

From: David Brazier, Cabinet Member for Environment & Transport
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To: Environment and Transport Cabinet Committee – 22 July 2014

Subject: 14/00076 - Position Statement on Development of Large Scale Solar Arrays

Classification: Unrestricted

Past Pathway of Paper: n/a

Future Pathway of Paper: Kent Planning Officers Group (for consideration by districts)

Electoral Division: n/a

Summary: A position statement has been prepared to provide guidance on the consideration of impacts for large scale solar arrays ('solar panel farms'). To ensure consistency across the County, a number of guiding principles have been set out in a Statement to form the basis of KCC views on these applications.

Recommendations:

The Cabinet Committee is asked to comment and make recommendations to the Cabinet Member for Environment & Transport on the proposed decision to support the approach taken in the position statement and endorse the document as setting the position of KCC in the assessment of solar arrays and provision of comments to districts and, in addition, that support is sought from the Kent Planning Officers Group (KPOG) for the adoption of the document across the districts.

1. Introduction

1.1 A position statement has been prepared to provide guidance on the consideration of impacts for large scale solar arrays ('solar panel farms'). The Districts Councils are the determining authorities for planning applications, but KCC is a formal consultee and provides advice on matters including the landscape/visual, ecological, historical and agricultural impacts of these schemes. To ensure consistency across the County, a number of guiding principles have been set out in the Statement to form the basis of KCC views on these applications. It is the intention that the position statement will be raised at the Kent Planning Officers Group (KPOG) in order to achieve ownership from Districts to these key principles and consistent evaluation of impacts across Kent.

2. Financial Implications

There are no financial implications with regard to this position statement. However, having an adopted position statement is likely to assist in more efficient and consistent evaluation of impacts from solar array applications.

3. Bold Steps for Kent and Policy Framework

3.1 KCC's *Unlocking Kent's Potential (2009)* a framework for regeneration in the County has a cross cutting theme which includes 'Meeting the climate challenge'. This makes reference to the delivery of themes and priorities set out in the Kent Environment Strategy.

3.2 The *Kent Environment Strategy* focuses on making the most of the environmental opportunities we have in Kent especially through clean technologies, tapping into a global market for low carbon goods and services. The Environment Strategy sets out 10 priorities based around three key themes including:

- Living within our environmental limits, leading to Kent consuming resources more efficiently, eliminating waste and maximising opportunities from the green economy
- Meeting the climate change challenge and working towards a low carbon economy that is prepared for and resilient to climate change
- Valuing our natural and historic living environment

3.3 The position statement aims to meet these themes by supporting low carbon energy generation farms but ensuring that they are located in the right place, avoiding adverse planning and environmental impacts.

4. The Report

Relevant History

4.1 The UK has set itself challenging and binding targets for the reduction of greenhouse gas emissions. These targets are set out in the Climate Change Act 2008 and require an 80% reduction on 1990 levels by 2050 and at least 34% by 2020. The UK is also bound by the EU Renewable Energy Directive whereby the UK must source 15% of its total energy requirement from renewable resources by 2020.

4.2 Planning has an important role to play in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. The DCLG published detailed guidance '*Planning Practice for Renewable and Low Carbon Energy*' in July 2013, which should be read alongside the NPPF and sets out factors that will need to be considered when determining applications for large scale solar farms.

4.3 Kent is currently experiencing an unprecedented number of planning applications for large scale solar farms. Concerns have been raised at the scale and potential cumulative impact these solar farms are having on the Kent countryside particularly in terms of the visual, ecological, historical and agricultural impacts, which is why this guidance has been produced.

4.4 Solar farms are relatively new in the county and due to their scale and land coverage, potential developments can have a variety of impacts. It is therefore important for KCC to set out its position on their development.

