biodiversity Management Plan

Lincolnshire Wildlife Trust: Satisfied that the ecological information submitted with the application and mitigation put forward then there would be no significant negative impacts on protected sites or species. Suggest sowing the areas under and around the panels with native species rich grassland mix. Creation of 70 ha of species rich grassland would represent a significant enhancement for biodiversity and assist in linking and buffering the existing ancient woodlands with other high quality habitats within the wider landscape. The Trust notes that a grazing mix is proposed for the area underneath the panels, with sheep grazing as a means of management. Management of all or part of the site as a hay meadow would provide the greatest biodiversity benefits and would be the Trust's preference, however a species rich pasture would also represent a biodiversity gain for the site. The Trust recommends that any stocking levels are kept low in order to maintain a species rich sward. If mowing is used as a management method then the layout of the panels would need to allow sufficient width to ensure safe passage of the appropriate equipment. The Trust supports the strengthening of existing hedges and planting new hedges to provide new habitats. It also recommends a Biodiversity Management Plan which should detail the conservation objectives for habitats and species present, provide information on how new habitats are to be established and the ongoing management and monitoring practices required to achieve the objectives.

Royal Society for the Protection of Birds: Awaiting comments.

Natural England: The proposal is unlikely to affect any statutorily protected sites or landscapes. The Planning Authority should apply standing advice regarding protected species and should consider securing measures to enhance the biodiversity of the site from the applicant.

Tree and Hedgerow Officer: No objections subject to a condition to protect existing trees and hedges.

National Grid: Comments awaited.

Doncaster Airport: No objections subject to condition. The assessment has been carried out in relation to the Glint and Glare assessment as provided by Kinetica Energy. Only based on these findings are there no objections. Should the solar farm have any adverse effect towards aviation other than those described in the assessment, the airport reserves the right to formally assess any future concerns which may arise should the solar farm have an impact on airport operations.

Humberside Airport: The proposal has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria.

NATS Safeguarding: The proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria. No objections

Civil Aviation Authority: Comments awaited.

Humberside Fire and Rescue Service: Access for fire service is required together with water supplies for fire fighting.

Humberside Police: Comments awaited

National Planning Casework Unit: No comments.

HOLME PARISH MEETING

No objections.

BROUGHTON TOWN COUNCIL

No objections subject to the development not infringing on any footpath or other public access.

PUBLICITY

The application is accompanied by an Environmental Statement and has been advertised as such in the press. Supplementary information including a Glint and Glare Assessment and Geophysical survey has also been advertised.

Neighbouring occupiers have been consulted and site notices displayed.

Neighbours: [REDACTED], comments that TATA Steel back the development in order to obtain all of the electricity for their operation. Nothing to be gained for the public for this development as TATA will receive all of the energy for free. The applicant has responded to this letter stating that the applicant is not TATA and that the site was chosen for its low visual impact and its setting close to the industrial structures associated with the TATA steelworks. In addition it has good access off the A18 and is generally flat. The applicant also

states that it has looked at a number of businesses which could benefit from renewable energy within the area. The scheme would also provide the landowner with a means of diversification which could secure the future of the farming business in years to come. The scheme would also provide a means of improving the biodiversity of the site through the introduction of wildflower meadows as well as new and enhanced hedgerows. On a broader point the applicant states that the development would provide a form of renewable energy which would contribute to the UK's commitment to a target of sourcing 15% of its energy from renewable sources by 2020.

Sweeting Thorns, concerned that existing tree screening maybe removed in future which would create greater views of the site.

Forest Pines Hotel and Golf Course The owners of the golf course have raised concerns about the impact of the solar arrays on the view from certain vantage points within the golf course especially along the south west and north west boundaries of the course. The owners have requested that additional planting is carried out to protect the views from the course and to protect the attractiveness of the course for users. The suggestion put forward would be for a double staggered hawthorn hedge (8400 plants) along the entire boundary of the 4th and 5th holes protected with rabbit guards and canes together with the planting of Scots Pines (1008 trees) along the boundaries planted at 5 metre centres. The request by the Golf club also includes the creation of earth mounding to a height of around 2.6m and 10m in width in two sections at the corners of the site with a total length of 160m. The tree planting along this section would be on top of the mounding to include some silver birch and under planted with gorse (200 plants) to screen the site in these two key areas.

ASSESSMENT

Application site

The application site is located between Scunthorpe and Broughton to the north side of the A18 adjacent to the medieval village of Raventhorpe. The site measures 69.8 hectares and is presently in use for arable farming. The land gently slopes upwards from the south and west to form a plateau towards the eastern and northern parts of the site. A natural escarpment lies along part of the western boundary. At the centre of the site is a covered reservoir operated by Anglian Water. Access to the site is either directly from the A18 or from the existing layby on the A18 which links with Raventhorpe Farm Road. This road is adopted to a point beyond the existing access into the covered reservoir which would be used for the application.

To the west of the site is Raventhorpe Medieval Village which has been designated as a Scheduled Ancient Monument. Also to the west are a small number of residential properties one of which is a listed building known as Raventhorpe Farmhouse. It is a 17th century farmhouse with 19th and 20th century additions. To the west of these properties, and the medieval village, is an area of agricultural land and beyond this is TATA Steel.

