



**Causeway
Coast & Glens
Borough Council**

Planning Committee Report Item C	25th May 2016
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Shane Mathers
Cost: (If applicable)	N/a

ITEM C

**Lands are located immediately NE
at 11 Bushtown Road
extending eastwards. Lands begin
approximately 470m North of 38
Kilmaconnell Road
approximately 240m
West/Northwest of 17 Kilmaconnell
Road and approximately 200m
West/Southwest of 406 Ballyness
Park
Castleroe.**

LA01/2015/0980/F

Full Planning

25th May 2016

<u>No:</u>	LA01/2015/0980/F	<u>Ward:</u>	Macosquin
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Lands are located immediately NE at 11 Bushtown Road, extending eastwards. Lands begin approximately 470m North of 38 Kilmaconnell Road, approximately 240m West/Northwest of 17 Kilmaconnell Road and approximately 200m West/Southwest of 406 Ballyness Park, Castleroe.		
<u>Proposal:</u>	Construction and operation of a solar farm with a total generating capacity of 25MW. Development comprises photovoltaic panels, mounting frames, 1 No. substation, 20 No. inverter stations, 12 No. CCTV cameras (3 meters high) and ancillary construction works including perimeter fencing (2.4 meters high), new road access, internal service tracks and 1 No. temporary construction compound.		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	3rd December 2015
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	
Applicant:	Elgin Energy Esco Ltd		
Agent:	R Robinson and Sons, Albany Villas, 59 High Street, Ballymoney BT53 6BG		
Objections:	1	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

Drawings and other associated information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 This is an irregular shaped linear roadside site located at the southern periphery of Coleraine and located between the Bushtown Road and Castleroe. The site comprises agricultural fields, consisting of improved grassland and marshy grassland measuring approximately 45 hectares. Agricultural outbuildings and a yard (without a dwelling) are located within the eastern portion of the site. The land within the application site falls from west (approximately 68 OD) to east (approximately 40 OD). Electricity lines traverse the western portion of the site. An embankment runs from the south-east of the outbuildings to the eastern corner of the site. There is a low hedge and 2.5m grass verge to the Bushtown Road boundary; semi-mature hedge / post and wire fence to the southern boundary; semi-mature trees to the eastern boundary; and semi-mature trees / post and wire fence and hedge to the northern boundary. Intervening field boundaries are defined by semi mature hedges, conifer trees, post and wire fences, ditches and interspersed with semi-mature trees. There are two small undesignated watercourses within the site, one to the north and one to the south.
- 2.2 The landscape in the vicinity is rural in character, characterised by single dwellings, agricultural outbuildings and commercial uses. A lane / ditch is contiguous with the northern boundary, with an established woodland / trim trail beyond. It is open countryside to the south and west of the site. Open countryside is located to the east with Castleroe village beyond. The land rises beyond the east and west boundaries. Three dwellings are located to the south-west of the site. A car breakers yard and associated lane are located to the immediate east of the site. The site is located approximately 0.45km south of the River Bann. The main electricity sub-station is located a short distance to the north-west on Bushtown Road. Critical views are from Bushtown Road, Kilmaconnel Road, Castleroe Road and Drumcroone Road. There are filtered views from parts of the Glenleary Road and Macleary Road.
- 2.3 The site is located within the countryside, as defined in the Northern Area Plan 2016. Somerset Forest Local Landscape Policy Area (Designation CEL19) abuts the site to the north-east.

3.0 RELEVANT HISTORY

- 3.1 LA01/2015/0544/PAN - Construction and operation of a solar farm with a total generating capacity of 20MW. Development comprises photovoltaic panels, mounting frames, 1 No. substation, 18 No. Inverter stations, 12 No. CCTV cameras (3m high), and ancillary construction works including perimeter fencing (2.4m high), new road access, internal service tracks and 1 No. temp construction compound. PAN Acceptable 25/08/15
- 3.2 LA01/2015/0556/DETEIA - Request for determination under regulation 7 of the Planning (Environmental Impact Assessment) Regulations (NI) 2015 in respect of a proposed Solar PV Farm located on lands East of Bushtown Road, Coleraine. ES Not Required 06/10/15

