DELEGATED REPORT

Application Reference:	PL/2023/04739
Application Type:	Change of use and operational development
Site Address:	The Stables, Land opposite Penrose, Tytherton Lucas, Chippenham, SN15 3RH
Proposal:	Change of use of land from agricultural/ equestrian land to residential. Erection of timber shed on concrete base and installation of 24 ground mounted solar panels to power residential dwelling (Resubmission of PL/2023/00311)
Recommendation:	That Planning Permission is GRANTED with conditions

PROPOSAL

This application seeks consent to change a small section of land from agriculture to residential and erect a timber shed on a concrete base and install 24 ground mounted solar panels to power residential dwelling. The storage shed will consist of an open carport area and an enclosed storeroom. On the south elevation, there will be the opening for the open carport, a barn style door and small window. The solar panels will be situated on the southeast area of the plot.

The application sets out the following components for which permission and consent are sought:

- Timber storage shed
- 24 ground mounted solar panels
- Change of use to incorporate a triangle section of agricultural land to residential

The development and works are intended for purposes associated with the occupation and use of The Stables as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

The application site relates to a recently approved converted stables in into dwellinghouse (20/10545/FUL) located approximately 1km south-east of Tytherton Lucas. The dwellinghouse is a single storey building that comprises of 4 bedrooms. The dwelling sits north of a paddock surrounded by open countryside. The site falls outside of the settlement boundary of any nearby town or village. The closest neighbouring property is Penrose, Westfield House to the opposite side of the road. The closest public Right of Way (BREM19) runs east to west approximately 145m to the east of the site. The site does not call within a designated landscape area and there are no surface water flooding.

The site is currently only used for residential purposes and sits within the Countryside Character Area of Avon Vale and is not covered by any archaeological or ecological designations.

PLANNING HISTORY

PL/2023/00311	Install 24 ground mounted solar panels to power residential dwelling and install timber shed on concrete base for small compact tractor, open storage and to secure agricultural equipment/tools.	Withdrawn
20/10545/FUL	Conversion of a stable to a dwelling	Approved with Conditions

POLICIES

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Bremhill Parish Neighbourhood Plan (February 2018)

- NP1: General Development
- NP2: Bremhill Village Landscape

Wiltshire Core Strategy 2015 (WCS):

- Core Policy 42: Standalone Renewable Energy Installation
- Core Policy 57: Ensuring High Quality Design and Place Shaping

ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle of development
- Change of use of land
- Design and materials
- Residential amenity

CONSULTATION

Bremhill Parish Council: No comment received.

Council Climate Team: Support:

Thank you for consulting the climate team. I cannot see a record of consultation or response on the previous application.

I am writing to support the proposal which includes the provision of domestic scale renewable energy. CP42 is supportive of renewable energy provision, of any scale, subject to set criteria. I have had regard to the site constraints and those criteria and I cannot see any concerns that would outweigh the positive impact that the scheme would have in supporting the Core Strategy's spatial objective of addressing climate change.

Climate change is the central issue to be addressed by the development plan. Paragraph 3.5 states that: "Climate change is possibly the greatest long-term challenge facing the world today." The direction of travel since its adoption in 2015 is very clear with the Council's adopted Climate Strategy in 2022 setting a framework for reducing carbon emissions in Wiltshire and for making the county resilient to climate change.

Furthermore, the national planning policy framework at paragraph 152 states: "The planning system should support the transition to a low carbon future in a changing climate…. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

This proposal would contribute to the low-carbon transition and radical reduction in greenhouse gas emissions through the provision of renewable energy. As such, the proposal would align with the clear local and national policy objectives and there are no material planning considerations to conclude otherwise than to grant planning permission.

REPRESENTATIONS

Consultation has been carried out and no objections or comments were received by neighbouring properties or third parties.

ASSESSMENT

Principle and change of use of land

The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle. Furthermore, proposals for the installation of low carbon and renewable energy generation/installations are welcomed in principle by policies CP41 and CP42 to the Wiltshire Core Strategy.