To the north and east of the site there are Ancient semi natural woodlands which have been continuously wooded but some of the trees are not native to the area. The woods are actively managed under control of the Forestry Commission.

To the south east of the site lies the Forest Pines Golf course which is set within largely evergreen woodlands, lakes and bunkers with the associated Hotel positioned at the junction of the A18 and the Road leading to Broughton.

Along the boundary of the site with the A18 is a high native hedge with some gaps.

To the south of the site on the opposite side of the A18 lies open agricultural land.

There is a public footpath (212) which dissects the site in two. The footpath leads from Broughton to TATA Steel and is used by workers travelling to TATA Steel on foot and bicycle together with recreational users.

Proposed development

The originally submitted application plans showing the boundary of the site have been amended to show the areas to be landscaped as falling within the red edge delineating the development site. The application site as amended is owned by the existing farmer who lives adjacent to the site and would be leased to the applicant for a 30 year period in the event that planning permission is granted.

The application is for development of a solar farm to provide 38MW of electricity, enough to meet the energy demands of 13,125 homes, comprising the following:

160,000 photovoltaic (PV) solar arrays each measuring 1.63 x 1.63 in area and 2.25m in height above ground level. The solar panels would be supported by a table/racking system that would typically hold 46 panels each. A 20mm gap would allow water to drain between panels on all sides. The solar panels would be positioned in rows at an angle of 25 degrees from vertical and would be static. There would be a minimum distance of 3m between rows. The solar panels would be fixed to the ground by a monopole piled into the ground at a depth of 1.2m.

1 no. switchgear building measuring 6.1m x 4.9m floor area and 2.94m in height coloured dark green

1 no. transformer station 12.1 x 2.8m floor area and 2.8m in height coloured dark green.

18 no. inverter stations 12.19 x 2.89m floor area and 2.8m in height coloured dark green. Cabling from each solar panel would be directed underground to the nearest inverter station along the access track.

Security fencing coloured green and measuring 2.2m in height would be erected around the perimeter of the site with associated gates at a height of 2.8m.

Security- 86 no. CCTV cameras would be fixed to monopoles at a height of 2.4m. The cameras would work by infra red and so no other lighting would be required.

Access tracks would be constructed from geotextile and stone 350mm in height from original ground level.

Cabling measuring 1000m in length would be provided from the site to an existing sub-station on the TATA Steel site to the west allowing TATA Steel to use the energy or the electricity to be linked into the national grid.

Highway improvements: Minor improvement works would be carried out at the entrance to the site involving the widening of verges and radius temporarily during the course of construction.

Drainage: New drainage in the form of swales would be provided along each boundary of the site to a depth of 300mm.

Access into the site would be from the existing layby. Direct access from the A18 for vehicles travelling westwards would not be possible and these vehicles would need to turn around at the next roundabout. Exit from the site would be directly onto the A18 travelling eastwards.

Landscaping: The applicant has shown tree and shrub planting along the boundaries to the Golf course and wildflower meadow seeding to the boundaries with the woodlands to the east and north. The hedge to the A18 and the hedge to the western boundary of the site would be reinforced with additional native hedge planting to create better visual screens to the development. A new hedge would be planted each side of the public footpath 212 to screen the fencing and solar panels from view of users of the footpath.

If any of the electricity is provided to the national grid a new connection to this supply would be required. The applicant has stated that this would be the responsibility of the Direct Electricity and is assumed to be 2,900m from the proposed site.

The applicant has agreed to display two interpretative panel boards to provide educational information about the solar farm and to provide information about the Raventhorpe derelict medieval village.

Developmental history

None relevant.

Main issues

The application is accompanied by an Environmental Statement as the development is considered to result in significant environmental impacts and falls within Schedule 2 of the Environmental Impact Regulations 2011.

The main material planning considerations to be made in the determination of the application relate to 1) Policy and Principle, 2) Environmental impacts

Policy and principle

The Climate Change Act 2008 sets a national legally binding target for UK countries to achieve an 80% reduction in greenhouse gas emissions by 2050 from a baseline of 1990.

The European Renewable Energy Directive came into force in 2009 and the UK has agreed to source 15% of its energy from renewable sources by 2020. The UK has also set an aim in the UK Low Carbon Transition Plan 2009 to exceed the European targets by achieving 30% of its energy from renewable sources within the same timeframe.

The National Planning Policy Framework (NPPF) issued on 27 March 2012 is a material planning consideration in planning decisions with a presumption in favour of sustainable development. At paragraph 93 it states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. At Paragraph 17 it also states that planning should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and to encourage the use of renewable resources (for example by the development of renewable energy). The NPPF also supports the use of brownfield land. Loss of high quality agricultural land should be resisted. The applicant has submitted that TATA Steel would almost certainly be the end user of the energy generated from the solar farm and on grounds of efficiency the site has to be within a distance of 2.5 miles from the point of connection. Other sites have been considered including brownfield land within the environs of TATA Steel but have not been available on the scale required. The land is shown to be mostly grade 3b and grade 4 agricultural land with only 18% (14 ha) grade 3a (high grade). The CPRE has objected to the application on grounds that include the loss of agricultural land and recommends that land at TATA Steel be used instead. The applicant has addressed the reasons for the objection and has confirmed that there is no available or suitable brownfield land for the development of the solar park. This is demonstrated within the applicant's alternative site search. The applicant has submitted a detailed soil study with the application which states that 18% of the land is grade 3a (high grade), 61% is Grade 3b (moderate quality) and 21% is poor quality. The applicant has confirmed that there is no poorer quality land within 3km of the point of grid connection upon which to locate the development.