4.0 THE APPLICATION

- 4.1 Planning permission is sought for a solar farm and ancillary development. The principal elements of the proposal comprise:
- photovoltaic (PV) panels and mounting frames shown throughout the site as shown marked green on the site plan. The solar panels measure between 2.4-3m high and between 3.3-3.9m deep. Some of the mounting frames are secured by concrete bases
 - 1 No. substation compound measuring 12x16m on a concrete base located along the northern site boundary. The sub-station measures 3.3x6x3.4m high. The storage building measures 2.3x5.9x3.0m high. The office room measures 3.1x3.1x3.0m high. The meter room measures 3.1x3.1x3.0m high.
 - 20 No. inverter stations on concrete bases measuring 7x2.5x3m high coloured green
 - 12 No. CCTV cameras (3 meters high) located along the site perimeter
 - entire site to be enclosed by perimeter high tensile wire mesh security fencing (2.45m high) set 5m off the perimeter boundaries
 - a new single road access at Bushtown Road
 - internal permeable stone service tracks along the northern boundary and from the northern boundary into the centre of the site (3.5m wide)

- 1 No. temporary construction compound located along the northern boundary (measuring 30x40m)
 - The applicant is seeking permission for 30 years
 - No lights are proposed
 - Construction is to last a total of 16 weeks.
- 4.2 A Proposal of Application Notice (LA01/2015/0544/PAN) was submitted on 30 July 2015. The current planning application was submitted on 27 November 2015. The planning application complies with the Pre-Application Community Consultation Compliance requirements as set out in Sections 27 and 28 of the Planning Act (NI) 2011 and Regulation 5 of The Planning (Development Management) Regulations (NI) 2015.
- 4.3 On 24 February 2016 the potential impact of this proposal on SPA's, SAC's and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council. Having considered this, the proposal would not be likely to have a significant effect on the selection features, conservation objectives or status of any European site.
- 4.4 Several documents were submitted with the planning application:
- Planning Statement
 - Preliminary Ecological Appraisal
 - Design and Access Statement
 - Agricultural Land Classification and Soil Report
 - Noise Impact Assessment Form
 - Archaeological Assessment
 - Flood Risk Assessment
 - Landscape and Visual Impact Assessment
 - Glint and Glare Assessment
 - Tree Survey Report
 - Pre-Application Community Consultation Report

5 PUBLICITY & CONSULTATIONS

External

Neighbours: There is 1 objector to the proposal who raises concerns with regard to:

- Conflict between photosynthesis and photovoltaic based power production
- Proposal should not be based on cropland where it would conflict with timber, food and wildlife production
- Objection to all temperate or high to medium rainfall area solar farms (other than roof mounted)

Internal

Transport NI: Has no objection to the proposal.

Rivers Agency: Has no objection to the proposal.

NIEA Natural Environment Division: Has no objection to the proposal.

NIEA Historic Monuments Unit: Has no objection to the proposal.

NIEA Water Management Unit: Has no objection to the proposal.

NI Water: Has no objection to the proposal.

Environmental Health: Has no objection to the proposal.

Shared Environmental Services: No objection.

Northern Ireland Electricity: Has no objection to the proposal.

DCAL Inland Fisheries Group: Has no objection to the proposal.

DETI Energy Branch: Supports the proposal.

Civil Aviation Authority: CAA were consulted by email on 16.12.2015. No response was received from CAA.

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning Archaeology and the Built Heritage

Planning Policy Statement 15: Planning and Flood Risk

Planning Policy Statement 18: Renewable Energy

Planning Policy Statement 18: Best Practice Guidance to PPS16 Renewable Energy

Planning Policy Statement 21: Sustainable Development in the Countryside

DCAN 15 - Vehicular Access Standards

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: impact on public safety, human health or residential amenity; impact on visual amenity and landscape character; impact on biodiversity, nature conservation or built heritage interests; impact on local natural resources, such as air quality or water quality; public access to the countryside; and other matters.

