CASE OFFICER'S REPORT

Application Reference:	PL/2023/03778
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	02 August 2023
Case officer:	Lucy Rutter-Dowd

Site Address:	Ferrum House, Pelch Lane, Seend Cleeve, Seend, Melksham, SN12 6PZ
Proposal:	Change of use of land from agricultural to domestic, with Installation of 40 panel ground mounted solar panel system, using GSE mounting kit, within land to south of main house.
Recommendation:	Approve with Conditions

Proposal and Site Description

The application site comprises Ferrum House, a large detached dwelling sat within substantial grounds. The property benefits from stable building, driveway and parking area and tennis courts. The grounds include the domestic formal gardens surrounding the property and an area of agricultural land used as paddock. There are no known constraints at the site.

The proposal involves the erection of a stand alone solar array to be positioned in the area of paddock to the south east of the tennis courts. Revised plans and an additional fee were received during the application process as it was established that the proposed siting of the panels would require a change of use to the land as they would be situated outside of the domestic curtilage of the property. The red line site boundary was altered to encapsulate the proposed panels and cable run only and not the entire property boundary. Revised plans confirming the precise location of the panels were also submitted.

Policies

National Context:

National Planning Policy Framework (NPPF) Planning
Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 41 – Sustainable construction and low-carbon energy
- Core Policy 42 - Standalone renewable energy installations
- Core Policy 51 – Landscape

• Core Policy 57 - Ensuring high quality design and place shaping

Key Issues

• Principle of development
• Scale, design and materials.
• Impact on neighbour amenity.
• Impact on the landscape setting

Relevant Planning History

There is no relevant planning history.

Consultation Responses

Seend Parish Council - No objections.

Representations

One letter received making the following comments:

Any impact this small scale proposal might have on the local landscape is outweighed by the well-proven benefits of solar generation systems. The proposal will reduce the carbon intensity of the house. I fully support the installation.

Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

Core Policy 2 of the WCS states that "Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages… At the Small Villages development will be limited to infill within the existing built area." The application site falls outside of the domestic curtilage of the property in an area of open countryside. The proposal involves a change of use of a minor portion of land to domestic. This area of land sits directly adjacent to the domestic grounds of the property and is not considered to significantly encroach into the countryside. The

majority of the paddock will remain in its current use and the panels will stand freely amongst grazing animals.

The proposal is supported by CP41 of the WCS which states that 'New development, building conversions, refurbishments and extensions will be encouraged to incorporate design measures to reduce energy demand' and CP42 which establishes that there is no local or national requirement to provide any justification for stand alone energy, but does require demonstration that no impacts will be caused to the following factors and that if any impacts are identifiesd that they are all appropriately addressed. The relevant factors in this instance include:

- The landscape, particularly in and around AONBs
- Biodiversity
- Residential amenity, including noise, odour, visual amenity and safety
- Best and most versatile agricultural land.

In light of the above, the proposal is considered acceptable in principle subject to there being no identifiable concerns relating to the above factors. These are commented on in more detail below.

Scale, design and materials

Core Policy 57 of the Wiltshire Core Strategy states that "A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality." Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting."

The proposed scale of development is relatively modest as the array will serve one domestic dwelling. The change of use of the land is required, however it is noted that the array will not result in any significantly permanent structures on the site. Once the array ceases to be used, it could easily be removed and the land returned to its former state, As such the impact in terms of scale, design and materials here is considered to be negligible.

Impact on neighbour amenity.

There are no neighbours in close enough proximity that would be affected by the proposal.

Impact on the landscape setting

CP51 of the WCS proposes that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. As noted above, the proposed array is modest in scale, taking up only a small footprint of the existing paddock. The land below will remain undisturbed save for the supporting poles and laying of cable required. A suitably worded condition can be placed on the decision notice to ensure that the land is returned to its former condition once the array ceases to be in use.

There are no nearby PROW and the site will be screened from view. No significant harm to the landscape has been found in this instance.

Conclusion:

In conclusion, the proposed application seems fitting with regard to scale, design, and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (3)

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 and documents:

Doc Title: Application Form.
Drg Title: Existing Location and Block Plans. Drg No: P1. Rev: R2.
Drg title: Existing Plans. Drg No: P3. Rev: R1.
Drg Title: Proposed Elevations. Drg No: P5.
Drg Title: Proposed Location and Block Plans. Drg No: P2. Rev: R2.
Drg Title: Proposed Plans. Drg No: P4. Rev: R2.
Doc Title: Manufacturer Specifications. Produced by: Prelight Solar Co., LTD.

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

3 Within 3 months of the Solar Panels hereby approved becoming obsolete and or disused, the land will be restored to its former condition as it was prior to their installation.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of the solar panels and to avoid potential harm and injury to the scenic qualities of the area.