The National Planning Practice Guidance (NPPG) is also material. At paragraph 5-013 the NPPG states that large-scale solar farms can have a negative impact on the rural environment and encourages the use of previously developed land, provided that it is not of high environmental value. This mirrors advice within the NPPF and the applicant has shown that there are no other sites available for this scale of development in the vicinity of the end user. Consideration should also be given to the Overarching National Policy Statement for Energy EN-1 dating from 2011 and the speech by the Minister for Energy and Climate Change to the solar industry in April 2013.

The North Lincolnshire Local Plan 2003 designates the application site as High Landscape Value under Policy LC8-2 but this policy has not been saved under the Secretary of State's saving direction 2007. The whole site lies in the open countryside and is greenfield land and Policies ST3, RD2 and RD7 apply. Whilst a brownfield site would be preferred it is considered that by the very nature of solar farms open countryside sites can be suitable and still allow agricultural uses such as grazing to take place during the operational period of the farms. The applicant has demonstrated that there are no other sites which would be appropriate for this development within the vicinity of the TATA Steel site which will be the end user.

Part of the site to the north of the public footpath is shown as safeguarded land under Policy IG9 Ironstone Extraction. As the proposed use of the land would be for a temporary period of 30 years and would be returned to full agricultural use after this time it is considered that the iron ore reserves would still be protected for future use if required. It is considered therefore that the use does not conflict with this policy.

Policy DS21 Renewable Energy supports proposals for renewable energy provided that any detrimental effect is outweighed by environmental benefits. These impacts will be referred to in the next section but this policy shows that there is support for renewable energy in principle.

Core Strategy Policies.

PPG 5 Heritage.

Environmental impacts

The application is accompanied by an Environmental Statement (ES) which describes and analyses the results of the Environmental Impact Assessment (EIA). The document includes a section on the alternative sites considered as referred to above.

The main environmental impacts identified are as follows

- 1) Landscape and Visual Impact Assessment (LVIA) – This assessment is used to systematically identify and assess the nature and significance of the effects of a proposed development on the landscape as an environmental resource and on people's views and visual amenity. The study area for the LVIA was a 5km radius around the site to ensure coverage of all sensitive areas and receptors. There are no statutory landscape designations within the study area although the site was originally identified as an Area of High Landscape Value a policy which was not saved. The Council's 'Planning for Renewable Energy Development' states, however, that the purpose of this designation was to safeguard the natural beauty, distinctiveness and diversity of the best and most highly valued of North Lincolnshire's landscapes. Therefore the site should be protected from inappropriate development. The document at Policy 2 (landscape) states that proposals in areas of high landscape value or which affect their setting will be rigorously assessed in relation to their impacts on these important landscapes. If adverse impacts are identified these should be avoided or mitigated. Should this prove impossible the proposal should

refused. The site is also shown to be within the 'Heathy Woodland – Risby Warren and Broughton local landscape type in the Council's Landscape Character Assessment and Guidelines 1999.

The site is very well screened from the north and east sides owing to existing ancient semi natural woodlands. These are managed by the Forestry Commission and it is unlikely that these woods would be felled without replanting and so the screening is considered to be permanent. There would be some visibility of the site from the Forest Pines Golf course to the south east. The site is more open on the western side especially to the south west. The site can also be clearly viewed from along the public right of way and from the dwellings along Raventhorpe Farm Road.

In the pre application discussions with the applicant it was agreed that the nearest fields adjacent to Raventhorpe Farm Road would be omitted from the development. This has reduced the visibility of the site and leaves most of the western scarp free from any development. Along the top of the scarp edge is a native hedgerow although it is intermittent. The site can be viewed by users of the A18 through and above the existing hedgerows bounding the site and can be viewed from the dwellings and lakes close to the Morrisons retail development. Longer range views are also possible from the road to Twigmore Hall to the south on the opposite side of the A18.

To the west of the site lies the medieval village of Raventhorpe and the impact on the setting of this derelict village has been taken into account. There are no information boards to educate people about the village and there are no above ground features visible to identify the site.

The conclusion of the LVIA is that views of the site by users of the public right of way, golf course and A18 would be significant. In order to minimise these impacts the applicant has put forward a proposed landscaping scheme. This would include the provision of a 20m corridor for the public right of way which would be kept free from development. The security fencing would be erected to each boundary of the corridor and a native hedge planted next to the fence on the same side as the footpath. Over time this would screen the views of the fence and solar panels for users of the public right of way. The area between the public right of way and the proposed hedgerows would be seeded with species rich wildflower grassland and would be managed to maintain species diversity throughout the life of the project.