Planning Policy

- 8.2 The site is located within the countryside, as defined in the Northern Area Plan.
- 8.3 The principle of this development proposed must be considered having regard to the PPS policy documents specified above and the supplementary guidance.
- 8.4 The Strategic Planning Policy Statement was published in September 2015. The aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance. The SPPS advocates considering the same impacts as those listed in PPS18. The wider

environmental, economic and social benefits of renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted. Particular care should be taken when considering the potential impact of all renewable proposals on the landscape. A cautious approach for renewable energy development proposals will apply within designated landscapes which are of significant value, such as AONBs and the Giants Causeway and Causeway Coast World Heritage Site and their wider settings. In such sensitive landscapes it may be difficult to accommodate renewable energy proposals without detriment to the regions cultural and natural heritage assets. The site is not located within any of these sensitive landscapes.

8.5 PPS18 is a permissive policy which supports proposals for generating renewable energy, provided the facilities are sited in appropriate locations. The main objectives of the policy are to ensure that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are adequately addressed. The position, as set out in paragraph 4.1 of PPS18, is that renewable energy proposals will be supported, unless they would have unacceptable adverse effects which are not outweighed by the local and wider environmental, economic and social benefits of the development.

8.6 PPS18 states that development that generates energy from renewable resources will be permitted, provided the proposals will not result in an unacceptable adverse impact on public safety, human health, or residential amenity; visual amenity and landscape character; biodiversity, nature conservation or built heritage interests; local natural resources, such as air quality or water quality; and public access to the countryside.

Public safety, human health, or residential amenity

8.7 The nearest third party dwelling is located 80m from the solar arrays (11 Bushtown Road). A Noise Impact Assessment was submitted with the proposal, detailing noise and vibration levels during the construction and operational phases and the presumed impact on sensitive receptors in proximity to the site. On the basis of the currently available information, (restriction of hours of construction and appropriate mitigation measures) and in recognition of the short duration of elevated

noise levels associated with construction at given noise sensitive locations, the Council's Environmental Health Department has no objection, subject to adherence to the mode and specification of operations within the submitted Noise Impact Assessment. The Glint and Glare Assessment analysed 1149 receptor points. The Glint and Glare Assessment presented potential glint at 118 No. receptor points. The Glint and Glare Assessment shows that 115 No. of the receptor points are entirely screened by existing vegetation buildings and topography from any potential glint.

Predicted glint effects would occur at 3 No. properties for no more than 7 minutes, with any glint effects predicted to occur in the early morning between 6.14am and 6.31am or early evening between 6.14pm and 6.33pm (9 Bushtown Road, 20 Kilmaconnell Road and 128 Castleroe Road). Such effects would only occur for part of the year and from only part of the site at any given moment. Any potential glint effects on residential properties are not considered to be significant.

Visual amenity and landscape character

- 8.8 The site is not located within AONB. The proposal is for static solar arrays. Officials requested revisions to the boundary adjoining the Bushtown Road to increase the depth and height of planting at this location in the interests of visual amenity. No cut or fill is proposed: the proposal is designed to work with the existing contours of the land. The rows are to be separated by a distance of between 2-6m. Each frame will incorporate either 24 or 48 panels and will be supported on galvanised steel frames that will be driven or screened into the ground to depths of 1.5m. Visuals of some of the ancillary development is included at Appendix 1 of the submitted Planning Statement and Appendix B of the submitted Noise Impact Assessment. Cables connecting to the sub-station and cables between the photovoltaic inverter stations and the solar panels will be placed underground for their duration (at a depth no greater than 1m).
- 8.9 A Zone of Theoretical Visibility (at Appendix A) was conducted, showing views of the proposal up to a 5km radius from the site. Scattered variable visibility is predicted within the lower-lying landscape to the south and west. Potential views from the higher ground to the north-east are predicted. However, due to the low-lying form of the proposed development, effects on such

views are likely to be negligible. The proposal avoids the sensitive landscapes identified within Coleraine Farmland Landscape Character Area. Views from the north are generally screened by the intervening topography and woodland at Somerset Forest. Intervening woodland on higher ground along the western bank of the River Bann (to the east) provides screening. The rolling lowland agricultural Landscape Character Area is considered to have medium sensitivity and medium sensitivity to change. There is a strong framework of hedgerows and trees that provide visual containment. Effects will be limited to a change in land use, given the existing hedgerow retention. The former estate parkland, conifer plantations and ponds listed within Somerset Forest LLPA will not be directly affected by the proposed development, although the interface between the site and the LLPA will be indirectly affected (minor to moderate impact).

