DELEGATED REPORT

Application Reference:	PL/2023/08698
Application Type:	Full Planning Permission
Site Address:	Wick Farm, The Common, Heddington, Calne, SN11 0NZ
Proposal:	Change of use of land to domestic use for the site of proposed 50 ground mounted solar panels.
Recommendation:	That Planning Permission is GRANTED with conditions

PROPOSAL

This application seeks consent to change a small section of land (3.0m by 29.0m) from agriculture to residential and install 50 ground mounted solar panels to power residential dwelling. The solar panels will be situated on the northeastern area of the plot.

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

- 50 ground mounted solar panels
- Change of use to incorporate a small area of agricultural land to residential

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

DESCRIPTION/CONTEXT

The application site relates to Wick Farm dwelling located approximately 1.5km south-east of Heddington. The dwellinghouse is a two-storey building that is surrounded by agricultural land. The site falls outside of the settlement boundary of any nearby town or village. The closest neighbouring property is Wick Farm Cottage that abuts to the east of the site and Ruslings Farm which sits roughly 100.0m to the south of the proposal site. The site does not fall 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

N/10/02128/FUL & N/10/02129/LBC	Demolition of rear lean-to extension; erection of single storey rear extensions, new rood structure & two dormer windows; conversion of adjacent outbuildings & Byre to all to include internal and external alterations & alterations to privy.	Approved

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:

Wiltshire Core Strategy 2015 (WCS):

- Core Policies 41 and 42: Sustainable Construction and Standalone Renewable Energy Installation
- Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2023 (NPPF)

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

Heddington Parish Council: No objection:

> *Heddington Parish Council supports this application with the following conditions:*
> *- The change of use from agricultural to residential only applies to the area covered by the solar panels*
> *- The change of use reverts back to agricultural if the solar panels are removed.*

REPRESENTATIONS

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

ASSESSMENT

Principle of development

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 a ground mounted renewable apparatus. The piece of land is to the north of the dwelling site and measures 93.5m2 (3.0m by 29.0m).

Whilst residential incursions into the open countryside are generally not permitted due to the resultant impact on the character of the countryside, in this particular case, the area of the new panels is reasonably limited and discreet. Whilst being somewhat divorced from the residential curtilage, it would be possible to make clear to the applicant/occupier via an informative added to the decision notice, that the decision in no way grants or implies agreement to the wider land, or an access route to the panels, being regarded as residential, garden land. This is a matter which has been astutely identified by the Parish Council.

Notwithstanding the above, 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.

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 solar panels, they will be ground mounted and would not be seen from public vantage points. They are to be installed roughly 40.0m from the existing dwellinghouse with 2 rows of 25. Whilst this would be a sizeable addition of solar panels, the proposal will be tucked behind dense vegetation to the north and the neighbouring outbuilding to the east. Views will be limited from the neighbouring property (Wick Farm Cottage) and agricultural fields to the west.

They read as an example typical of this form of development and do no overwhelm or harm the character and setting of the host property and would not be considered as an incongruous or alien addition to the area. In totality, the scale and location of the proposal is considered to be an acceptable addition in the context of the established residential context 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 is 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 west and the host dwelling to the south. The nearest dwelling, Wick Farm Cottage, is situated roughly 50.0m east of the proposal area (with a large outbuilding located in-between) 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 and Wiltshire Core Strategy Policies: CP41, CP42 and CP57; 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:

Scaled Drawing – Solar Panels: Received 2 February 2024
Site Plan: Received 18 January 2024
Annoted Site Plan & Photograph of Site: Received 17 January 2024
Solar Panel Elevation: Received 17 January 2024
Manufacture Specification: Received 1 December 2023
Location Plan Revised: Received 8 April 2024

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

3 The proposed solar panels and equipment hereby approved shall be removed as soon as reasonably practicable when no longer needed.

REASON: To protect the long-term visual amenity 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.

7 The applicant should be aware that this decision grants permission for the placement of solar panels on the identified site only, and in no way can it be interpreted as giving approval for the use of the wider land (including access routing to and from the panels from the existing garden) as domestic curtilage or garden land.