

<b>Date of Meeting</b>	23 <sup>rd</sup> July 2015
<b>Application Number</b>	14/11810/FUL
<b>Site Address</b>	Swallowcliffe Manor Swallowcliffe SP3 5PB
<b>Proposal</b>	Installation of 42 solar panels (ground mounted)
<b>Applicant</b>	Mr David Matthews
<b>Town/Parish Council</b>	Swallowcliffe
<b>Ward</b>	Fovant and Chalke Valley
<b>Grid Ref</b>	396726 127190
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Warren Simmonds

### Reason for the application being considered by Committee

The application was called-in by Local Member Cllr Jose Green on grounds of scale of development, visual impact on the surrounding area, relationship to adjoining properties and environmental/Highway impact.

The application was previously **DEFERRED** by Members on 02.07.15 for a site visit.

### 1. Purpose of Report

To consider the application and to recommend to Members of the Southern Area Planning Committee that the application should be **Approved subject to Conditions**.

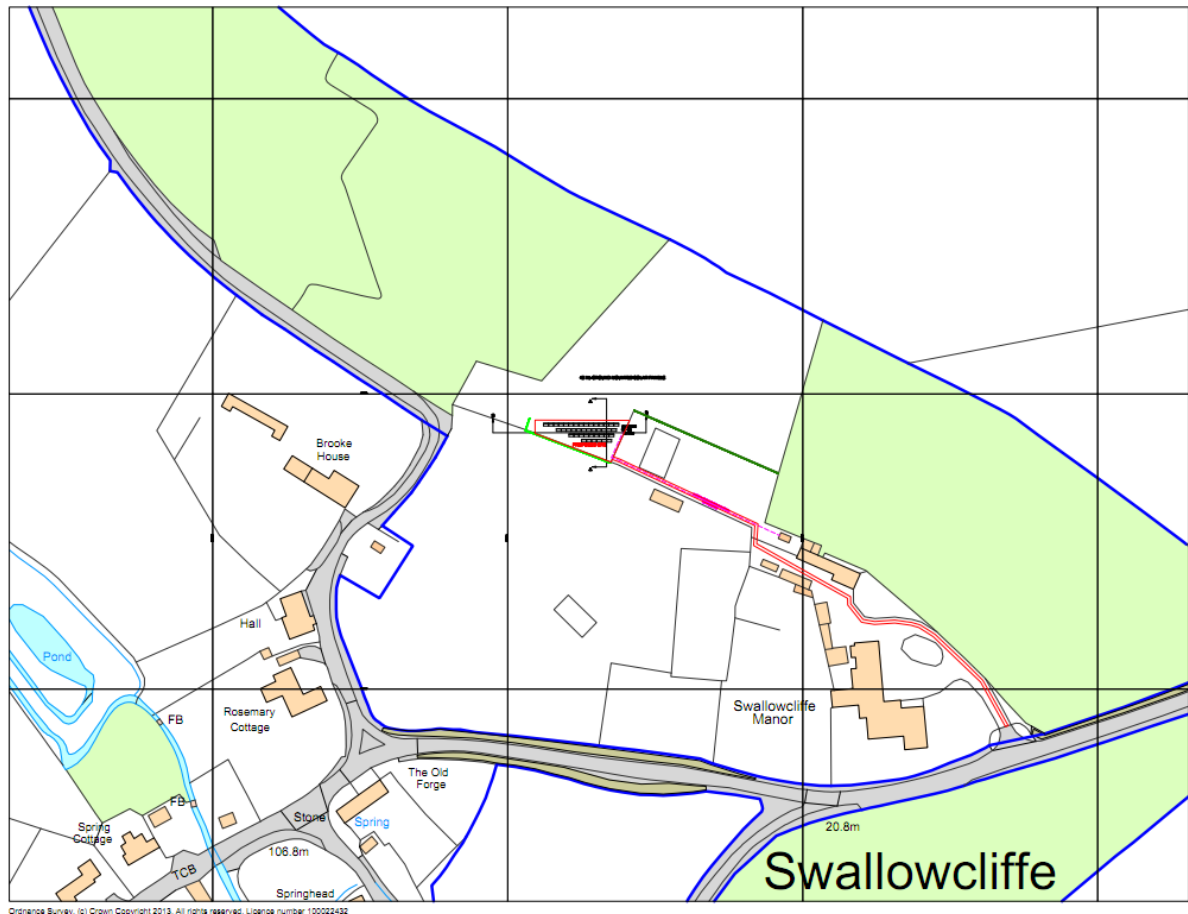
### 2. Report Summary

The main issues in the consideration of this application are as follows:

1. Principle of the proposed development
2. Scale, design and siting
3. Impact upon residential amenities
4. Impact on the existing character and appearance of the adjacent conservation area and the surrounding AONB
5. Impact on the character and setting of the adjacent listed building

### 3. Site Description

Swallowcliffe Manor is a substantial, detached, grade II listed dwellinghouse located within the conservation area of Swallowcliffe, and within the AONB. The application site forms a small part of the land owned and or maintained by the owners of Swallowcliffe Manor. The site of the proposed solar panels is outside of the designated conservation area on a parcel of land situated on a slope formed by the natural topography of the surrounding landscape area.



The area in which it is proposed to install ground mounted solar panels constitutes a predominantly grassed area enclosed by a timber post and rail fence. The immediate area surrounding the site of the proposed solar panels is generally open to the south (with ground levels gently falling), open to the north east (ground levels rising fairly steeply), and there are a number of significant mature trees to the north west.

There are public footpaths to the west and further across the valley to the west and south, and a restricted byway to the west of the site (see plan below).



Plan showing location of local public footpaths and byway (NTS)

#### 4. Planning History

13/04109/FUL Installation of ground mounted solar panels - Withdrawn

#### 5. The Proposal

The application proposes the installation of 42 ground mounted solar panels on land to the north west of Swallowcliffe Manor. The solar panels (each approximately 1.65m by 1m), would be mounted on angled brackets with a maximum height above ground level of approximately 0.6m.

The area in which it is proposed to install ground mounted solar panels constitutes a predominantly grassed area enclosed by a timber post and rail fence. The immediate area surrounding the site of the proposed solar panels is generally open to the south (with ground levels gently falling), open to the north east (ground levels rising fairly steeply), and there are a number of significant mature trees to the north west. The closest unrelated dwelling to the application site is 'Brooke', situated approximately 70m to the west of the application site.

#### 6. Local Planning Policy

Wiltshire Core Strategy (WCS) Core Policies CP42, CP48, CP51, CP57 & CP58

Swallowcliffe Village Design Statement

NPPG & NPPF

**Officer's note:** The DCLG document Planning Practice Guidance for Renewable Energy (published 29<sup>th</sup> July 2013) has been withdrawn and replaced by the new planning practice guidance (NPPG) launched 6<sup>th</sup> March 2014.

## **7. Summary of consultation responses**

**WC Energy Policy Officer** – Supports the application

**WC Highways** – No Highway objection

**WC Conservation Officer** – No objection

**Wiltshire Police** – Object on ground the proposed solar panels would be vulnerable to theft

**AONB Group** – *'The current proposal appears to be less potentially obtrusive than earlier schemes. It is, however, unfortunate that public Rights of Way are not shown on submitted plans and that there is not an assessment of locations on those paths where the site may*

*be perceived'*. Suggest a more precise specification and planting list is provided for the proposed natural screening mitigation

**Swallowcliffe parish council** – Objects to the application on grounds of inappropriate siting of the proposed solar panels and consequent adverse visual impact within the AONB

The application generated a total of 20 representations from the public, as follows:

- No representations in support of the proposed development
- Twenty representations objecting on grounds including
  - I. Adverse impact on the surrounding AONB
  - II. Adverse impact on the adjacent conservation area
  - III. Adverse impact on the setting of Swallowcliffe Manor as a GII listed building
  - IV. Would set an adverse precedent for similar schemes
  - V. Impact on amenity
  - VI. Impact on flora/wildlife at the application site

Salisbury Civic Society objects to the proposed development on grounds of adverse impact on the character and setting of the adjacent Swallowcliffe Manor GII listed building.

## **8. Publicity**

The application was advertised by site/press notice and neighbour consultation letters.