The hedge forming the western boundary of the site to the north of the Stonewall plantation would be improved through new planting to close existing gaps in the planting. To protect the views of the site from the dwellings at the foot of the escarpment, which lie to the west of the site, the hedgerow would be allowed to grow to height of 3m.

Native tree and shrub planting would be provided within a 30m wide buffer zone between the site and the Forest Pines Golf Course which would add to the existing screening along the western and northern boundaries of the golf course. The owners of the golf course have requested that the applicant plants a double staggered hawthorn hedge along the entire boundary of the

4th and 5th holes, with spiral rabbit guards and canes 1 to 1.25 metres in height at 5 plants per metres totalling approximately 840 metres and 8400 plants. In addition to this the golf course has requested the erection of a 6 foot wind break netting fence along the boundary outside the hawthorn together with Scots Pine planting along the boundaries with the golf course next to the requested hedge planting. Finally the golf course owners have requested that an earth mound measuring (2.6m) in height and 10m in width and 160m in length (in total) be planted along two sections of the golf course boundaries. It is considered that such mounding would be unreasonable and would lead to potential problems with regard to the implications for archaeology, drainage and landscape. The movement of such a large volume of earth would also result in a significant increase in HGV movements. The solar panels would be positioned at a minimum distance of 30m from the boundary of the golf course. Within a period of five years this planting would effectively screen the site from the users of the golf course. Provided that mature planting is used along the boundary it is considered that the mounding would not be necessary. The Council's Ecologist has advised that the planting would have to be in accordance with species approved by the Forestry Commission in order to protect the adjacent Ancient Woodlands. Such species would include English Oak, Hazel and Holly with hedgerow species of Hawthorn (60%) with other native hedge species for the remaining 40%. The applicant has agreed to use these together with any other approved species. A condition is recommended to secure suitable planting species, numbers, sizes, spacing and locations. On this basis it is considered that the golf course would be effectively screened.

The vegetation along the A18 to the south of the site would be increased to fill the gaps with native species in order to screen the site from users of the highway and from further vantage points to the south. In winter however once the leaves have dropped the site would still be visible although views for car users would be fleeting. Other views would be long distance and considered to be acceptable. The site would appear in the distance as a grey/blue field with some reflection of the sky similar to water reflection.

With the implementation of the proposed mitigation consisting of planting and new management practices these impacts would be minimised. The use would be a temporary use albeit for a period of 30 years but the site would be returned to its former condition upon decommissioning. In summary it is considered that the overall impact on the landscape character and visual impact would not be of such a significant level to warrant a refusal of the application.

2) Archaeology and cultural heritage

The site falls within close proximity to a Scheduled Ancient Monument consisting of Raventhorpe Derelict Medieval Village which lies to the west of the site on the far side of the track leading to the access to the site. The course of the Jurassic Way, a prehistoric trackway running north –south along the limestone escarpment, passes between the Scheduled Monument and the development site. The Historic Environment Record (HER) indicates widespread occupation and activity in the vicinity and there are three recorded

sites of archaeological finds within the development site. These include finds of Romano-British occupation material including high status Samian pottery, fragment of Roman glass and a piece of dressed limestone masonry. These plough soil finds are likely to originate from buried archaeological features and are indicative of the presence of significant Romano activity in the immediate vicinity.

The ES includes a desk top study of the archaeology of the site. Following the submission of the ES a supplementary geophysical survey of the site was submitted and this has been advertised under the EIA Regulations. The results of the geophysical survey and desk top study has confirmed the potential for the site to contain previously unidentified archaeological remains likely to represent significant Romano-British and medieval archaeology. The Council's Historic Environment Records Officer originally issued a holding objection and advised that further field work was required prior to determination. English Heritage also advised that further work would be needed before a decision could be taken. The applicant has now agreed to carry further field work including a walk over of the site and trial trenches to allow the remains to be identified and characterised. This work is essential prior to the determination of the application and is nearing completion.

The preliminary results from trial trenching strongly suggest that features found in one area of the site, to the south west, are Roman. The field walking results produced a cluster of finds from this area. Trenches in the north west corner of the site may contain archaeological finds

If a decision is to be made prior to all field work and evaluation being complete then the HER Officer advises that conditions are recommended to secure a scheme of mitigation and recording and/or watching brief to be carried out to protect any archaeological remains. English Heritage has been reconsulted following the additional field work and urges the authority to determine the application in accordance with national and local planning policy. EH advises that insufficient information has been submitted to understand the results of the additional work as final reports have not yet been submitted.