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses.

This application seeks to change a portion of agriculture land to incorporate as residential curtilage for the installation of ground mounted renewable apparatus and a domestic timber outbuilding (shed). The piece of land is to the east of the application site measures approximately 0.08 acres (330 sqm).

Whilst new incursions of garden land into the open countryside are often not permitted due to the cumulative erosion of and impact on the character of the countryside, in this case the change of use is limited in scope and is already clearly defined from the wider countryside by boundary treatments, thereby not constituting an arbitrary or harmful impact on the landscape.

The detail and other site-specific impacts, must also be considered against other relevant policies within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Design and materials

Core Policy 57 of the WCS, requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting. Consideration must also be given to Policy NP1 of the Bremhill Parish Neighbourhood Plan which requires proposals to be of scale and design compatible with rural settlement.

Good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; the layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard of poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality. A high standard of design is required in all new developments, including extensions, alterations, and changes of use of an existing building.

The NPPF expects local planning authorities to take into account the economic and other benefits of the 'best and most versatile agricultural land' (Paragraph 174(b)). The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The ALC system classifies land into five grades. The Agricultural Land Classification system classifies land into five grades, with Grade 3 subdivided into Sub-grades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. The land related to this application is classified as Grade 3. The area is not considered to be large enough to result in the loss of viability of the remaining agricultural land adjoining the site.

With regards to the design, it is considered that the storage building would appear to be ancillary to the dwellinghouse and adopts a simple design approach which will allow it to integrate sufficiently within the rural setting. It is modest in size and remains subservient to the dwellinghouse. The

proposed building is set back from the road some 74m and situated in front of a row of mature hedging which screens views from the north.

Additional mature vegetation boundaries the parcel on all side which further screens the proposal (shed and solar panels) to the east, south and west. With regards to the proposed timber materials, it is considered that it is in keeping with the character of the rural setting and would not appear out of character with its surroundings or with the host dwelling.

With regards to the solar panels, they will be ground mounted and would not be seen from public vantage points. The Climate Team and no objections to the proposal and would be considered appropriate in the rural setting.

It is therefore considered that the proposal complies with Core Policy 57 of the WCS Development Plan and Policy NP1 of the Bremhill Neighbourhood Plan and are considered acceptable.

Residential amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

Due to its relatively isolated nature, it is considered that the proposals would be unlikely to have any impact on the amenities enjoyed by neighbouring dwellings. The proposals abuts an agricultural field to the north and south and east and the host dwelling to the west. The nearest dwelling, Penrose, is situated roughly 75m west of the proposal area and would be unlikely to have any impact upon residential amenity. Given the scale, mass, and position, the proposal would not result in unacceptable harm, significant loss of daylight or sunlight and would not be intrusive to neighbour amenity.

In the context of the nature and layout of the development, there is considered to be no unacceptable impacts upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provisions of CP57 of the WCS.

CONCLUSION

The potential impacts of this development have been taken into consideration. In terms of the change of use, the proposal is not considered to harm the landscape character and would be acceptable in size and use. The above report has shows that this proposal is in accordance with the NPPF, Wiltshire Core Strategy Policies: CP42 and CP57; and Bremhill Parish Neighbourhood Plan Policy NP1 and NP2, as it is of an acceptable design and will not have a detrimental effect on the character and appearance of the area, or unacceptable impact on neighbouring amenity. It is therefore recommended that this application is approved with conditions.

RECOMMENDATION: That Planning Permission be GRANTED 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:

Proposed Solar Panel Specifications: Received 27 June 2023
Proposed Plan, Elevations and Site Plan: DWG 629-PL2-2 A3; Received 27 June 2023
Location Plan: DWG 629-PL2-0 RE; Received 13 June 2023

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved drawings.

REASON: In the interests of visual amenity and the character and appearance of the area.

INFORMATIVES:

4 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply, and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

5 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

6 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the

vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.