4.5 Significant impacts are generally considered to include the effects on the following receptors:

- Landscape and visual impacts
- Green Belt
- Biodiversity
- Agricultural Land
- The Historic Environment
- Flood Risk
- Communities

4.6 Guidance is provided in the position statement on each of these receptors.

The Key Principles set out in the Position Statement

4.7 The position statement suggests a number of principles that need to be considered when determining an application. These are as follows;

- In principle the installation of renewable and low carbon energy generation technologies is supported, particularly where it will increase security of supply, provide community and economic benefits and contribute to tackling climate change.
- Development should be appropriate to the locality and avoid adverse planning and environmental impacts. The need for renewables should not automatically override environmental protections and an application will only be supported if the impact is or can be made acceptable.
- Solar arrays mounted on existing roofs or integrated into new roofs/buildings will be supported as a preference. Developments on previously developed and/or contaminated and industrial land are also preferable (particularly where such schemes can be integrated as part of an over-arching development). The development of large scale Solar PV arrays in open countryside areas, particularly locations identified for their special character or other importance, will not normally be supported. Proposals will not normally be supported in the Green Belt and landscapes designated for their natural beauty (Kent Downs and High Weald AONBs) and areas which contribute to their setting. The assessment of landscape and visual impacts will be fundamental to determining the acceptability of proposals.
- Large scale solar PV arrays on sites with ecological importance, archaeological or historic interest, or classified as the best and most versatile grades of agricultural land (1, 2, and 3a) will not normally be supported.
- For greenfield proposals outside of protected areas, proposals will be expected to demonstrate the landscape's suitability to receive such a development. Proposals should also show how the design of the scheme has accounted for landscape character. Developments should avoid both landscape and visual impacts, or demonstrate appropriate mitigation. In addition land management around panels should allow for continued agricultural use and/or encourage biodiversity improvements.
- When formulating views on proposals, regard will need to be given to cumulative impacts of multiple solar arrays on landscape character and visual amenity. The impact from a single development may not be significant on its own, but when combined with other impacts from similar developments could become significant.

- Solar farms can impact on nearby residents and the wider local community hosting the development. Concerns about loss of amenity, visual impact including glint and glare from panels and linked to this road safety will need to be considered as part of determining the acceptability of developments. Community involvement should be an integral part of the development process. The local community should be consulted by the developer at the conceptual stage, utilising local exhibitions and presentations where community views can be sought and recorded. Opportunities for community gain are encouraged.
- When development proposals are supported, planning conditions should be imposed to ensure solar PV arrays are removed at the end of their permitted period and the land restored to its previous use.

Legal implications

4.8 The District Councils are the determining authority for these planning applications but with KCC as a consultee providing advice to assist the District Councils. In particular KCC provides formal comments to district councils on matters such as landscape and visual impact, ecology, historical and agricultural impacts. In addition, highways comments are often relevant where such proposals will lead to impacts on the highways network or increased vehicle movements.

Equalities implications

There are no equality implications.

Implication for the council's property portfolio

There are no implications for the council property portfolio.

5. Conclusions

The County Council in principle will support the development of renewable energy production including solar panels, where it will increase security of supply, provide community and economic benefits and contribute to tackling climate change. It is important that development should be appropriate to the locality and avoid adverse planning and environmental impacts. The County Council does not consider that the need for renewables should automatically override environmental protections and an application will only be supported if the impact is or can be made acceptable.

6. Recommendations

The Cabinet Committee is asked to comment and make recommendations to the Cabinet Member for Environment & Transport on the proposed decision to support the approach taken in the position statement and endorse the document as setting the position of KCC in the assessment of solar arrays and provision of comments to districts and, in addition, that support is sought from the Kent Planning Officers Group (KPOG) for the adoption of the document across the districts.

7. Background Documents

Planning Guidance for the development of large scale ground mounted solar PV systems BRE National Solar Centre

http://www.bre.co.uk/filelibrary/pdf/other_pdfs/KN5524_Planning_Guidance_reduced.pdf

Planning Practice Guidance for Renewable and Low Carbon Energy DCLG July 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf

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