The site is also in close proximity to a listed building at Raventhorpe Farmhouse. This farmhouse is a Grade 11 listed building dating from the 17th century with later additions. The setting of the farmhouse is defined by post-medieval and later ancillary buildings which consist of the farmstead. It is surrounded by farm land with the area of the deserted medieval village (DMV) to the south west. The DMV is left fallow and is entirely contained within an enclosed plot to the west of the trackway leading to Raventhorpe farm. The ES states that the DMV and farmhouse are considered to be of Medium Sensitivity to changes to their setting, which given the surroundings has remained rural and agricultural in character. The ES photomontage shows that there would be some slight visibility of the solar panels from the above heritage assets during the first five years. The existing hedge at the top of the escarpment would be planted up with native species to fill in gaps. The applicant states that the hedge would be left to grow to 3m in height. Such mitigation planting would screen the solar panels and security fencing from

the heritage assets and protect these assets from any significant harm. The panels and security fencing would also be set at a distance of 20m to the east of the fencing reducing their visibility even further as the hedge lies along the highest part of the site. The ES concludes that the impact of the development would be of Negligible significance upon the settings of the heritage assets.

3) Noise

The EIA considered noise levels from four receptors following consultation with the Council. These include Raventhorpe Farm, Keepers Cottage to the north west of the site, Rose Cottage to the east of the site and within the ancient replanted woodland and finally the nearest residential properties to the south on the far side of the A18.

The construction period would be around 12 weeks and the EIA considered such an impact in relation to the BS5228:2009 Parts 1 and 2 'Code of practice for noise and vibration control on construction and open sites'. Planning policy guidance regarding noise levels is also provided within the Noise Policy Statement for England and the NPPF. The decommissioning period would also result in construction noise and has also been included in the assessment. The construction phase would involve the movement of soils and the construction of new buildings and infrastructure. It would involve the use of excavators, haulage lorries, piling rigs, cranes, dumpers, concrete mixers, diggers, and paving machines, mobile generators, pumps and compressors. The noisiest activities are expected to be generated during soil movement and infrastructure construction and plant installation. The noise levels would vary at different times of the day and depending on the type of equipment being used and at which parts of the site.

In accordance with BS5228 best practice would be employed to control noise generation including silencers or acoustic hoods where practicable and would include routing of the construction traffic to avoid residential properties. Careful consideration of the location of plant to minimise noise levels would be employed together with shutting down machines used intermittently when not in use. Plant with beeper type reverse alarms would be avoided and fitted with broadband noise type instead. Inverters and transformers and associated extract fans would be housed within acoustic or enclosures. All ventilation louvres or ventilation openings would be fitted with attenuators to control maximum noise levels not exceeding 67dB(A) at a distance of 3m. All such measures would be set out within a Construction Environmental Management Plan (CEMP) which could be secured through the imposition of a condition. The Council's Environmental Health Officer has raised no objections to the development on noise grounds subject to the CEMP being secured and a condition limiting the noise from the operation plant on site to a maximum of 35 dB measured as LAeq, 5mins at any residential boundary. The ES concludes that with standard site construction practices and mitigation measures a negligible to minor adverse effect is likely to occur.

Once in operation the ES states that solar farms are inherently quiet installations due to the fact that there are no moving parts. The associated plant to convert the DC current to AC at the correct voltage involves the use of inverters and transformer. Transformers generate a low level hum at relatively close distances driven by the mains frequency. Inverters require forced ventilation during generation of electricity which involves the use of extract fans to maintain cooling. The solar farm is only in operation during daylight but in summer this means that the site is in operation when residents maybe asleep during early mornings and evenings. No significant noise effects have been identified by the noise assessment in relation to operational plant noise. The resultant noise levels at the receptors are below the lower limit as advised by the Council's Environmental Health Officer. Noise levels would be significantly lower than the World Health Organisation for sleep disturbance (ie 40dB LAeq8hours). Noise levels would be significantly lower within the nearest sensitive room with a window open according to British Standards. No further mitigation measures are considered to be required in connection with the operational phase.

4) Ecology and Nature Conservation

The main impacts on ecology and nature conservation found to occur at solar farms around the country include greater impacts on the margins of the site than predicted, problems in establishing grassland swards, and wildlife mixes in particular in the shade of solar panels, and the requirement for trees, hedgerows and shrubs to be cut back too hard too frequently, to avoid shading of the panels, the effects of security fencing on protected species, and the effect on soils.

The Screening Opinion highlighted the importance of protecting the ancient woodlands to the north and east of the site designated as ancient woodlands and implementing mitigation measures if an adverse impact was predicted. The Scoping Opinion recommended an extended Phase 1 habitat survey, hedgerow survey and bat survey, badger search, breeding bird survey and assessment of impacts on other species. The EIA included a data search and surveys covering the above areas of interest. The surveys were carried out over the spring and summer 2014. The Council's Ecologist has agreed that an appropriate level of survey has been carried out.

To the north and east of the site there are broadleaved and mixed woodlands with much of this area having non statutory designations of Local Wildlife Sites. Parts of these wooded areas are also known as ancient woodlands, classed as plantations on ancient woodland sites. Parts of the woodlands are designated as Sites of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981 and are located at a distance of 1.76km and 2.23km from the application site. To the south on the far side of the A18 there is another SSSI called Manton and Twigmoor heathland acid grassland and wetland located at a distance of 1.76km from the site boundary.

One of the main impacts to wildlife arises from the requirement to fence the site which results in restriction of access to the site by wildlife including brown hare, roe deer, and fox. Potentially badgers could also be affected but no

signs of these mammals have been found foraging across the site. The fencing could result in some benefit to ground nesting birds as they would not be affected by ground predators, however, some mammals such as weasels and stoats would still be able to pass through the fencing given their relatively small size. Within the site although roe deer are likely to use the current site the extensive woodlands around the northern and eastern boundaries would continue to allow movement around the site.