8.10 Five viewpoints are shown on the submitted Zone of Theoretical Visibility map at Appendix A of the Landscape and Visual Impact Assessment. The following is a summary of the predicted changes in visual impact.

- Viewpoint 1 – North-east From Drumcroone Road (Figure 1.5b Appendix A)
The proposed development is not visible from this location due to intervening topography and vegetation. The proposal will be screened from visible residential properties set at lower elevations within the immediate foreground by a combination of garden boundary vegetation and rising land to the rear. There is considered to be no change and the significance of visual impact is considered to be none.
- Viewpoint 2 – North-east from the junction of Drumcroone Road and Bushtown Road (Figure 1.6b and 1.6c Appendix A)
It is predicted that a portion of the proposed arrays will be partially visible at close distance and at medium distance. The magnitude of change is considered medium. The significance of visual impact is considered to be moderate to major, with distant horizons and extensive woodland cover remaining the main visual focus.
- Viewpoint 3 – North From Kilmaconnell Road (Figure 1.7b and 1.7c Appendix A)

The viewpoint is approximately 400m from the southern site boundary. The view represents peripheral views experienced by road users travelling along the Kilmaconnell Road and residential properties. The viewer sensitivity is high. It is predicted that the proposed development will be visible in middle distance views on sloping land to the left and centre of the view, partially screened by intervening hedgerows. The arrays would be visible below the canopy line of Somerset Forest. Visible portions of the proposed development on lower elevated land will be seen below and within existing vegetation cover, lessening the visual intrusion. The magnitude of the change is considered to be medium. The significance of visual impact is considered to be moderate to major, as the nature of the view is largely unaltered, with extensive woodland cover remaining the main visual focus.

- Viewpoint 4 – North-west from Glenleary Road (Figure 1.8b Appendix A)
This view is approximately 900m from the south-east boundary and is considered to be representative of peripheral views experienced by road users and residential properties. The viewer sensitivity is considered to be medium. It is predicted that the arrays associated with the elevated western portions of the site will be partially visible below the horizon formed by existing vegetation in the centre of the view. It is considered that the arrays would be perceived across a small portion of the overall expansive view, with the general nature and character of the view being retained. Lower lying land in the eastern portion of the site is screened by intervening topography and arrays will not be visible. The magnitude of change is considered to be small and the significance of visual impact minor.
- Viewpoint 5 - West From Castleroe Road (Figure 1.9b Appendix A)
This view is from the front of Castleroe Primary School, approximately 500m from the eastern boundary of the site. The view is considered to be representative of views experienced by adjacent residential receptors and peripheral views experienced by road users. The viewer sensitivity is considered to be medium. It is predicted that the arrays associated with more elevated, western portions of the site will be visible as a minor, indistinguishable element to distance portions of the view. The visible portions of the development are seen in the context of a panoramic, expansive view, screened by intervening topography and vegetation. The magnitude of change is considered to be

negligible and the significance of visual impact is considered to be negligible to minor.

