

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.2

Date of Meeting	Wednesday 8 th August 2012		
Application Number	N/12/01246/S73A		
Site Address	Warren Business Park, Knockdown, Wiltshire, GL8 8QY		
Proposal	Installation of Solar Panels and Associated Landscaping		
Applicant	Warren Business Park		
Town/Parish Council	Sherston / Sopworth		
Electoral Division	Sherston	Unitary Member	Cllr John Thomson
Grid Ref	383647 188136		
Type of application	S73A		
Case Officer	Tim Pizzey	01249706721	tim.pizzey@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr John Thomson called the application in to committee to enable the impact on neighbours to be considered.

1. Purpose of Report

To consider the above application and to recommend that the application be DELEGATED to the Area Development Manager for approval subject to the receipt of a satisfactory landscape planting plan and conditions.

At the time of writing this report no representations have been submitted by Sopworth Parish Council.

The application has generated 5 letters of objection from the public and a comment received from the CPRE broadly concurring with the recommendation of the County Landscape Architect.

2. Main Issues

The main issues in the consideration of this planning application are:

1. Principle of development
2. Impact on the landscape and AONB
3. Affect on the amenity of neighbouring properties

3. Site Description

The site is south of Warren Business Park, which is accessed off the A433. It is a level site of 0.47 hectares and located on the south side of an enclosed grassed area and a low stone wall. The solar panels are already in place and it would appear that land was formerly enclosed as a paddock.

Little Warren is a dwelling with access off the A433 and has a rear garden adjacent the business park extending southwards up to the stone boundary wall (containing a field gate) which separates

it from the application site at its eastern end. There two other residential properties at the front of the business park, Warren Farm and Barn Cottage.

To the west of the site is an agricultural building and horse walker. A small number of individual young trees have been planted towards the western end of the site. To the south of the site the land is open agricultural / pasture land. To the northwest adjacent the field boundary is a pond area fenced off and outside the application site. Further north east is T.H. White commercial premises. There is a hedgerow with two mature trees along the east boundary of the site, beyond which are open fields eastward to Home Farm. To part of the east boundary, some additional planting has recently been carried out to bolster the existing hedgerow. The southern boundary is currently open.

The site is located generally in the open countryside and within the Cotswold AONB. There is a public right of way to the south (No. 6), which runs along the southern field boundary, approximately 300metres from the southern application site boundary.

4. Relevant Planning History - there is no site history of relevance to this application.

5. Proposal

The application seeks retrospective planning permission for the installation of a solar photovoltaic array in connection with the provision of an independent carbon neutral energy source to commercial uses at Warren Business Park and domestic use with surplus energy being returned to the National Grid.

The array comprises 520 (230Watt) modules, arranged in 7 No. runs, 50m in length, orientated to face south. The array has been installed in two rows in portrait orientation, mounted on aluminium frames and approximately 600mm above ground level. The panels are set at a 30 degree angle and the top of the upper panel is approximately 2.2 metres above ground level and has been set in concrete strip foundations in the ground. The modules are a dark grey colour the application refers to them a mute grey colour that limits reflected light from their surface and the frames are in an aluminium colour/finish.

It is proposed to erect a deer proof fence to the east, south and west site boundaries, in the form of wooden post and galvanised pig netting.

A Planning Statement and Landscape & Visual Appraisal has been submitted with the application to accompany the Design and Access Statement.

6. Planning Policy

Adopted North Wiltshire Local Plan 2011 Policies: C1, C3, NE4, NE15, NE16

Emerging Wiltshire Core Strategy Pre- Submission Draft - February 2012: Policies CP1, CP42, CP51

National Planning Policy Framework

7. Consultations

Sopworth Parish Council – at the time of preparing this report, no representations have been received.

County Ecologist – understands that the area involved comprises improved grassland of little ecological interest of value to protected species and therefore has no objection in relation to ecology.

County Landscape Officer – a detailed comment is available on the file and website. In summary, the officer raises no significant landscape objection to the proposal within the AONB designation which would culminate in a recommendation for refusal, subject to the receipt of a revised plan to show additional hedgerow and tree planting for mitigation and enhancement purposes.

