

URGENT UPDATE

Item 13

Great Pagehurst Farm
Pagehurst Road
Staplehurst

Ref: 13/1456

Representations concerning Condition 10 and screening mitigation

Four representations from the owner/occupiers of Mountain Farmhouse to the North west, Park Cottage to the west, Widdershins to the south east and Udene Farm to the north east of the application site have been received after publishing of the Planning Committee report and relate to screening mitigation between the proposed development and their properties and their representations are summarised as follows:

- Extremely disappointed that you have not requested that the hedge facing Mountain Farmhouse is recognised as requiring special treatment. Paragraph 6.93 makes special mention of hedges 5, 6 and 7 but not that on the NW aspect facing Mountain Farmhouse. As we live in one of the houses closest to this development, surely we deserve mention? Our property is of course also Grade II listed.
- A great deal of screening will be required so that we cannot see any of the fence, solar panels and associated buildings. Also towards the south of the site there is an incline that needs special consideration regarding screening as it will need to be higher so that we cannot see the panels, buildings etc.
- Condition required for year round screening ideally from day one of the fence, solar panels and associated buildings using more evergreen plants in the hedge, a large number of trees to create a visual barrier to the site.
- There also needs to be a comprehensive maintenance plan so that any plants/trees that die are replaced in a timely suitable manner.
- The plans do not show trees at all on hedges 6 and 7 and very limited on hedge 5. The view from Park Cottage to hedge 5 includes the incline, so the screening here will need to be higher to obstruct any fences, panels and buildings situated on the incline.
- The problem of creating effective screening from Widdershins would be just about impossible.

Officer Comment:

Condition 10 relating to the requirement for landscaping and screening mitigation states the following:

“Notwithstanding the submitted details, no development shall commence at the site before a revised scheme of landscaping that seeks to mitigate the visual impact of the development on the landscape throughout the year whilst incorporating the Council’s Landscape Guidelines together with a timetable for the implementation of the scheme and a programme for its management and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details during the planting season (October to March) and completed prior to the first export of electricity from the development to the grid.”

Reason: In the interests of the mitigating the landscape impact of the development. These details are required prior to commencement as they are fundamental to the acceptability of the proposal overall."

It is considered that the neighbours representations are valid and condition 10 should be amended to require the revised landscaping scheme to mitigate the visual impact of the development on the landscape and surrounding residential properties most affected by the development. As such, it is recommended that the wording of condition 10 is amended as follows:

Condition 10:

*"Notwithstanding the submitted details, no development shall commence at the site before a revised scheme of landscaping, that seeks to mitigate the visual impact of the development on the landscape **and surrounding residential properties most affected by the development** throughout the year, whilst incorporating the Council's Landscape Guidelines together with a timetable for the implementation of the scheme and a programme for its management and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details during the planting season (October to March) and completed prior to the first export of electricity from the development to the grid.*

*Reason: In the interests of mitigating the landscape and **residential amenity** impact of the development. These details are required prior to commencement as they are fundamental to the acceptability of the proposal overall."*

Other Representations

Four additional representations have been received and are summarised as follows:

- MC burying their heads in sand on question of cumulative impact of the current field-based solar applications close to Maidstone.
- More time is needed to plan a more structured approach.
- No decisions should be made until all the Planning Committee and Planning Officers review all four known current live applications (and two possible others), their merits and complications as well as any cumulative effect. Decisions on a piece-meal basis risk worst possible outcome for the countryside.
- Failure of the MBC website to display many of the letters from objectors and other submitted documentation.

Two further representations have been received by email today (04/02/2016) the content of which is set out below:

- There is a major problem with this site because it is so open and as a result there is no natural screening.
- The Applicant needs to visit and consult with the three properties affected before finalising their proposed screening programme.
- It is important that each house has individual planting schemes to maximise the screening of the site from each respective house.
- Due to the size of the buildings on the site there will need to be larger, more mature trees planted at certain strategic places so as to obstruct the view of the buildings.

The current proposed planting specification contained in Condition 17 is adequate for the majority of the site. We would like a relatively small amount of extra additional screening to be included in the planting programmes for the three affected houses.

- The trees and hedging plants to be used for this purpose need to be larger, more mature, more densely planted and contain more evergreen species than the rest of the screening of the site.
- The existing hedgerow along Park Road needs to be grown considerably taller to further aid the screening.

Concerned about the effect of the incline to the south of the site, the buildings, solar panels and the fence will be noticeably more prominent. This could be mitigated by planting numerous trees along hedge 5 which has been outlined in the conditions and also select positioning of trees on the land between the site and our house which is also owned by the Applicant. This latter point is not covered at all in the Applicant's plan but would be an effective way of screening the buildings, solar panels and fencing on the incline.

Concerned about the cumulative impact of the other solar farm applications together with the Great Pagehurst application that are currently due to come up before the planning committee in the next few months. We feel really strongly about the above and the cumulative impact and want to make sure that any decisions made have been taken with proper consideration regarding the impact to our local area.

We believe that no decision should be made on the Great Pagehurst Application until all the other sites have been visited and considered by members of the planning committee. This is a material development and the cumulative impact on the local area will be dramatic.

Amendments to conditions 4, 5 and 18

It is recommended for purposes of clarity and precision that condition 18 be removed and consolidated within conditions 4 and 5 and amended as follows:

Condition 4

Not less than 12 months before the expiry of this permission, a Decommissioning Method Statement (DMS) and a Decommissioning Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include details of the removal of the arrays, cables, fencing, tracks and buildings together with the repair of damage that may have occurred, restoration of the site, management of traffic during the decommissioning process, a decommissioning timetable, an ecological scoping survey, recommended specific species surveys and detailed mitigation strategies. The development shall be decommissioned in accordance with the approved details.

Reason: To ensure that the impacts of the development exist only for the lifetime of the development and in the interests of the amenity of the area and neighbouring living conditions.

Condition 5

If any of the individual solar panels hereby permitted ceases to export electricity to the grid for a continuous period of 6 months, which shall have been notified in writing to the Local Planning Authority, a Decommissioning Method Statement and Decommissioning Biodiversity Management Plan, as set out in condition 4, shall be submitted to the Local Planning Authority for its written approval for the removal of the solar panel(s) and associated equipment and the reversion of that part (or parts) of the site to agricultural use within 3 months after written notification set out above. The approved details shall be fully

implemented within 6 months of the written approval of the scheme by the Local Planning Authority.

Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.

Additional tree protection conditions

The MBC Landscape Officer has recommended additional tree protection conditions relating to retained trees within the site area. As such, it is recommended that the following conditions are imposed to address this issue:

- No development shall take place until details of tree protection in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees to be retained must be protected by barriers and/or ground protection.
- No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.