DELEGATED REPORT

Application Reference:	PL/2023/09783
Application Type:	Planning permission House Holder
Site Address:	38 Larkspur Drive, Calne, SN11 8GN
Proposal:	Installation of 10 solar panels to roof.
Recommendation:	Planning Permission be GRANTED

PROPOSAL

The application proposes the installation of 10 solar panels to roof, Panels are Aiko 610w n-type ABC, White Hole series, 72 cell, silver frame approximately 1134mm wide by in length 2278mm and 35 mm in depth.

The panels are proposed to the front roof slope of the dwelling arranged as two rows parallel rows each of five panels in portrait layout. The fixing details provided with the application confirms the panels will not project greater than 200 mm above the plane of the existing roof.

The manufacturers installation details confirm that the panels will be set in from the sides of the roof by approximately 300 mm which is the standard requirement and set in approximately 300 mm from the ridge of the roof and above the eaves/gutter edge of the roof.

SITE DESCRIPTION/CONTEXT

The property known as 38 Larkspur Drive, Calne is a semi-detached two storey dwelling set within a recently constructed residential development of 200 dwellings to the north of the Town of Calne.

The property has rendered elevations and a concrete tiled roof.

The property has permitted development rights removed for additions, extensions, dormers, windows and rooflights condition no. 2 of application PL/2022/02792 refers.

There are no other designations upon the site.

PLANNING HISTORY

PL/2022/02792 – Variation of condition 7 relating to application 15/05831/REM

15/05831/REM – Reserved Matters 200 Dwellings – Approved with conditions – Permitted Development removed for additions, extensions, enlargements, windows, dormers or rooflights.

11/03524/OUT – Outline for residential development 200 dwellings – Allowed at appeal.

POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 8: Spatial Strategy for Calne Community Area
Core Policy 41: Sustainable Construction and Low Carbon Energy
Core Policy 57: Ensuring High Quality Design and Place Shaping

Calne Community Neighbourhood Plan
BE 2 Design Principles for Local Distinctiveness
NE 4 Energy Conservation

National Planning Policy Framework 2023 (NPPF)
Section 2: Achieving sustainable development
Section 6 Building a strong, competitive economy
Section 12: Achieving well designed and beautiful places
Section 14: Meeting the challenges of climate change, flooding and coastal change

ISSUES

- Principle of Development
- Scale and design
- Residential amenity
- Other matters – meeting the challenges of climate change

CONSULTATION

Calne Town Parish – No objection – Members sought confirmation as to why the proposal required planning permission.

REPRESENTATIONS

The application was publicised by direct neighbour notification letter, no representations have been received.

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. The National

Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance.

The principle of domestic extensions, alterations and/or outbuildings within the curtilage of existing dwellings is considered acceptable, providing those proposals are complaint with the requirements of relevant policies within the development plan.

In addition, the principle of installing integrated renewable or low-carbon technologies to existing buildings is considered acceptable under WCS Core Policy 41. In determining planning applications, local planning authorities should give sufficient weight to the need to support energy efficiency and low carbon heating improvement to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Applicants will not be required to justify the overall need for renewable energy development either in national or local context. The proposal is considered to meet with CP41 of the WCS.

Scale and design

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

The proposed arrangement is for ten panels sited to the front roof slope which faces the street. The panels have a relatively low proposed projection above the plane of the roof slope given as less than 200 mm, consisting of 30 mm deep panels upon rails. The property is of relatively recent construction, the proposed retrofit of the photovoltaic installation is considered not to be entirely out of keeping with the character and setting of the property or the general locality.

The Calne Neighbourhood plan requires development to be of good quality design Policy BE 2 and Policy NE 4 supports energy efficiency. The proposal and design is considered to be in accordance with these aims.

Calne Town Council have no objection to the proposal.

The design, details and materials for the installation are considered to be in accordance with the provision of CP 57 of the WCS.

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.

The neighbouring properties most sensitive to the development are the attached property at no. 40 Larkspur Drive and the neighbouring properties opposite to the south side of the street known as 27 & 29 Larkspur Drive. The panels may be visible from the neighbouring properties, however it is considered the nature of the installation will not give rise to unacceptable impact on the amenity of neighbouring properties.

No third-party representations have been received.

Due to the scale, siting and design of the installation arranged upon the south front roof slope, the proposal is considered to not give rise to unacceptable impacts to the amenities of neighbouring occupiers or the area in general in accordance with CP 57 of the WCS.

Meeting the challenges of climate change

In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

The Calne Town Council members sought confirmation as to why the proposal required planning permission. The property is of a development where permitted development rights have been removed for additions to, extensions or enlargements of any building forming part of the development. Condition no. 2 of permission PL/2022/02792 refers.

Applicants will not be required to justify the overall need for renewable energy development either in national or local context. The proposal is considered to meet with CP 41 of the WCS.

CONCLUSION

The proposed PV cells would be acceptable additions to the locality. There would be no unacceptable impacts to the amenities of neighbouring occupiers or the area in general. The design, siting, materials and scale of the installation is in keeping with the dwelling. Accordingly, the proposal is considered to comply with the relevant provisions of CP41, and CP 57 of the WCS and BE2 and NE 4 of the Calne and Calne Without Neighbourhood Plan.

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 and documents:

   Location Plan 1:1250 Scale - received 13th November 2023

   Proposed front elevation image - received 12th December 2023

   Proposed front elevation image - received 20th December 2023

   Manufacturers Statement - received 13th November 2023

   Manufacturers Specification - received 12th December 2023

   Project Plan (mounting) - received 6th January 2023

   Fitting Manual - received 6th January 2023

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

3. 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.

4. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

5. 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.