- 8.11 It will not be possible to view the site from Coleraine due to a combination of close built form and intervening woodland cover at Somerset Forest and along the banks of the River Bann. Due to the undulating nature of the surrounding topography and screening provided by woodland, visibility of the proposed development is negated for much of Castleroe (refer to Figure 1.9b of Appendix A). It will not be possible to view the proposed development from Macosquin due to intervening roadside vegetation, topography and distance.
- 8.12 All receptors on A class roads have been considered of low sensitivity to change due to traffic speeds and brief and transitory nature of views. The proposal will not be visible from the Newbridge Road or Curragh Road. The proposal will not be visible along Dunhill Road due to screening provided by intervening vegetation, topography and roadside hedgerows. The proposed development is not visible along portions of the Drumcroone Road due to screening provided by intervening topography and vegetation cover.
- 8.13 In order to mitigate the impact it is proposed to retain existing hedgerows, trees, woodland and copses on peripheral and internal field boundaries; plant larger sized trees and shrubs. The site comprises moderate quality agricultural land which is deemed to be compliant with Planning Practice Guidance.
- 8.14 Due to the low lying nature of the proposed development it is considered that effects will be largely restricted to land within the site boundary and at close proximity.
- 8.15 The submitted Tree Survey Report surveyed 173 No. trees. The majority of individual trees are growing along existing hedge lines. 27 No. trees are indicated in the Tree Survey Report to be felled throughout the application site and beyond (tree Nos. 19, 21, 67, 71, 72, 93, 96, 100, 107, 108, 109, 110, 140, 142, 144, 145, 146, 148, 149, 150, 151, 152, 153, 158, 161, 165 and 168). Notwithstanding that, the applicant has indicated that it is not the applicant's intention to fell any trees within or beyond the application site and the proposal is not reliant on any tree removal. The applicant has indicated that the Tree Survey Report is submitted for information purposes only and was used to inform the development proposals. The submitted landscape plan shows

the western and southern existing hedgerows augmented with indigenous species planting.

Biodiversity, nature conservation or built heritage interests

- 8.16 There are no internationally designated sites within 5km of the site boundary. The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site. There are no nationally designated sites such as ASSI's which occur within 5km of the site boundary.
- 8.17 Two priority habitats were recorded at the site – hedgerows and purple moor grass rush pasture. The Preliminary Ecological Appraisal describes the purple moor grass rush pasture as small in size and degraded as a result of nutrient enrichment which has little diversity and does not constitute a high nature conservation value grassland. The Preliminary Ecological Appraisal suggests that the hedgerows on site are generally in poor condition structurally; many gaps occur; and are species poor. No hedgerows are proposed to be removed. Little evidence of bats was recorded at the site. No mature trees occur within the site with obvious cavities or similar access points for roosting bats. Farm buildings were shown to have little potential with few to no gaps or fissures to permit bat entry. Badgers are confirmed present at the site. A Badger Survey Report was included within the Preliminary Ecological Appraisal. 25m buffer zones are proposed around badger setts within which there will be an embargo on development; warning signs are to be erected at the construction stage at the badger setts; and perimeter fencing is raised 15cm off the ground to facilitate movement. There is no anticipated impact on bats due to hedge and tree retention. NIEA Natural Environment Division has been consulted as the competent authority and has no objection to the proposal.
- 8.18 There are no listed buildings in close proximity to the site. The Archaeological Assessment identified 4 No. listed buildings within the wider study area. However, there is no anticipated impact on

these listed buildings. The submitted Archaeological Assessment identifies archaeological sites or monuments within the application site and in the immediate vicinity, extending to a radius of 1km. No monuments are located within the area of development. 13 No. known archaeological sites are located within a 1km radius of the application site (refer to figure 2 of the Archaeological Assessment). Of these 13 No. sites, 5 No. have been identified as being of regional importance, consisting of 1 No. State Care Monument and 4 No. Scheduled Monuments. 9 No. sites of industrial heritage were identified within the study area (refer to figure 2 of the submitted Archaeological Assessment). NIEA Historic Monuments Unit has considered the impacts of the proposal and is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works.

Local natural resources, such as air quality or water quality

- 8.19 NIEA Water Management Unit has been consulted as the competent authority, and has considered the potential impacts of the proposed development on the water environment and on the basis of the information provided and has no objection to the proposal.

Public access to the countryside

- 8.20 The proposal will not impact on public access to the countryside.

Planning Policy Statement 21: Sustainable Development in the Countryside

- 8.21 Under Policy CTY1 of PPS21 planning permission will be granted for renewable energy projects in the countryside, subject to proposals complying with PPS18. Proposals which do not meet Policy CTY1 will only be permitted where there are overriding reasons why that development is essential.

Other Matters

- 8.22 With regard to objector issues, an Agricultural Land Classification and Soil Report was submitted with the planning application. The entirety of the application site is situated within moderate quality agricultural land. No part of the site is situated within the excellent agricultural land category, or within the very good agricultural land category. The entirety of the application site is situated within Surface Water grey, Class 2 Basalt Till. On balance, the proposal

is considered to be acceptable when weighing up the benefits against the impacts, as set out in section 8.