The surveys revealed that the application site itself is little used by foraging bats, and there were no signs of badgers, reptiles or great crested newts. There were no wintering bird records of particular note, save for small numbers of lapwing, grey partridge and skylark. Breeding birds recorded include probable grey partridge, lapwing, skylark, linnet and yellowhammer, along with possible barn owl, song thrush and yellow wagtail. These are all either priority species or species listed on Schedule 1 of the Wildlife and Countryside Act 1981. Brown hare has also been recorded on site. This is a priority species that is very common and widespread in Lincolnshire.

The existing habitats are largely species poor hedgerow, arable land, game cover and secondary woodland of low biodiversity value. The land is used for pheasant shooting which are reared in the Stonewall plantation adjacent to the site. The sandy and sandy loam soils are ideal for important arable plants and plants of disturbed soils included on Natural England's Higher Level Stewardship

The applicant has stated within the ES that the site would be used for sheep grazing following construction and it is considered that this would result in a biodiversity enhancement compared to arable monoculture existing at present. The Council's Ecologist advises, however, that it is important to maintain some cultivated margins, to ensure that the species of disturbed ground are not replaced by more competitive perennials.

The significant impacts and proposed mitigation measures set out in the ES relate to the following:

- loss of arable field margin habitat to be mitigated by provision of rotational fallow areas on site margins to be secured by the implementation of an approved Environmental Management Plan (EMP) which could be secured through the imposition of a condition.
- potential loss and damage of hedgerow priority habitat to be mitigated by on site management measures during construction using appropriate standoff distances.
- potential disturbance to breeding birds including owls to be mitigated by working only during non breeding season and restriction of works near owl roost. To be implemented through the CEMP.
- potential loss of nests, eggs, or dependent young to be mitigated by restricting the timing of works outside breeding season implemented through CEMP.

- potential killing or injuring protected species mitigated by reasonable avoidance including hand searching for Great Crested Newts to be implemented through an approved EMP.
- prevention of impacts on priority species mitigated by the installation of mammal flaps to allow small mammals access to the site to be secured by condition requiring security fence to be designed appropriately.
- prevention of damage to Ancient Woodlands and Local Wildlife Sites by avoiding inadvertent impacts to be implemented through the CEMP. Wide margins, which would be landscaped, have been included in the design to further protect these designations.

The Council's Ecologist is in agreement to the above mitigation and avoidance measures and the implementation of an approved. EMP.

The NPPF requires the planning system to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, recognising the wider benefits of ecosystem services and minimising impacts on biodiversity and providing net gains in biodiversity where possible to halt the overall decline in biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures. It also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The applicant has put forward a number of biodiversity enhancements of the site including the creation of permanent grass margins into parts of the site in order to improve the conservation status of barn owls by provision of foraging habitats. Hedgerows would be improved by planting up gaps with native species and by allowing some hedges to grow to 3m in height. Finally the construction of bat boxes, barn owl boxes and other nest boxes would help to increase biodiversity within and around the site. Enhancement of biodiversity when considering applications is required by the NPPF, Core Strategy and Local Plan. These measures can be secured through implementation of an approved Biodiversity Management Plan to be required by condition attached to any approval.

Natural England has confirmed that the proposal is unlikely to affect any statutorily protected sites or designations. The Council's Ecologist is satisfied with the proposed enhancements and recommends a condition to secure these measures through an approved Biodiversity Management Plan.

6)Air Quality

The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution, or land instability.

The application site lies within the Scunthorpe Air Quality Management Area (AQMA) relating to the air pollution from the TATA Steelworks which lies 650m to the west side of the site. The AQMA was declared by the Local Authority in 2005 because the PM10 air particulates exceeded the daily mean objective at a number of relevant locations around the Steelworks. Within this area the Council aims to improve air quality and resist developments which could make air quality any worse. The Steelworks are regulated by the Environment Agency and by the Council and is a source of a number of air emissions including particulate matter, SO₂, PAHs and heavy metals.

The Council's Environmental Health Officer has given pre application advice regarding this matter together the impact of dust arising from the development and has advised on the most appropriate ways to evaluate the air quality during construction and operation of the solar farm on the nearest receptors which in this case relates to nearby residential properties surrounding the site.

It is considered that the main impact on air quality during construction would be from exhaust fumes from HGV's visiting the site and from dust arising from the construction process. The operation of the solar farm would not result in any air pollution. The maintenance vehicles visiting the site would be limited to occasional visits and would not be a significant factor in air quality for this site and no further assessment is therefore needed for the operational phase in terms of air quality.

The assessment of the construction dust and air emissions has been carried out to agreed methodologies taking into account proposed site activities, scale of development, proximity to sensitive receptors, local topography and the prevailing wind direction, compared to a baseline study level including data from eight air quality monitoring stations six of which are within the Scunthorpe AQMA the nearest of which lies 2.1km from the site. None of the monitors have recorded exceedances of the annual mean NO₂ or PM10 objectives since 2010. Exceedance of the 24 hour mean objective for PM10 continues to be recorded at Low Stanton to the north of the site. The Council also operates a network of diffusion tubes monitoring NO₂ concentrations. None of these are within the vicinity of the site.