County Archaeologist – no objections.

8. Publicity

The application was advertised by site notice and neighbour consultation.

5 letters of objection (includes a further representation on behalf of one of the objectors) received.

Summary of key relevant points raised :

- Visual Impact / harm to the landscape
- Greenfield site
- Impact on AONB designation
- South of Warren Business park, not in close proximity to existing buildings
- Eyesore from the public bridleway / right of way
- Lack of neighbour notification
- Impact on residential / visual amenity / outlook / views
- Close proximity to boundary wall
- Little Warren in separate ownership i.e. should not be in 'blue land'
- Impact on trees
- Contrary to Policy – Local Plan Policy NE4, Core Strategy Policy 34 and NPPF.
- Panels on nearby roofs of existing buildings would have had much lesser visual impact
- Panels set in concrete
- Retrospective nature

CPRE – Concurs with recommendation submitted by Mr. Goodwin on landscaping issues. When the new plan is submitted could it ensure that the species in the new hedging and landscaping are all native. Recommends that holly is included in blocks since they make a thicker screen during winter months. Would not agree that oak and ash could form a small part of hedgerow species since they do not respond well to cutting with agricultural hedge cutters, developing thick lower stems which encourage gaps. Adding Scots pines to the screening trees would also help to shield the site during winter months. Looks forward to seeing revised plans.

9. Planning Considerations

Principle of the development

In principle, Policy NE16 (renewable energy) of the Local Plan supports renewable energy projects provided no harm would be caused to a historic area or natural landscape.

Core Policy 42 of the emerging Wiltshire Core Strategy specifically relates to standalone renewable energy installations and supports such proposals subject to a satisfactory resolution of all site specific constraints. The policy, inter alia, requires proposals to show how the impact on the landscape, particularly in AONBs and on residential amenity, has been satisfactorily addressed.

The NPPF states that in determining applications LPAs should not require applicants to demonstrate overall need for renewable or low carbon energy and to recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions. Unless other material considerations indicate otherwise, LPAs should approve applications if its impacts are (or can be) acceptable (para. 98 refers).

The main constraints in respect of this application, as outlined above, are impact on the landscape and AONB designation as well as on the residential amenity of neighbouring properties.

Impact on the landscape and AONB

Policy NE15 of the Local Plan (and similarly CP50 of the emerging Core Strategy) of the Local Plan states that the landscape in North Wiltshire and its distinctive characteristics are conserved and enhanced and that development does not adversely affect the character of an area and features that contribute to local distinctiveness. Proposals for renewable energy should not conflict with the primary purpose of designation to conserve and enhance the natural beauty of the AONB.

Policy 11 of the NPPF states that the planning system should contribute to and enhance the natural environment and local environment by protecting and enhancing the natural environment (para.109) that great weight should be given to conserving landscape and natural beauty in National Parks, the Broads and AONBs. (para.115).

The applicant has carried out a Landscape and Visual Impact Appraisal, which concludes that the proposal would not adversely affect the character or appearance of the area or features that contribute to the local distinctiveness as identified with the Landscape Character Assessment and that it integrates successfully with the surrounding built form to the site.

The Council's Landscape Architect (CLA) has been consulted on this application and does not disagree with the findings or conclusion of the applicant's LVIA. The greatest impact is to the PRoW which runs along the southern boundary of the field to the south and south east. The CLA believes that that from this direction the visual impact could be further reduced by additional planting to help screen the development from this footpath and some improvements to the character and scenic beauty of the AONB could be derived by some strategic new tree planting in existing hedgerows within the applicant's control. Also visual impacts on views from the PRoW might also be lessened by increasing the height slightly of the hedgerow running north south to the east of the site. The CLA concludes:

"I am aware that the Council is looking to support economic growth and business/employment expansion/rural diversification and is supportive of renewable energy generation wherever possible and that this policy stance is consistent with Government policy contained in the NPPF.

