

HAWKCHURCH PARISH COUNCIL

Clerk to the Council:
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Minutes of an Extraordinary Council Meeting held at the Hawkchurch Village Hall on Tuesday 6th July 2017 at 7pm

Present: Cllr's N Over (Chairman), D Searle, S Bartlett,
 N Over, J Baker, Cllr T Greenshields, S Matthews and R Churchill

In Attendance: The Clerk (Mr J Vanderwolfe) and 20 members of the public

358	<p>Apologies There were no apologies for absence.</p>
359	<p>Declarations Cllr J Baker declared an interest in 17/0945/LBC as a neighbour</p>
360	<p>Democratic Period There were a number of points made against the Battery Storage Barn. The point was made that this was more like an industrial unit than a barn. It was generally felt that that there was a need to prevent the parish becoming an industrial area. There were questions as to the demand for this facility. There were also fears expressed that the services would become used more as a day to day facility than an emergency backup. There were also concerns in relation to the proposed extension of the Wadbrook site from 25 to 30 years.</p>
361	<p>17/1270/Ful South of Pound Road, North of Woodcote National Grid Sub-station. Construction of 10mV battery storage barn to provide backup electricity service, access track. Service period 25 years,</p> <p>Having carefully considered the above application, it is the majority decision of Hawkchurch Parish Council [HPC] to <u>OBJECT</u> to this application and respectfully request that it is <u>REFUSED</u> at determination, for the reasons set out below.</p> <p><u>REFERENCES</u></p> <ul style="list-style-type: none"> • The policies referred to in this submission relate to those as set out in the East Devon Local Plan 2013 to 2031, adopted 28th January 2016 [LDP]

- Information has been kindly made available to HPC by the Hawkchurch Action Group [HAG]; this information takes the form of peer consultant reviews of the various Reports and Assessments submitted with this application, undertaken and prepared by:
 - David Wilson Partnership – Landscape
 - GWP Consultants – Drainage & Hydrology
 - Collier Planning – Planning Policy
 - Richard Buxton Environmental Law – Environmental Law.
- This document also makes reference to comments included in the CPRE letter of objection dated 27th June 2017 and other information provided by Standard Consultees.

INTRODUCTION

- The Parish of Hawkchurch already supports over 100 acres of PV solar farms with further such facilities very close by, albeit located in West Dorset and Raymond’s Hill, East Devon [see **MAP No 1**]; indeed, it is thought that this cluster of solar farms is the largest in any rural parish in Devon. So it can be seen that Hawkchurch is making its contributing to the Nation’s energy requirements through ‘renewable/low carbon’ generation and, thus, supporting the ‘climate change’ agenda.
- HAG was set up in 2015 by concerned local residents seeking to protect the unique and tranquil rural landscape and environment of the Parish and in particular to oppose the creeping and piecemeal ‘*industrialisation*’ of that eastern part of the Parish bounded by Pound Road, the B3165 and Wareham Road, which already contains the National Grid’s ‘*Axminster Sub-Station*’, together with the main concentration of solar panels located within the Parish [see **MAP No 2**]; however, these existing facilities are well screened by mature trees, woods and Devon hedge/banks and are generally unobtrusive.
- This Parish is close to, and visible from, three AONBs [East Devon, West Dorset and Blackdown Hills]; it contains a SSSI, Scheduled Monument [Lambert’s castle – an Iron Age hill fort] and a number of County Wildlife Sites; there are several important National Trails and Recreational Paths [Monarch’s Way, Liberty Trail, Wessex Ridgway] passing through the Parish, some very close to the site of this application. Tourism is a major part of both the Parish’s

economy [eg the recent major investment by Hoseasons in redeveloping the *Hawkchurch Resort & Spa*, which is located only a few hundred yards from this proposed site] and that of the wider local area.

- It is noted, that to date, the majority of comments submitted to EDDC [over 70%] **OBJECT** to this application, with many of the few supporting comments appearing to come from persons living outside the Village and/or the Parish.

