CASE OFFICER'S REPORT

Application Reference:	PL/2023/07540
Application Type:	Full planning permission
Site Inspection:	22 January 2024
Consultation ends:	24 January 2024
Case officer:	Helena Carney

Site Address:	Cleeve House, Trowbridge Road, Seend, Melksham, SN12 6PG
Proposal:	To install a ground mounted solar PV/T panel system (50x panels) within the curtilage of Cleeve House
Recommendation:	Approve with Conditions

POLICIES

Wiltshire Core Strategy (adopted January 2015):
Core Policy 41: Sustainable Construction and Low-carbon Energy
Core Policy 57: Ensuring High Quality Design & Place Shaping

The National Planning Policy Framework (NPPF) 2023

Planning Practice Guidance (PPG)

ISSUES

- Principle of development
- Impact upon neighbour
- Impact upon visual amenity
- Impact upon trees

REPRESENTATIONS

Seend Parish Council: no objection

Wiltshire Council Public Protection Officer: commented “I have looked at this application and we would have no adverse comment or request for conditions”

Wiltshire Council Arboricultural Officer: no objections subject to conditions (final comment)

Third party representations: none received at time of writing

RELEVANT PLANNING HISTORY

• E/2011/0868/FUL - Retrospective application for a change of use to allow the property to be used as an eight bedroom bed and breakfast establishment, wedding venue, conference and training venue, tea room and for ancillary purposes associated with the hire of the venue, approved 23/08/2011

ASSESSMENT

The application site relates to Cleeve House, a large-detached property set in a substantial plot, providing a venue for weddings, events etc. The site is accessed directly from the A361 (Trowbridge Road) via a private track/driveway. The property is located at least 90m from the road, set on lower ground. The nearest neighbouring properties are located to the north-east, with open countryside to the rear (south).

There are a substantial number of trees within the application site, and the application site is subject to a blanket Tree Preservation Order (E/5). There are two public rights of way to the east and south of the siting of the solar PV array – SEEN10A at least 100m to the east and SEEN10 at least 230m to the south.

Proposals:
This application is seeking planning permission for the installation of a ground mounted solar PV array comprising 50 panels, arranged in 5 rows of 10 panels.

Principle of Development:
Core Policy 41 of the Wiltshire Core Strategy, adopted January 2015, sets out the Council's policy for sustainable construction and low-carbon energy. Retrofitting measures to improve the performance of existing buildings is to be encouraged in accordance with the following hierarchy:

i. Reduce energy consumption through energy efficiency measures
ii. Use renewable or low-carbon energy from a local/district source
iii. Use building-integrated renewable or low-carbon technologies.

In February 2019, Wiltshire Council resolved to acknowledge a climate emergency, seeking to make the county of Wiltshire carbon neutral by 2030. Carbon reduction in the county is also a key theme of the Council in its recovery from the impacts of the COVID-19 pandemic.

This application involves the installation of a ground mounted solar PV array which will be used to generate electricity for use in the host building. The solar PV array will be positioned to the south-east of the host building adjacent to a group of existing trees. The Council is generally supportive of such technologies and they are permissible even in a countryside location subject to not creating any harm for surrounding residential or landscape amenities. These matters will therefore be assessed in more detail below but it is clear that the proposals are acceptable in principle.

Impact upon the amenity of occupiers of neighbouring properties:
The solar PV array will be sited adjacent to a group of existing trees and raised bank. Due to the topography of the site, the solar PV array will be sited on lower ground compared to the host building and neighbouring properties (which are located approximately 50m to the north-east). The solar PV

array will face open countryside beyond the rear of the site, and not towards neighbouring properties and consequently, no harm will be caused to neighbour amenity.

Impact upon visual amenity:
The adopted Wiltshire Core Strategy CP 57 requires a high standard of design in any new developments including alterations or extensions to a dwelling. Development is to create a strong sense of place through drawing on local context and being complementary to the locality. The policy seeks for any new development to positively respond to the existing townscape and landscape and effectively integrate into its settings.

The proposed solar PV array is considered to be of an acceptable scale, commensurate to the size of the application site. The solar PV array will be sited a sufficient distance from the rear of the host building, adjacent to a raised bank and a group of existing trees.

There are public rights of way adjacent to the application site, SEEN10A which is at least 100m to the east and SEEN10A which is at least 230m to the south. However, the proposed development will largely be screened from the public right of way to the east due to the existing group of trees and bank and also considered to be sited a sufficient distance from the public rights of way to the east and south.

Therefore, due to the position of the solar PV array within the site and the low-lying nature of the proposals, it is considered that the proposed development will not result in such a detrimental impact upon visual amenity to warrant a reason for refusal.

Impact upon trees:
As mentioned above, the application site is subject to a blanket TPO. The proposed solar PV array will be sited adjacent to a group of existing trees. To facilitate the proposed development, it is proposed to remove 2no. trees.

The council's Arboricultural Officer was consulted on the proposed development to consider the potential impact of the development on the protected trees, and she provided the following comments:

"I've had a look at the arb info that has already been submitted and it is insufficient, so I would like to be consulted once the new arb report is received please.

They are planning on removing only 2 trees, but they will need a constraints plan, AMS to demonstrate how they propose to work within the RPA of the rest of the trees, and a tree protection plan. The report also needs to include the method of installation of the over-ground services".

The above comment was brought to the attention of the agent and further information to address the council's Arboricultural Officer was subsequently provided.

In consideration of the additional information provided, the council's Arboricultural Officer raised no objection subject to condition, commenting as follows:

“Whilst there is no tree protection plan, 7.2 of the Arboricultural Report, prepared by WRC and dated December 2023, states that the protective fencing must be south of the yellow line on the Tree Location Plan, which indicates the outer edge of the RPA of the retained trees.

Please can this report and plan be added as an approved document and its compliance conditioned”.

Given the above, it is considered that the proposed development will not result in a detrimental impact upon existing trees.

Conclusion:
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: (4)

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:

Application Form
Johnsons Arborist, Arboriculture statement in conjunction with planning application Pl/2023/07540, received 24/10/2023
WRC Trees Arboricultural Consultants, BS5837 Tree Survey and Arboricultural Method Statement, received 02/01/2024
BOSKY Trees Arboricultural Consultancy, Tree Risk Assessment 2018, TRA 13.8.18, received 24/10/2023
Tree Survey
Location Plan
Proposed Front View, Proposed Side View and Proposed Plan View
Proposed Location for Ground Mounted Solar Panel Array, received 24/10/2023

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

3 The development hereby permitted shall be carried out in strict accordance with the following

approved document:

BS5837 Tree Survey and Arboricultural Method Statement, by WRC Trees Arboricultural Consultants, received 02/01/2024.

REASON: To ensure the protection of trees on the site in the interests of visual amenity.

4 The solar PV array and associated equipment hereby approved shall, within two months of them becoming redundant, unusable, or no longer being needed for microgeneration purposes, be permanently removed from the site; and within two months of their removal, the ground upon which they are situated shall be taken back to its appearance at the time immediately before the solar PV array's installation.

REASON: In the interests of visual amenity.