I do not consider that the proposals result in unacceptably harmful landscape or visual effect to the character of the wider countryside or undermine the purpose of the AONB landscape designation. My conclusion is based on the following summary considerations: The proposal does not introduce a significant new visual element into the view, against the existing farmstead / commercial use backdrop; the modest size of this solar PV Array development; the absence of urban security fencing and intrusive security lights and cameras; the temporary and reversible nature of development; its location within the wider landscape (limited visibility); Limited impact to low numbers of visual receptors; the potential for additional mitigation (Hedge & tree planting) to further reduce the Limited visual impact from the PRoW; The additional opportunity to enhance the character of the AONB through additional hedgerow tree planting".

The CLA's recommendation is subject to receipt of a revised plan showing additional hedgerow and tree planting for mitigation and enhancement purposes to be secured before permission is granted, that planting should be implemented in the first available planting season and that a standard plant replacement and aftercare condition is necessary to ensure successful establishment. It is unfortunate that concrete foundations have been used, however, they have little visual impact. A restoration condition can be imposed on a permission to ensure the land is restored to its former condition in accordance with a scheme for the de-commissioning of the site when it is no longer operational.

In the light of the above, Officers raise no objection to the proposal on landscape grounds. The applicant has submitted an additional landscape planting scheme and agreed to use natural round posts for the stock proof fencing, based on the comments / recommendations of the CLA.

Affect on the amenity of neighbouring properties

Objections have been received from the occupiers of two neighbouring properties regarding, amongst other things, the impact of the development on the residential / visual amenity.

Little Warren to the north is the nearest dwelling directly affected. It has windows overlooking its rear garden and beyond over part of the application site. The main dwelling house itself is approximately 100 metres from the boundary wall with the application site. The views south from the house and closer from the garden are affected, as the top of the solar panels which are 2.2 metres high can be seen above the lower stone wall. Some of the panels are close to the stone wall and the view is to upper part of the rear of the panels and supporting framework. The array does not extend completely to the east boundary of the site, which partly reduces the impact of the panels above the stone wall when viewed from this property. Given this and the height of the panels, it is considered that the impact is not so harmful in terms of outlook or an over bearing effect that it would warrant refusal of permission on such grounds.

Home Farm is located to the east. The farmhouse is approximately 130 metres from the site boundary and whose agricultural land it is understood extends ends to the site boundary. Although views of the side of the solar array can be gained from this property, the distance and existing hedgerow along the eastern boundary lessens the impact. There is a gap in the hedgerow which allows views into the site from the east. However, additional planting has already been undertaken in this area and, it is not considered that the impact on the occupiers of this property is so harmful to justify refusal on amenity grounds.

The impact on the landscape has been considered above.

10. Conclusion

On balance it is judged that the impact of this renewable energy installation comprising an array of ground mounted solar panels is acceptable, subject to the receipt of a satisfactory landscape planting plan and accords with adopted and emerging policies in the Local Plan and Core Strategy as well as National guidance contained in the NPPF.

11. Recommendation

The application be DELEGATED to the Area Development Manager for APPROVAL of planning permission subject to the receipt of a satisfactory landscape planting plan for the following reason:

The development is considered to be acceptable in principle and, subject to additional planting for mitigation and enhancement purposes, on balance it is considered that the proposal would not have an unacceptable impact on the landscape and natural beauty of the Area of Outstanding Beauty nor would unduly harm the amenities of neighbouring dwellings. As such the proposal would generally accord with policies C1, C3, NE4, NE15 and NE16 of the North Wiltshire Local Plan 2011.

And Subject to the following conditions:

1. The development hereby approved shall be discontinued and the land restored to its former condition on or before 25 years from the date of this permission in accordance with a scheme for the decommissioning and restoration of the development site, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include how the land will be restored back to full agricultural use upon the development no longer being in operation or upon the expiry of 25 years from the date of this planning permission, whichever is

the sooner. The decommissioning and restoration of the development site shall be carried out in complete accordance with the scheme so agreed.

REASON: Reason: In the interests of amenity and the finite operation of this type of development and to ensure that upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition.

2. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting season following the date of this permission. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

3. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

- LDC Site Plan 1639.001, LDC Site Layout and Fence Details 1639.002, LDC 1639.003 Panel Details, received on 1st May 2012.
- LDC Landscaping Plan received on 13th July 2012.

REASON: To ensure that the development is implemented as approved.