- 8.23 The proposal, when operational, will create enough electricity to power circa 7,500 homes. DETI Energy Division has responsibility for encouraging renewable electricity generation in Northern Ireland and would therefore be supportive of this proposal as it will contribute to the Northern Ireland Strategic Energy Framework's target of 40% of its electricity consumption from renewable sources by 2020.
- 8.24 The submitted Transport Assessment Form states that approximately 10 No. staff will be on site during the construction period; there will be an average of 16 No. HGV trips to the site per day; no abnormal loads are to be delivered; and during the most onerous time period there will be a total of 82 No. trips (arriving to and departing from) the site in one week (i.e. 1.6 No. HGV movements per hour, assuming a 10 hour working day). Visibility splays of 2.4 x 120m are to be provided in either direction at the proposed access onto Bushtown Road. TransportNI has been consulted as the competent authority and advises that the proposal is acceptable when assessed against Policy AMP2: Access to Public Roads.
- 8.25 The River Bann flows to the east of the site. The indicative flood map (NI) shows that small areas of the site may be affected by the floodplain of the watercourse at the northern boundary and small areas of the site may be affected by surface water flooding. A 5m working strip buffer either side of the watercourses is to be provided where development will be avoided. Whilst it is possible to site the solar panels in areas affected by surface water flooding, they will be avoided for the siting of the sub-station and inverter stations. Paragraph 4.2 of the Flood Risk Assessment suggests that a detailed Drainage Assessment is not required as it has been demonstrated that there is zero increase in run-off as a result of the proposed development. Rivers Agency has been consulted as the competent authority on this matter and has no objection to the proposal and the submitted Flood Risk Assessment.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable in this location having regard to the Northern Area Plan, and other material

considerations, including PPS 18 and the SPPS. Although this proposal is on a large area of land, there are limited views of the site from the surrounding road network. Where there are views, these are generally long distance and disrupted by existing landform, topography, vegetation and buildings. The proposal will not have an unacceptable adverse impact on human health, residential amenity, the built or natural environment or other issues of importance. The principle of developing this land for renewable energy is acceptable, in accordance with PPS18 and supporting guidance. Approval is recommended.

10 CONDITIONS

10.1 Regulatory Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. This permission is for a limited period, expiring 30 years from the date on which electricity from the solar farm is connected to the grid. Within 12 months of the permanent cessation of electricity generation at the site, or upon the expiration of this permission, whichever is sooner, all above ground structures shall be removed from the site and the land restored in accordance with a scheme to be submitted to and agreed in writing with the Planning Authority at least one year prior to the commencement of any decommissioning works.

Reason: To restore and maintain the landscape quality of the area.

3. No development shall commence until the vehicular access, including visibility splays and any forward sight distance is provided in accordance with Drawing No. 07 bearing the date stamp 27 November 2015. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10m outside the road boundary.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department of the Environment and the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

6. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department of the Environment and the Planning Authority to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

7. A detailed Construction Method Statement (CMS) shall be forwarded for agreement with NIEA Water Management Unit, at least eight weeks prior to works commencing onsite, for all works in or near a watercourse. The CMS should include pollution prevention measures to protect groundwater and the water environment for the construction, deconstruction and operational phases of the proposal.

Reason: To protect the water environment.

8. No development activity shall commence on site until protection zones, clearly marked with posts joined with hazard warning tape, have been provided around each badger sett entrance at a radius

of 25 metres as shown on Drawing No. 02 date stamped 01 December 2015. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within those protection zones without the consent of the Planning Authority. The protection zones shall be retained and maintained until all construction activity has been completed on site.

Reason: To protect badgers and their setts on the site.

9. No piling shall occur within 50m of the main badger sett and annex sett structures, as shown on Drawing No. 02 date stamped 01 December 2015, prior to the granting of a wildlife licence from NIEA Wildlife Team.

Reason: To protect badgers and their setts on the site.

10. No development shall take place until a suitable earthing arrangement, in accordance with ENA TS41-24, affected by the proposal has been submitted to and agreed in writing with the Planning Authority in consultation with NI Electricity. The agreed mitigation works shall be carried out and operational at the cost of the developer prior to the commencement of any development on site.

