

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/09771
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Ladys Walk House, West Street, Great Somerford, Chippenham, SN15 5EH
DEVELOPMENT DESCRIPTION:	Installation of small ground mounted domestic solar array to serve Ladys Walk House
RECOMMENDATION:	Refuse

SITE DESCRIPTION/CONTEXT

The application site relates to Lady's Walk House, a two-storey dwelling located on West Street in Great Somerford which features a settlement boundary. There are a number of Grade II listed buildings within the settlement and the village lies within the Conservation Area of Great Somerford. There are also PRowS (ref: GSOM6 & GSOM7) adjacent of the host property. The locality is susceptible to ground water flooding and the locality is one of known ecological and archaeological potential or interest.

The location of the proposed solar panels are in an area approximately 200 metres to the south of the dwelling within the paddock owned by the Applicant.

PROPOSAL

This is an application seeking full planning permission for the siting of small ground mounted domestic solar array within the grazing land within the ownership of Lady's Walk House for the purpose of serving Ladys Walk House.

The proposal includes a single row of 30 south-facing ground mounted solar panels, each measuring 2094mm long, 1134mm wide and 35mm deep.

One set of amended plans has been submitted with a reduce red line boundary to only include the area of the proposed development and the inclusion of a blue line to demonstrate the remaining land within the Applicant's ownership.

PLANNING HISTORY

Proposal / Summary
PL/2021/10510 - Full planning permission Decision - Approve with Conditions Date: 3/2/2022 – Proposed swimming pool
PL/2021/05246 - Full planning permission Decision - Approve with Conditions Date: 21/10/2021 – The proposal is for a barn style stable block, sand school and associated landscaping.
PL/2023/05609 - Householder planning permission Decision - Approve with Conditions Date: 4/9/2023 – The addition of a new, single storey outhouse, built to accompany an existing pool in the garden space of Lady's Walk House,

PL/2024/09364 - Householder planning permission Decision - Approve with Conditions Date: 12/12/2024 – New Garage. alterations to house and new porch

PL/2025/08373 - Householder planning permission Decision - Withdrawn by Applicant Date: 5/12/2025 – Domestic ground mounted solar array to serve Ladys Walk House
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RELEVANT LEGISLATION, POLICIES AND GUIDANCE

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (*adopted January 2015*) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

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

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 13 Spatial Strategy Malmesbury Community Area
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;

Draft Wiltshire Local Plan Policies

- Policy 4: Addressing climate change
- Policies 6-20: Chippenham Area Strategy
- Policies 76 – 84: Social, housing, community, public open space and wellbeing
- Policies 85 – 101: Sustainability, ecology, water and landscape, heritage, air quality

The above are currently the strategy policies within the emerging Local Plan. The Wiltshire Local Plan review is advancing through its preparatory stages and is currently being examined. In accordance with the advice set out in paragraph 49 of the NPPF, the emerging Plan is capable of carrying weight in a decision.

Great Somerford Neighbourhood Plan 2016 to 2026:

None relevant.

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)

CONSULTATION RESPONSES

WC Rights of Way: No objection; informative recommended

- Underground cable route runs alongside public footpath GSOM6;
- The path should remain open and available at all times unless a temporary closure is applied for;
- Informative recommended to remind the Applicant of their statutory duties.

WC Conservation: Comment

- Neutral impact on the conservation area;
- Effective change to domestic use of the agricultural land;
- Relocation of the panels are recommended.

WC Public Protection: No objection

Great Somerford Parish Council: No comments received.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

No comments have been received from the public consultation.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

Paragraph 165 of the NPPF requires local plans to help increase the use and supply of renewable and low-carbon energy whilst ensuring that adverse impacts are addressed appropriately.

Assessment

In line with national legislation and guidance, Wiltshire Council has made a firm commitment to becoming a carbon neutral council by 2030. The Wiltshire Climate Strategy reiterates this commitment and expresses objectives that include renewable energy generation as part of the efficient and environmentally sensitive use of land, providing for the needs of an increasing population and nature.

In this context, Core Policies 41 and 42 of the WCS seek to encourage and promote the use of sustainable resources and energy generation. whilst CP42 relates more directly to 'standalone renewable energy schemes', it does set a positive presumption where it has been demonstrated that impacts (including landscape, ecology, historic environment, highways, amenity and best and most versatile agricultural land) have been satisfactorily considered and addressed.

The proposal seeks for the erection of a single row comprising 30 ground mounted solar panels to serve the dwelling, Lady's Walk House, to the north with the supply of electricity.

There is a general positive policy context which supports the proposals for renewable energy. In this case, the principle of renewable energy development to an existing dwelling is broadly acceptable, with the understanding that the scheme must be acceptable on other material considerations considered in this report.

Conclusion

The principle of development is acceptable, providing the proposal is compliant with the requirements of relevant policies within the development plan.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Assessment

The site is within the open countryside, positioned on paddock land within the Applicant's ownership.

In terms of the siting, the proposed solar panels would be situated approximately 200 metres to the south of the dwelling. Concerns have been raised regarding the distance of the proposed panels from the residential dwelling to which they are associated with and intended to serve. It is considered that the location of the panels within a grazing field would result in a degree of visual separation from the host dwelling. The Applicant has explained that this

location has been carefully considered to minimise harm to the conservation area. The specific heritage impacts are discussed in detail within the 'Heritage' section of this report.

The installation of domestic solar panels in this location would introduce some visual separation and would certainly be visible to the public realm by users of the GSOM6 footpath. Nonetheless, the proposed array would be situated close to the existing trees and hedgerows on the southern and western boundaries of the applicant's owned land, which would provide some screening. It is relevant to note that this proposed location would maximise energy generation to serve the dwelling without bringing upon harm to the conservation area.

