

Area West Committee – 18th April 2012

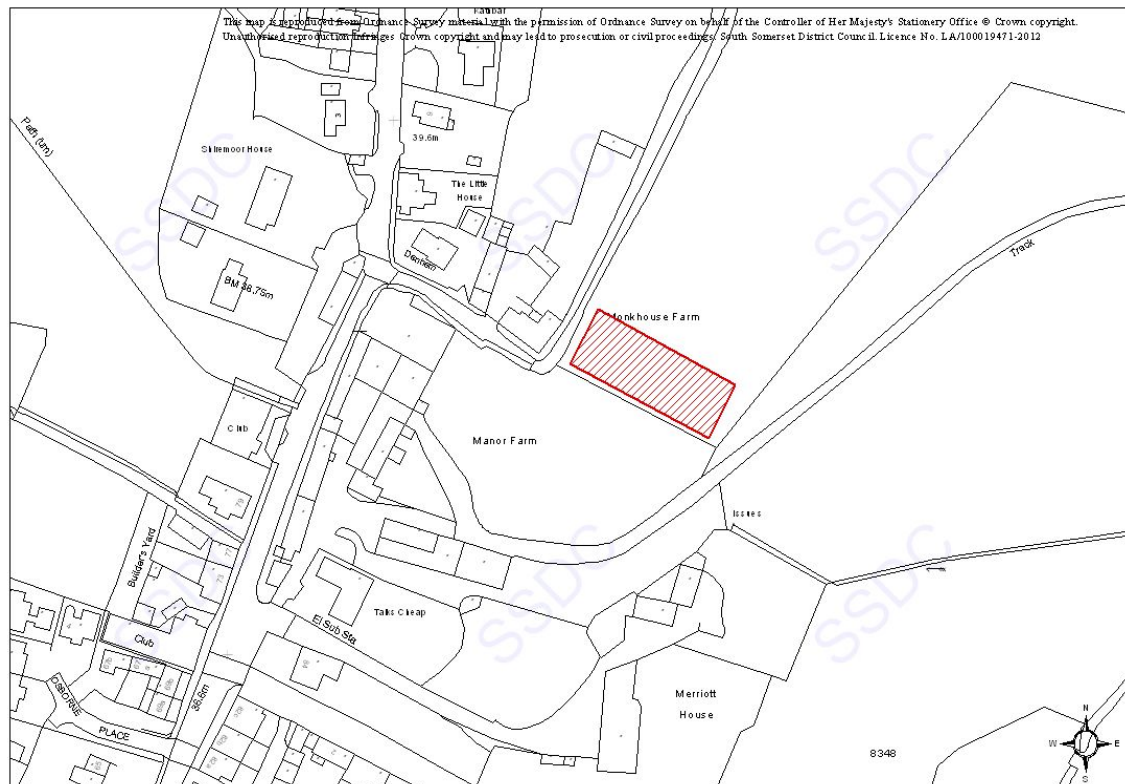
Officer Report on Planning Application: 11/04806/FUL

Proposal :	Installation of a solar photovoltaic array and associated equipment with a maximum array height of 2.6m and a maximum installed capacity of 50kW. (GR 344640/ 112567)
Site Address:	Manor Farm Lower Street Merriott
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Mr P M Maxwell (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	9th March 2012
Applicant :	E-Tricity Ltd
Agent: (no agent if blank)	Laurence Associates Lemon House 14-15 Lemon Street Truro Cornwall TR1 2LS
Application Type:	Minor Other less than 1,000 sq.m or 1ha

REASONS FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the application should be given further consideration by members, to consider the potential impact of the proposed development on the setting of the adjacent listed building and general character of the area.

SITE DESCRIPTION AND PROPOSAL



The application relates to an area of agricultural land forming part of Manor Farm, which is located on the east side of Lower Street, Merriott. The application site is immediately adjoining the existing farmyard and lies just beyond the defined development limits of the village. It is also just outside the local conservation area and there is a grade II listed dwelling immediately to the west, being only about 5m from the application site. A public footpath runs to the east of the site and a bridleway runs to the west.

The application is made to install a solar PV array comprising 178 solar panel modules on fixed frames. The arrays will be at a height of 2.6m and will be contained within a 2m high fenced enclosure covering a ground area of 18.3m by 51.5m.

HISTORY

11/00095/FUL: Conversion of barn to form ancillary accommodation and annex - Permitted with conditions.

96/01332/FUL: Erection of detached dwelling with attached double garage - Permitted with conditions.

942016: Erection of dwellinghouse with attached double garage (reserved matters) - Permitted with conditions.

920063: Conversion of barns to 3 dwellings and garages and erection of a dwellinghouse - Permitted with conditions.

911875: Erection of a dwelling house - Permitted with conditions.

910612: Conversion of two barns to dwellings and the erection of four dwellinghouses - Application refused.

910419: The erection of a dwellinghouse (outline) - Application withdrawn.

800759: The erection of an agricultural building for cattle at Manor Farm - Permitted with conditions.