ENERGY STORAGE

To quote the CPRE ‘...*this is a badly thought-out proposal, which is supported by a great deal of misleading and incorrect information...*’ – for example:

- there is **NO** Government policy on energy storage and it is misleading to claim otherwise
- energy storage is **NEITHER** renewable or **low-carbon** energy [paras 93 & 98 of the NPPF and the Planning Practice Guidance on Renewable and Low Carbon Energy]and there is no support for the use of ‘**high carbon**’ lithium-ion battery storage [para 97]
- this energy storage proposal is **NOT** connected to/or associated with the adjoining PV solar farms
- stored energy, for a facility such as this, comes from many sources including base load nuclear and coal-fired power stations, generally charged during periods of low demand – ie at night when the sun doesn’t shine and wind may not blow
- energy is bought cheaply, when demand is low and supply is adequate/high and sold at a premium profit when demand is high and supply low/insufficient; it is purely a ‘**trading operation**’
- there is **NO** requirement for the proposed facility to be close to/near an existing farm or agricultural buildings – it should be on a brownfield site, closer to the point[s] of need - ie towns, cities and urban conurbations
- this proposal discharges energy into the Local Distribution [low voltage] Network, **NOT** the [high voltage] National Grid

ISSUES ARISING FROM REVIEWS OF THE SUBMITTED APPLICATION

The following comments have been made as a result of a peer review of reports and assessments submitted with the application as supporting documents:

- **Landscape & Visual Impact Assessment [LVIA]**

	<ul style="list-style-type: none"> ○ Proposal contains a number of elements predicted to cause adverse impacts on local landscape: <ul style="list-style-type: none"> ▪ Intensification of industrial land use and industrial structures ▪ New access road ▪ Diversification of the type and style of development in a local area ○ submitted LVIA has a number of shortcomings and decision makers will not be in a position to fully assess the impact of this proposal on the local landscape; main areas for concern are: <ul style="list-style-type: none"> ▪ Methodology for Appraisal ▪ Cumulative Landscape Impacts ▪ Technical shortcomings in the submitted photographs [taken in Summer, when leaf & foliage is at its greatest and provides most effective coverage] ▪ no assessments as to the: <ul style="list-style-type: none"> • sensitivity of the host landscape to the type of development proposed • magnitude of change ▪ mitigation ▪ visual effects ○ Taken in isolation the proposal will have an <u>ADVERSE</u> impact on the local landscape character ○ <u>SIGNIFICANT ADVERSE</u> impact if this were to be considered as EIA development due to: <ul style="list-style-type: none"> ▪ Effect of the extension of existing industrial developments, which intensifies landscape effects of existing development ▪ ‘filling’ of the local area to the extent that the host landscape’s characteristics and qualities have been substantially altered ▪ Interaction of the proposal with solar farms and sub-station, so that ‘... <i>the total effect is greater than the sum of its parts...</i>’ ▪ Incremental change as a result of this proposal and previous individual industrial developments. • Drainage & Hydrology <ul style="list-style-type: none"> ○ Proposed Surface/Storm Water Drainage Strategy <ul style="list-style-type: none"> ▪ no on-site infiltration tests or groundwater level monitoring have been undertaken ▪ applicant may have over-estimated the permeability
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	<p>of the underlying ground and does not appear to recognise that underlying strata is Clay-with-Flints, which has lower permeability than the applicant's model</p> <ul style="list-style-type: none"> ▪ lack of details on water conveyance routes ▪ no allowance for access road run-off to be routed to the installed drainage system ▪ no mention of oil-interceptors or other treatment steps to ensure hard standings used for vehicle parking and deliveries cannot be contaminated with oil/diesel etc, which is then allowed to enter the ground ▪ is the proposed attenuation basin a viable option: <ul style="list-style-type: none"> • outflow/discharge pipe route/land ownership? • technical design & construction? • Oil interceptors & other treatments? ▪ Internal fire suppression system – no details on: <ul style="list-style-type: none"> • The type of system – mists/water? • What drainage will be provided? • how will accidental [toxic?] battery leakage be prevented from leaving the structure and/or entering into the drainage system and , eventually, the ground? <p>○ Local Cumulative Impact of Solar Farms</p> <ul style="list-style-type: none"> ▪ The proposal is adjacent to some 35 hectares [86 acres] of solar panels, in two parks – some 77,160 panels ▪ At the time of application, it was assumed that storm-water run-off from panels would infiltrate into the underlying strata [poor permeability Clay-with-Flints], thereby creating no net increase in rainfall run-off; consequently, no drainage strategies or infrastructure were installed on these sites to address any increase in run-off from the panels. ▪ Increasing evidence, however, now suggests that solar panels do create drip-lines which concentrate run-off, compact the ground and result in preferential over land flow routes, which become prominent during storm events. It has been estimated that drip lines increase the kinetic energy of rainfall by as much as 10 times normal rainfall, resulting in increased erosion and the creation of preferential flow routes. ▪ This can be evidenced by local residents who report
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	<p>increasing quantities of storm run-off water and associated debris in the fields containing panels, during periods of prolonged and/or heavy rainfall</p> <ul style="list-style-type: none"> ▪ Given the above, and the explicit exclusion of solar panel run-off capture at the two adjoining solar parks, it is reasonable to conclude that the water courses East and North-east of this proposed facility are likely to receive increased peak and total storm water flows as well as higher turbidity water. ▪ The total flows received down the gradient, notwithstanding the proposed drainage strategy to restrict off-site flows from this development, will increase and, therefore, contribute to an aquatic environment, which, in all probability, is already being impacted upon by the local solar developments. <p>○ Groundwater Resources Impact & Drinking Water Pollution Risk</p> <ul style="list-style-type: none"> ▪ The site is located on the Upper Greensand, a Principal Bedrock Aquifer with locally Intermediate Vulnerability due to the presence of a thin layer of Clay-with-Flints; the applicant believes this sub-strata to have sufficient permeability to allow infiltration of the site's surface/storm water drainage flows. ▪ The aquifer is both generically considered <u>VULNERABLE</u> by the EA but also, specifically, as it supports both drinking wells and stream water courses in the area, including the River Axe – a SSSI. ▪ This proposal includes 5 no transformers and a sub-station, all of which are located outside the barn and are underlain by a gravel surround. This electrical equipment will contain hydrocarbons – transformers have been widely linked to PCB contamination – leakage of which will enter the ground through the permeable base. Any protection afforded to the underlying Upper Greensand aquifer will have been removed, given the proposed excavation of 2m depth of ground in the specific area of the transformers. This is of particular concern, given the carcinogenic properties of many PCB and the use of the local aquifer for drinking water, by nearby neighbours without a mains water supply [see MAP No 3]. ▪ Given the above facts, it is unreasonable that the applicant has not included a contamination risk assessment to consider the possibility and
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consequences of the following entering the Upper Greensand aquifer and potentially arriving at local drinking water wells and aquatic habitats:

- PCB & other hydrocarbons used in transformers and
- Other site derived substances associated with :
 - vehicle trafficking
 - battery leakage/fire
- For an assessment of the requirement for surface water run-off, the applicant has failed to:
 - Provide a Source-Pathway-Receptor analysis
 - Report on licensed or unlicensed groundwater boreholes
 - Consider potential contamination travel times, dilution and/or attenuation
- Conclusions:
 - **The applicant has not justified the site selection given the vulnerability of the underlying aquifer and its reported use for drinking water.**
 - **The applicant has not demonstrated the on-site storm water run-off drainage approach will provide protection to the underlying aquifer or its dependent users**
 - **Hydrocarbons and certain metals are classified as Hazardous Substances and the Groundwater Regulations do not permit their discharge into groundwater at any detectable concentration whatsoever.**
 - **The applicant is required, therefore, to demonstrate that the level of on-site water treatment is sufficient to cover all and any type or quantity of spill or leak of any hydrocarbon to be found on the site and that this can be achieved such as to ensure any infiltration water leaving the site area and arriving at the groundwater body has undetectable concentrations of all and any hydrocarbons with it.**

REASONS FOR OBJECTING

This application is in clear conflict with the NPPF and/or the LDP, in that it is contrary to, or fails to comply, with a number of stated Strategies and Policies– namely:

	<ul style="list-style-type: none"> • There is no Government policy support for energy storage • Energy Storage Barns and the associated ion-lithium battery technology have high-carbon <i>'footprints'</i>; the proposal does not generate energy, it simply receives, stores and discharges back to the network [with considerable loss of efficiency – therefore, energy storage barns are neither low-carbon or sources of renewable energy [thus Strategy 39 - Renewable & Low Carbon Projects is neither applicable or relevant] • The proposed building is an industrial unit in appearance and operation, built for an industrial process – it is not an agricultural barn in size, appearance, configuration and/or use; it does not conserve or enhance the environment and does not represent sustainable development [contrary to Strategy 3 – Sustainable Development] • The proposal is located in the open countryside where [contrary to Strategy 7 - Development in the Countryside] it would : <ul style="list-style-type: none"> ○ not conform with any specific Local plan policy permitting such development and ○ harm the distinctive landscape, amenity and environmental qualities of the area within which it is proposed to be located • The proposal has no connection with agriculture, it is neither complementary or compatible - it does not meet the stated criteria for farm diversification [therefore contrary to Policy E4 - Rural Diversification] • The applicant has failed to provide justification for the selection of this proposed site other than: <ul style="list-style-type: none"> ○ its proximity to the adjacent sub-station [which is of no relevance as its connects to the LV network elsewhere] and ○ the <i>'availability of cheap land'</i>. • The proposed development does not <i>'conserve and enhance'</i> the landscape quality of the area [contrary to Strategy 46 – Landscape Conservation and Enhancement and AONBs] • The proposed development fails to respect the key characteristics and special qualities of the area [contrary to Policy D1 – Design and Local Distinctiveness] • The proposal fails to fully address the issues of surface water run-off from the proposed development and the local cumulative impact arising from the adjoining PV solar panel parks [contrary to Policy EN22 – Surface Run-off Implications of New Development] • The proposal fails to identify potential groundwater resources impacts and drinking water pollution risks [see MAP No 3] arising
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	<p>from any pollution of the underlying aquifer [contrary to Policy EN14 – Control of Pollution]</p> <ul style="list-style-type: none"> • The submitted Landscape and Visual Impact Assessment has a number of shortcomings – it is inadequate with flaws, the most important of which is the failure to provide ‘<i>worst case scenario</i>’ photographs, showing the typical Winter view, when the foliage and leaf cover is reduced/missing [which lasts for 50% of the year!]. • The proposed building and access track are located too close to existing, mature, trees and hedge lines, thereby risking damage to both the root and canopy zones of the adjacent trees etc [contrary to Policy D3 – Trees and Development Sites]. Any re-siting of the building would significantly increase the visual impact when viewed from Pound Road. • The applicant has clearly failed to identify and assess the cumulative impact of this proposal, when taken into consideration with the existing sub-station and PV solar parks and the possibility of further, piecemeal, energy industry development – eg 16/2082/FUL & 17/1221/FUL – both presently withdrawn, but anticipated to return in modified/differing forms [see MAP No 4]. This and further such developments will have serious and adverse impact on the environment, ecology and landscape of this tranquil, rural, part of East Devon <p>This application clearly <u>FAILS</u> to meet the requirements of Strategies 3, 7, 39, & 46 and Policies D1, D3, EN14, EN22 & E4 as set out in the LDP; it also <u>NOT SUPPORTED</u> by policies within the NPPF and the Planning Practice Guidance on Renewable and Low Carbon Energy. THEREFORE, on these grounds and for the other reasons set out above, the Parish Council <u>OBJECTS</u> to this application and respectfully requests that it is <u>REFUSED</u> at determination by the Council.</p> <p>It should be noted by the Council that there is a strong community will to fight this application and should it be refused and the applicant appeal that refusal, the Council may expect support from the community, who will, at its own expense, apply to be a Rule 6 party, instruct counsel and to bring together all the expertise mustered to date, in order to defend against any such appeal. Conversely, any decision by the Council to approve the application may result in a Judicial Review application, if the decision was thought to be unlawful.</p>
<p>362</p>	<p>17/1378/Var Wadbrook Farm Variation of condition 16 15/0645/MFul to extend generation period from 25 to 30 years The Parish Council cannot support this application.</p>

363	17/0945/LBC Court Cottage, Hawkchurch Replacement of 15 windows. Single glazed timber casements. Render single storey rear section of east elevation and main gable wall north elevation. Support
364	TPO 17/0101 Woodcote Grid Station The Council noted this application as it had recently been undertaken.
365	17/1484/Ful Little Farm Two storey extension and change of use of land Support
366	Application Withdrawn The meeting noted that 17/1221/Ful for 14 Diesel Powered Generators had been withdrawn
367	Accounts for Payment The following accounts were agreed for paying: Hawkchurch Village Hall £20.00 (907), Website Solutions £232.80 (908).
368	Internal Auditor's Report The Internal Auditor had been happy with the accounts and the papers had now been forwarded to the External Auditor. The meeting adopted the report.
369	Defibrillator It was resolved to purchase a Defibrillator to be positioned outside the Village Hall using the All Saints Parish Council scheme. The cost would be £1694. Cllr Baker would do the necessary checks on the equipment.
370	Solar Farm Funds Resolved to use the funds from this contribution to pay for the Defibrillator. Other projects to be discussed at a later meeting.
371	Road Warden Scheme Agreed to apply to Devon County Council to join this scheme
372	Website Clerk is responsible for ensuring that the transparency items are on the site and that legal items are up to date. Other organisations can have item on them either via a link or can be passed to clerk to put them on site.
373	Items of Urgency No items
374	Next Meeting Resolved that there was now little point in having a meeting on the 18 th July; therefore next meeting would be on the 19 th September at 8pm