Given the small scale nature of the proposal and its siting on agricultural land, it is considered reasonable to impose a condition requiring the removal of the panels when they are no longer in use.

Accordingly, by virtue of the scale, siting, and design, the proposal is not considered to give rise to any unacceptable harm to the character and appearance of the site.

Conclusion

The proposal is in accordance with Core Policy 57 of the WCS and the relevant provisions of the NPPF.

Impact on Heritage Assets

Policy Context

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. In particular:

Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable new uses and of new development making a positive contribution to local character and distinctiveness.

Paragraphs 212 requires "great weight" to be given to an asset's conservation "irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 213 advises that harm to the significance of a designated heritage asset should require "clear and convincing justification".

Paragraphs 213-215(214-216) require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

Paragraph 220 advises that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm as appropriate.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

Assessment

The proposal includes the installation of solar panels and its proposed location has been carefully considered to minimise harm to the conservation area.

The conservation area includes Lady's Walk House, and it abuts the northern and eastern boundaries of the agricultural land within the Applicant's ownership. The proposed location would be approximately 180 metres to the south of and approximately 114 metres to the west of the conservation area. This has been assessed by the Council's Conservation Officer and it is considered that the proposal, in this location, would result in a neutral impact on the character, appearance and setting of conservation area.

Whilst concerns have been raised regarding the appropriateness of the location, the Applicant has explained the location has been carefully considered to minimise the harm on the conservation area. Given the distance and the nature of the development, the LPA is satisfied that this proposal would not result in harm to the conservation area.

Conclusion

The proposal is in accordance with Core Policy 57 and 58 of the WCS and the relevant provisions of the NPPF.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

These policies guide the assessment of amenity impacts, which will be considered in detail below.

Given the nature of the solar panels and its distance from the nearest neighbouring amenities, it is not considered that there would be any unacceptable overlooking, overbearing or overshadowing impacts on the neighbouring amenities.

It has been considered whether there would be undesirable glare from the solar panels on the neighbouring property to the east, known as the Lodge. Given the orientation of the solar panels to face the south, it is not considered that there would be any direct glare that would impact upon the enjoyment of the private amenity spaces by the occupiers of The Lodge.

Ecology and Biodiversity

Policy Context

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Deliver measurable Biodiversity Net Gain (BNG), in line with the Environment Act 2021.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

The Green & Blue Infrastructure Strategy (2022–2030) promotes nature recovery, ecosystem services, and habitat connectivity through development.

Unless exempt, National policy requires a minimum of 10% Biodiversity Net Gain (BNG) for major developments, demonstrated via:

- Biodiversity Metric calculations
- Ecological assessments (e.g. PEAs, Phase 1 surveys, protected species surveys)

Assessment

The site is not subject to any ecological designations. It currently comprises grazed grassland, which constitutes an existing habitat of measurable ecological value.

The proposal seeks for a 'change of use' of agricultural land for domestic use, together with the installation of ground mounted solar panels. The application has not been supported by baseline habitat information and an appropriate BNG strategy to demonstrate how a minimum of 10% net gain, as required by the Environmental Act 2021, would be achieved.

The Local Planning Authority has requested that the Applicant provide the necessary information in order to demonstrate compliance with the BNG requirements. The Applicant disputes that the proposal constitutes a 'householder planning application' and has provided no indication of any intention to submit the necessary details to establish the existing biodiversity value of the site and present a viable BNG strategy.

In line with the Town and Country Planning Act (Development Management Procedure) (England) Order 2015, a 'householder application' is defined as:

- (a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or*
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development,*

but does not include an application for change of use or an application to change the number of dwellings in a building;

Based on the submitted plans, the area occupied by the proposed solar panels measures approximately 68 square metres and is not considered to be located on land within the residential curtilage of Ladys Walk House. As such, the application does not fall within any of the exemption categories from the mandatory Biodiversity Net Gain requirements.

Whilst the LPA is not required to seek absolute certainty on how 10% Biodiversity Net Gain will be achieved at application stage, the baseline information of the existing biodiversity value must be reported should the application be subject to the BNG requirements. In the absence of this mandatory information, the LPA cannot be satisfied that the development would achieve the statutory minimum of 10% Biodiversity Net Gain and therefore the proposal has failed to demonstrate compliance with Core Policy 50 of the WCS.

Conclusion

The application is subject to the mandatory Biodiversity Net Gain requirements, in line with Environmental Act 2021, however, insufficient information has been submitted to establish a habitat baseline and outline reasonable BNG strategy to demonstrate that the proposal would achieve 10% Biodiversity Net Gain. The proposal is in conflict with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environmental Act 2021), Core Policy 50 of the WCS and the NPPF.

Other Issues

N/A

PLANNING BALANCE AND CONCLUSION

In assessing the proposal against all relevant material considerations, no significant harms have been identified in respect of the principle of development, residential amenity, character and appearance, heritage impacts and other technical matters. However, the Applicant has

failed to submit the mandatory Biodiversity Net Gain (BNG) information required to establish the existing baseline habitat value and to demonstrate how the development would achieve the statutory minimum 10% net gain.

In the absence of this information, the Local Planning Authority cannot discharge its duties under the Environment Act 2021, nor can it be satisfied that the proposal would avoid a net loss of biodiversity or secure appropriate ecological enhancements. As such, the proposed development, as a whole, conflicts with the development plan.

With circumstances being insufficient to warrant otherwise, the application is recommended for refusal for the reasons set out below.

Reasons for refusal

1. The application fails to provide sufficient information to demonstrate that the BNG objective can be met and that the BGP condition is capable of being discharged. The proposal is therefore contrary to the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework.

RECOMMENDATION:

That Planning Permission be REFUSED.