The sensitivity of the impact of dust relates to public exposure and expected level of amenity. In accordance with the agreed methods the assessment considers potential receptors within 350m of the boundary of the site, 100m of the route likely to be used by construction traffic on the public highway and up to 500m from the site entrance.

The assessment of vehicle emissions takes account of predicted changes to traffic flows and along the road links within the transport assessment study area and locations of sensitive sites compared to a baseline study level.

The ES concludes that the site is not downwind of the Steel works the prevailing wind direction being south westerly. The assessment states that without any mitigation the predicted dust levels and PM10 levels would have a low impact on nearby residential properties. The applicant has stated however that standard best practice in respect of dust control and site management

would be agreed within a Dust Management Plan (DMP to be secured by condition) which would prevent any significant degrees of dust pollution for nearby occupiers. An overriding requirement would be for operations giving rise to dust to be modified or suspended until more suitable conditions prevail or more effective dust controls are implemented. The DMP would include methods for handling materials, management of stockpiles, operating vehicles and machinery and haulage roads. With such mitigation measures in place no unacceptable impacts on human health, amenity or ecological receptors have been identified by the EIA in terms of dust or air quality.

The Council's Environmental Health Officer has recommended conditions to secure a CEMP to include details of mitigation measures to control dust and air pollution.

7) Security and Lighting

The site would include expensive equipment which could be subject of theft or other crime and it is acknowledged that security of the development is a material planning consideration. The security of the site would be provided by a security fence measuring 2.2m in height above ground level with CCTV positioned on poles around the perimeter of the site. Infrared lighting would be triggered by any unauthorised intrusion through the fencing or gates and would negate the requirement for any other lighting of the site. This would minimise light pollution and impact on wildlife and is considered to be acceptable.

8) Contamination

No potential contamination of the site has been identified through desk top studies but a condition is recommended to secure proper investigation if any contamination is found during construction works.

9) Traffic

The applicant has carried out a Transport Assessment (TA) given the significant construction traffic which would be generated by the development. Access to the site would be from the A18 via the existing layby on the east bound carriageway rather than being from the A18 directly onto Raventhorpe Farm Road. This is considered to be a safer route into the site and would avoid traffic queuing behind HGV's which would need to slow down significantly to turn into the right angle turn into Raventhorpe Farm Road. Exit from the site for all vehicles would be from Raventhorpe Farm Road onto the A18 eastbound carriageway. The TA has identified a serious traffic crash site in close proximity of the site on the A18 close to the junction with Raventhorpe Farm Road.

The construction period would be for twelve weeks only and would result in the following traffic movements giving a total of 1,165 vehicles resulting in 18 vehicles a day or 36 daily two way movements:

225 HGV's for transporting the solar panels,

160 HGV's for transporting the frames

120 HGV's for transporting cables

20 HGV's for transporting inverters and transformers

40 Vans for transporting fencing and gates

600 HGV's for transporting materials for the haul road construction

Vehicle generation during the operation of the site would be minimal relating to occasional maintenance vehicles only.

The TA concludes that the proposed ingress and egress arrangements and the increase in traffic using the A18 would not result in any significant traffic or safety implications.

The proposed access into the site from Raventhorpe Farm Road would utilise an existing road which gives access to farm land but also to the Anglian Water covered reservoir site which lies at the centre of the site. The use of the existing access for HGV vehicles would mean a minor over run of adjacent verges within the adopted highway. The applicant is proposing some minor temporary highway works to accommodate turning vehicles. No objections have been raised by the Highway Authority to these works and a condition is recommended to secure suitable measures for works within the highway.

10) Glint and Glare

Glint may be produced as a direct reflection of the sun in the surface of the solar panels. It may be the source of the visual issues regarding viewer distraction. Glare is a continuous source of brightness, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint.

Solar panels are designed to absorb, not reflect, irradiation, however, the sensitivities associated with glint and glare and the landscape visual impact and the potential impact on aircraft safety is a material planning consideration.

During the processing of the application Humberside and Robin Hood Airports requested a glint and glare assessment in respect of possible air safety issues given the effect of solar panels during sunlight and daylight hours in terms of reflection.

The applicant submitted a glint and glare assessment which was advertised as supplementary EIA information and the airports and Civil Aviation Association (CAA) and National Air Safety bodies were re consulted.

The assessment was carried out on the basis that the solar panels would be inclined 25 degrees to the horizontal facing due south The assessment concludes that the effect on the two airports would be negligible. The development would fulfil CAA guidance for solar farms with respect to both

airports and would not infringe any safeguarding criteria for this nature of development for the runways or technical installations.

The assessment also concludes that the effects on other nearby receptors including roads public rights of way built up areas and dwellings would be negligible.

