

P. Carder
13 The Laurels
Southwater
West Sussex

Your Ref: OWPC1619
Our Ref: Y/87/13/ 25-10-2013
Please ask for:
Mr C Cronin

13th December 2013

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

Installation of solar farm comprising erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks & ancillary equipment. Departure from the Development Plan.

Land Southwest of Drove Lane Farm Yapton

Thank you for your internet representation made on 13th December 2013 which has been recorded as '**an objection**' with the comments as follows:

CPRE Sussex opposes this application, for the following reasons:

Firstly, as the application site lies outside the Yapton built-up area boundary, it is therefore for the purposes of Arun Local Plan (saved) Policies GEN2 and GEN3 to be classed as countryside where development will only be permitted if it can be shown to satisfy one of the exceptions listed in Policy GEN3. The applicants claim for their proposed development Policy GEN3 exceptions (iii) that it is 'for the diversification of the rural economy' and (v) that 'it is in accordance with a Policy in Sections 2 and 3 of the Plan referring to a specific use or type of development', namely Policy GEN21: Renewable Energy. The first exception claimed is clearly inapplicable as the proposed development is evidently outside the scope of the GEN3 Policy explanation at 1.12 that 'Rural diversification aims to help replace income lost from existing sources so that farmers can remain actively farming and continue to be stewards of the countryside'. However the applicants also claim that, as the site is 'not of intrinsic ecological value' within the scope of Policy GEN29: Nature Conservation, their proposal should be permitted as it satisfies the first condition of Policy GEN21 that such development should have 'no significant environmental effect on the quality of the natural ... environment'. Although the applicants therefore consider their proposal to be in conformity with the District's Development Plan, they also cite in its support such 'material considerations' as NPPF provisions (eg. para. 14) that exhort LPAs to approve such development proposals 'without delay'. It is also inferred by the applicants that, as renewable energy is itself inherently 'sustainable', any related development proposals must themselves constitute 'sustainable development' and should therefore be approved regardless in line with the NPPF presumption (even if not in conformity with a local plan - as where this is 'silent or out-of-date'). In seeking to downplay the impact of their proposed development on the surrounding landscape and biodiversity, the applicants also make reference to relevant provisions of the DCLG Planning Practise Guidance for Renewable and Low Carbon Energy, which is supplementary to the NPPF (para.98 of which states that such applications should be approved if their impacts 'are or can be made acceptable'). However, since the Planning Guidance was issued in July, the Minister of State for Energy and Climate Change has in a letter to Local Planning Authorities further clarified Government policy in the field of solar energy, stating that he is 'keen for the focus of growth [in this field] to be firmly on domestic and commercial roof space and on previously-used land'. The Minister also emphasised the fact that 'the need for renewable energy does not automatically over-ride environmental protections' (such as Arun Local Plan Policies GEN2 and 3) , and that proposals in National Parks (etc) and 'in areas close to them where there could be an

adverse impact on the protected area will need especially careful consideration'. In this later regard it is significant that, though in their Planning Statement the applicants mention the eventual screening effect of intended tree-belt planting (paras. 4.10-14), they nowhere mention any assessment of the visual impact of their proposed development on views from the South Downs National Park which, given its proposed size, might well be substantial (and therefore contrary to Arun Policy AREA9).

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go to the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Karl Roberts
Assistant Director Planning & Economic Regeneration