Reason: To ensure safety is maintained for all NIE personnel and members of the public.

11. No development shall take place until the harmonic data has been reviewed and a suitable arrangement affected by the proposal has been submitted to and agreed in writing with the Planning Authority in consultation with NIE. The agreed mitigation works shall be carried out and operational at the cost of the developer prior to the commencement of any development on site.

Reason: To safeguard the NIE electricity network in the locality of the application site.

12. No existing tree to be retained as identified on drawing No. 06 dated received 01 December 2015, shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread, nor shall arboricultural work or tree surgery take place on any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the

Planning Authority. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 1989. Recommendations for Tree Work.

Reason: To ensure the continuity of amenity afforded by existing trees.

13. All planting as indicated in Drawing No. 06 (Landscape Mitigation Plan) dated received 01 December 2015 shall comprise native species hedgerow/trees of mixed woodland species and any shrubs / trees which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

14. Noise from the permitted development shall not exceed the predicted noise levels for daytime hours (07:00 – 23:00 hours) as stated within Table 1 (copied below) of Document Reference NI1630/N/PP03, titled "Response to EHS Comments on Noise Impact Assessment for Proposed 25 MW Solar PV Development at Lands East of Bushtown Road (Document: NI1630/N/01/03 date stamped, 22 April 2016) at identified receptor locations identified within Table 5.2 of the Noise Impact Assessment Report (Document 4, date stamped 27th November 2015 – Table 1: BS4142:2014 (Daytime), modelled at 50 Hz

Reason: To protect the amenity of the public and existing residents.

Nearest Property or Sensitive Location (See Figure 13.1)	Predicted Substation Noise dB	Rating Level (+Tonal Correction) +4 dB	Background Noise Levels (L _{A90}) dB	Excess of Rating Level plus L _{A90} dB	Adverse Impact (BS4142)
1	23.6	27.6	34.1	-6.5	No
2	23.7	27.7	34.1	-6.4	No
3	25.8	29.8	34.1	-4.3	No
4	32.2	36.2	34.1	-2.1	No
5	26.0	30.0	34.1	-4.1	No
6	27.9	31.9	34.1	-2.2	No
7	23.2	27.2	34.1	-6.9	No
8	23.8	27.8	34.1	-6.3	No
9	23.8	27.8	41.7	-13.9	No
10	24.1	28.1	41.7	-13.6	No
11	24.7	28.7	41.7	-13.0	No
12	27.0	31.0	41.7	-10.7	No
13	27.5	31.5	41.7	-10.2	No
14	28.0	32.0	41.7	-9.7	No
15	28.0	32.0	41.7	-9.7	No
16	32.9	36.9	41.7	-4.8	No
17	34.0	38.0	41.7	-3.7	No
18	28.6	32.6	34.3	-1.7	No
19	24.6	28.6	34.3	-5.7	No
20	35.1	39.1	34.3	+4.8	Context
21	34.4	38.4	34.1	+4.3	Context
22	27.7	31.7	35.9	-4.2	No
23	27.0	31.0	35.9	-4.9	No
24	27.9	31.9	35.9	-4.0	No
25	28.0	32.0	35.9	-3.9	No
26	27.1	31.1	35.9	-4.8	No
27	26.6	30.6	35.9	-5.3	No
28	26.3	30.3	35.9	-5.6	No
29	26.4	30.4	35.9	-5.5	No
30	23.7	27.7	41.7	-14	No

1. ***“Noise from the permitted development shall not exceed the target noise limits (rated noise levels) during night-time hours (23:00 – 07:00 hours) as detailed within Table 2 below, at Locations 1 - 4 as identified within the Noise Impact Assessment Report (Document 4, date stamped 27th November 2015 “Table 4.2 – Summary of Night-Time Noise Monitoring”***

Table 2 – Target Noise Limits (Rated Noise Levels) – Night-time : (23:00 – 07:00 hours)

Location	Target Noise Limit (Rated Level L_{Ar})
1	23.8
2	27.1
3	26.4
4	31.9