The application generated a total of 20 representations from the public, as detailed above.

## **9. Planning Considerations**

### 9.1 Principle of the proposed development

The application proposes the installation of 42 ground mounted solar panels on land to the north west of Swallowcliffe Manor, a GII listed building located within the settlement (and designated conservation area) of Swallowcliffe, and forming part of the wider Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

A previous application (under planning reference 13/04109/FUL) related to the provision of 83 ground mounted solar panels was withdrawn by the applicant. This current proposal therefore represents a significant reduction in scale compared to the 2013 scheme.

The site of the proposed solar panels is outside of the designated conservation area on a parcel of land situated on a slope formed by the natural topography of the surrounding land.

The area in which it is proposed to install ground mounted solar panels constitutes a predominantly grassed area enclosed by a timber post and rail fence. The immediate area surrounding the site of the proposed solar panels is generally open to the south (with ground levels gently falling), open to the north east (ground levels rising fairly steeply), and there are a number of significant mature trees to the north west. The closest unrelated dwelling to the application site is 'Brooke', situated approximately 70m to the west of the application site.

Core Policy 42 of the adopted Wiltshire Core Strategy (WCS) deals with development involving standalone renewable energy installations. This Policy sets out how standalone renewable energy installations, of all types, will be encouraged and supported.

The development of most standalone renewable energy installations within Wiltshire requires careful consideration due to their potential visual and landscape impacts, especially in designated or sensitive landscapes, including AONBs.

CP42 states that proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of all site specific constraints. In particular, proposals will need to demonstrate how impacts on specific factors (criteria as listed within the policy) have been satisfactorily assessed, including any cumulative effects. The criteria that are considered relevant to the current application include:

- The landscape of the AONB
- Biodiversity
- The historic environment

- Residential amenity

Applicants are not required to justify the overall need for renewable energy development, either in a national or local context.

The NPPG makes it clear that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

However, the NPPG also advises that renewable energy developments should be acceptable for their proposed location.

The NPPF states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

The general policy stance of encouragement and support of standalone renewable energy installations must be carefully balanced against the protection of valued landscapes and historic assets, as well as the amenity of nearby residents.

In the case of the current application, the proposed development is considered acceptable in principle, provided the visual impact of the proposed development can be adequately mitigated by an appropriate scheme of planting and natural screening to ensure no undue impacts affect the existing character of the AONB, the adjacent conservation area, the character and setting of the listed building and the amenity of nearby residential properties.

### 9.2 Scale, design and siting

The application proposes the installation of 42 ground mounted solar panels (each approximately 1.65m by 1m), mounted on angled brackets with a maximum height above ground level of approximately 0.6m.

The area in which it is proposed to install ground mounted solar panels constitutes a predominantly grassed area enclosed by a timber post and rail fence. The immediate area surrounding the site of the proposed solar panels is generally open to the south (with ground levels gently falling), open to the north east (ground levels rising fairly steeply), and there are a number of significant mature trees to the north west. The closest unrelated dwelling to the application site is 'Brooke', situated approximately 70m to the west of the application site.

An area of new hedge planting to the south and west of the application site is proposed to provide mitigation/natural screening of the panels within the immediate and wider surrounding landscape.

### 9.3 Impact upon residential amenities

The site of the proposed solar panels is approximately 70m distant from the closest neighbouring dwelling. The proposed solar panels would be static and silent in operation, and would be screened from local public and private views by new hedge planting.

The application has received objections from the closest neighbouring dwelling (known as Brooke House). Officers consider that given the orientation of the solar panels that the views out of the rear top windows of the dwelling will be towards the side elevation of the panels and not head on, and by reason of the distance between Brooke House and the site of the solar panels, and by reason of existing and proposed planting/natural screening and boundary features between Brooke House and the application site, the proposed development is not considered to be unduly harmful to the amenity of neighbouring occupiers. The proposal would therefore comply with the aims of Core Policy 57 in relation to protecting amenity.