11) Flood Risk and Surface Water Drainage

The applicant has submitted a Flood Risk Assessment which concludes that the proposed development including the proposed swale drainage system along the western and southern boundary would not increase the rate of run off from the site or the risk of flooding elsewhere. During the processing of the application the Environment Agency advised that additional swales would be required along the eastern and northern boundaries and amended plans have been submitted to show this provision. The EA has also requested a condition to secure a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. Such a scheme would need to demonstrate greenfield runoff rates from the development together with sufficient water storage and outfall arrangements together with adoption and maintenance details. The applicant has agreed to carry out such work and this would need to be secured by condition.

The Internal Drainage Board has been consulted but has not responded. No comments have been received from the Council's Drainage Officer or from Anglian Water which operates the covered reservoir at the centre of the site and which would share the access into the site.

12) Public Rights of Way

An existing Public Right of Way (212) (PROW) cuts through the site to the northern part of the development. It consists of an earth farm track around 4m in width. It has no boundaries to either side and enjoys panoramic views over the site and beyond. It leads from Broughton to TATA steel and is well used including by workers at the steel works on foot and by bicycle.

The plans show that the PROW would be retained in its present position. The development of the solar farm and the erection of the security fencing would have a significant impact on the appearance of the footpath and the views from the footpath and therefore the enjoyment of the users. This is recognised by the LVIA. The applicant has put forward mitigation measures to reduce the impact as much as possible. This includes the creation of a 20m wide corridor for the footpath which would be free from any development. The security fencing would be erected each side of the footpath on the edge of the 20m boundary. A native hedgerow and trees would be planted along both sides of the footpath adjacent to the security fencing. This would provide a green corridor for the footpath and in time the hedge and trees would grow to screen the fencing and solar panels from the view of users of the footpath. The ES indicates that the planting would take around five years to create such a screen.

The area between each side of the footpath and the proposed hedgerows would be seeded with species rich wildflower grassland that would be managed to maintain species diversity throughout the life of the project. Two interpretive panels for the solar farm and medieval village site would be provided to enhance the amenity/educational value of the route.

The Public Rights of Way Officer has requested that the footpath be upgraded to a Bridleway in order to achieve an enhancement giving further access for horses and originally issued a holding objection until such an improvement could be agreed. The owner of the land has not agreed to this but the applicant has put forward an alternative consisting of a permissive bridleway to run from Mortal Ash Hill northwards along the western perimeter of the site, then eastwards to the south of the wood to join the track used by footpath 212. On this basis the Public Rights of Way Officer has withdrawn his holding objection. The provision of the permissive public footpath for the life of the development can be conditioned.

13) Socio Economic Benefits and community benefits

The socio economic benefits of the scheme includes the potential to export up to 38MW of renewable energy, this would help to meet the UK's target of 15% renewable energy of gross final consumption by 2020 and will support the decarbonisation of the UK economy in the longer term.

The applicant has confirmed that the intention is to provide energy to TATA Steel and that 100% of the energy produced would be used by this business. This would make the business more sustainable by offsetting their present use of energy generated from renewable sources. It would enable the company to lower their electricity costs and would help support local jobs.

The applicant is also in discussions with TATA Steel and ESM Power (Scunthorpe) regarding supplying steel, cabling, electrical fitting and maintenance, PV panel cleaning, site security and other products and services required.

Other local benefits would include the generation of around 100 local jobs for the construction phase of the development. Other jobs needed during the operational phase would be limited to maintenance including landscape maintenance and cleaning of panels.

Direct community benefits have not been put forward by the developer. Such benefits could potentially include: - establishing a local environment trust with funds being contributed annually by the developer and used for energy conservation measures, - local share issue, - local or community ownership of panels, - investment in Green Infrastructure provision and management especially at the landscape scale. Although such community benefits are encouraged government guidance states that such provision is not compliant with the Community Infrastructure Levy Regulations 2010.and therefore cannot be required by planning law.

14) Decommissioning

The applicant has confirmed that the development would be temporary for a period of 30 years and the land would revert to its former condition after that period. A condition is recommended specifying that the permission would be for 30 years only from the date of commissioning. A further condition is recommended to make sure a scheme is submitted to show how and when the land would revert back to its previous use and condition.

CONCLUSION

The provision of renewable energy is supported by national and local planning policy provided there are no significant environmental impacts which cannot be mitigated to an acceptable degree. In this case whilst the land is considered to form an attractive rolling hillside it is set against the backdrop of the steel works to the west and is well screened by woodlands to the north and east. Views of the site would be significant from the footpath and from users of the A18 together with views of the site from the Forest Pines Golf Club. These views have been mitigated to an acceptable level.

The other main impact of the development relates to the impact on the setting of the medieval village and listed building together with archaeological remains found within the site itself following intrusive investigations including trial trenching. Conditions are recommended to secure an appropriate level of mitigation which could include leaving parts of the site undeveloped and less intrusive weighted foundations to protect against damage to heritage assets.

It is considered that provision and enhancement of habitats through planting, erection of nest and bat boxes would result in greater biodiversity in the area.

A new permissive bridleway has also been agreed which would allow greater access to the site for the life time of the development.

For the above reasons it is considered that the proposed development is acceptable subject to a number of conditions.

RECOMMENDATION

Grant permission subject to conditions.