### 9.4 Impact on the existing character and appearance of the adjacent conservation area and the surrounding AONB

The Parish Council, together with a number of third party representations, have raised concerns regards the impact of the scheme on the landscape of the AONB. The AONB Group Landscape and Planning Advisor, in his consultation response to the application, states:

*'The current proposal appears to be less potentially obtrusive than earlier schemes. It is, however, unfortunate that public Rights of Way are not shown on submitted plans and that there is not an assessment of locations on those paths where the site may be perceived.*

*If you are minded to consider the proposal favourably then I would suggest that a more precise specification and planting list is provided. For a linear feature, such as a hedge, a planting density per square metre is both unusual and confusing. The proportions of the different species should be made clear and to encourage biodiversity a wider range of native species could be included'.*

Whilst the applicant has not submitted any form of Landscape Visual Assessment which demonstrates the impact of the panels, officers have visited the application site and surrounding context, and the officer's visual presentation to Committee will cover the issue of how visible the panels may be in the wider countryside. In officers' opinion, whilst the panels may be visible to users of the surrounding countryside and footpaths, this does not mean that they will be harmful to the character of the landscape. It is considered that this current, reduced scheme would not be unlikely to be so harmful to the character of the AONB landscape as to warrant refusal.

Subject to the agreement (by Condition) of an appropriate scheme of planting to provide an adequate level of visual screening for the proposed solar panels, it is

considered the proposal would not result in undue impacts on the character and quality of the surrounding designated landscape of the AONB, or have an adverse impact on the existing character of the adjacent conservation area.

The proposal is therefore considered to comply with the requirements of Core Policy 51, which seeks to protect the landscape of the AONB.

#### 9.5 Impact on the character and setting of the adjacent listed building

By reason of the distance and relationship between the site of the proposed development and the adjacent GII listed building, and subject to the agreement (by Condition) of an appropriate scheme of planting to provide an adequate level of visual screening for the proposed solar panels, it is considered the development would not adversely affect the character and setting of the adjacent listed building.

The conservation officer raises no objection to the proposed development. The proposal is therefore considered to comply with the aims of Core Policy 58, in relation to the protection of heritage assets.

### **10. S106/CIL contributions**

None relevant to the proposed development

### **11. Conclusion**

The proposed development constitutes a form of standalone renewable energy generation that is encouraged and supported by National planning policy guidance and within the policy context of the adopted Wiltshire Core Strategy.

Subject to the agreement (by Condition) of an appropriate scheme of planting to provide an adequate level of visual screening for the proposed solar panels, it is considered the proposal would not result in undue impacts on the character and quality of the surrounding designated landscape of the AONB, the adjacent conservation area or the character and setting of the adjacent listed building. The proposed development is not considered to be unduly detrimental to the amenity of neighbouring occupiers.

### **RECOMMENDATION**

That the application be **APPROVED**, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.



2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number BH130433W-04-E (revision 4) dated 11/06/2014, as deposited with the local planning authority on 15.12.14, and

Drawing number BH130433W-04-L (revision 4) dated 05/01/2015, as deposited with the local planning authority on 07.01.15, and

Drawing number BH130433W-04-S (revision 4) dated 05/01/2015, as deposited with the local planning authority on 07.01.15, and

Drawing number BH130433W-04-SE (revision 4) dated 11/06/2014, as deposited with the local planning authority on 15.12.14.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until a scheme of planting mitigation/soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include a detailed planting specification showing all plant species, supply and planting sizes and planting densities; finished levels and contours; means of enclosure;

REASON: In order that the visual impact of the development is mitigated in an acceptable manner, to ensure a satisfactory landscaped setting for the development in the interests of the landscape quality of the surrounding AONB, the existing character of the adjacent conservation area, and in the interests of amenity.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development; 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure that the visual impact of the development is mitigated in an acceptable manner, to ensure a satisfactory landscaped setting for the development in the interests of the landscape quality of the surrounding AONB, the existing character of the adjacent conservation area, and in the interests of amenity.

5. When the use of the solar photovoltaic apparatus hereby permitted permanently ceases, all solar panels, supporting structures and associated equipment and materials shall be removed and the site within a period of three months, and the land shall be restored to its condition before the development took place or to such other condition as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that the structures and equipment are removed on cessation of their use, in the interests of protecting the rural character of the area.