751932: Erection of building for storage of agricultural equipment on land at Manor Farm - Permitted with conditions.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan (April 2000):

STR1 - Sustainable Development

Policy 5 - Landscape Character

9 - Built Historic Environment

South Somerset Local Plan (April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

EC3 - Landscape Character

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

Policy-related Material Considerations:

National Planning Policy Framework (March 2012):

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 7 - Requiring Good Design
Chapter 10 - Climate Change and Flooding
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Goal 8 - Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

Goal 10 - Move towards a carbon neutral economy through robust milestones.

Goal 11 - Protection and enhancement of our natural environment and biodiversity.

CONSULTATIONS

Parish Council:

The Parish Council support this application.

SSDC Technical Services:

No comments.

County Highway Authority:

No observations.

SSDC Landscape Architect:

I have reviewed the application seeking the installation of a free standing solar array at the above site.

There is not necessarily a landscape issue with the principle of establishing a PV array at Manor Farm if an acceptable site can be found. However, I have some concern over the specific site selected for this array. The arrangement indicated on the application plan shows two lines of PVs facing a storage area to the rear of the farm, on land rising above the farmyard to thus take it into a wider prospect. Domestic form lays to the immediate northwest of the site, and this is a listed building. With views from the south seeing the close correspondence of the two, and a clear incongruity of both form and character, I believe there are setting issues that tell against this proposal (policy EH5) and adverse landscape impact arising from the siting (policy EC3) and these provide grounds for refusal.

In addition, the proposal to fence the array within a chain link enclosure, is contrary to SSDC's guidance note on PV installations. Also, on other e-tricity sites, a heavy form of anchoring has been used for the array, which has an industrial form and is not altogether appropriate for a rural location. Whilst the application material implies the option of auguring the support frames, it is not specific, should concrete anchor pads be intended, then this would consolidate the landscape case against this proposal.

I would not altogether discount a potential for PV on this farm, but this is not the location, and with the conservation area also nearby, I am not certain that there is a ready option.

SSDC Conservation Manager:

The height, prominence, exposure and proximity to the adjacent listed building, the visibility of the site and way the proposal would impinge on the view of the listed building

from the public footpath are all issues that make me recommend against this. The high metal fencing surround to the site and lack of any landscape mitigation are additional factors that overall would result in harm to the setting of the listed Monkhouse Farm.

It would seem to us that there might be an alternative site hereabouts, which with a lower form and careful landscaping, might overcome the objection.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. No comments have been received.

CONSIDERATIONS

Principle of Development

The application seeks consent for the provision of a solar PV array on agricultural land to the east of Manor Farm, Merriott. It is in close proximity to the local conservation area, an adjacent listed building and two public rights of way. The Local Planning Authority are generally supportive of proposals for renewable energy, however this is subject to being in accordance with Development Plan policies and proposals. In this case the main considerations will relate to the impact of the proposed development on landscape character, visual amenity, potential impact on residential amenity and on the local historic environment.

Historic Context and Landscape Character

The installation is proposed to be within open countryside, on agricultural land immediately adjacent to existing residential development and a large storage area to the east of the existing working farm. The application site is open field, which rises to the north and east, and is bounded on either side by public rights of way, comprising a footpath and a bridleway. While generally supporting the principle of solar PV on this unit, the Council's Landscape Architect has raised concerns about the siting of the array, particularly due to its proximity to the immediately adjacent listed building, Monkhouse Farm. There are clear views from the south and east where the relationship of the proposed development and the listed building are apparent. As a result of the impact on the setting of the listed building and the overall openness of the site from public vantage points, the proposed array is considered to be incongruous in form and character to the setting and character of the local landscape.

Concerns have also been raised about the appearance of the proposed fence and also to the manner of fixing to the ground. These issues are however open to change and the applicant has confirmed that they are willing to revise these details, if required.

The development has also been considered by the Council's Conservation Unit and subsequently the Conservation Manager has raised objections to the proposal too. It is considered that the proposed array and enclosure, due to their height, prominence, exposure and proximity to the listed building will adversely impact upon the setting of the listed building, as viewed from the public footpath across what is currently open agricultural land. It is noted that the applicant has referred to saved policy EC3 of the South Somerset Local Plan (Landscape Character) but has made no reference at any point to the listed building or the historic context of the area surrounding the application site. Saved policy EH5 states that planning permission will not be permitted for development that would have an adverse affect on the setting of a listed building or its contribution to the local scene.

Members will also be aware that the National Planning Policy Framework (NPPF) has now come into effect, which means that Planning Policy Statement 5 (Planning for the Historic Environment) is no longer relevant. Despite this, the NPPF still provides an equally high emphasis on the protection of heritage assets. As well as requiring applicants to describe the significance of any heritage assets being affected, including any contribution made to their setting, which has not been done in this case, paragraph 131 requires Local Planning Authorities, in determining planning applications, to take account of *"the desirability of new development making a positive contribution to local character and distinctiveness."* In this case, the proposed development not only fails to make a positive contribution to local character and distinctiveness but also is considered to adversely affect the setting of the adjacent listed building. As such, it is not only contrary to saved policy EH5 but also contrary to the aims and objectives of the recently adopted NPPF. Overall, it would appear that no consideration has been given to the historic context of the locality.

Despite the objections raised, it is felt that there could be scope for this development in a less sensitive location. The applicant has been offered the opportunity to discuss an alternative location and form of development, however there was no interest in negotiation and the Local Planning Authority were asked to determine the application as submitted.

Other Issues

No objections have been received from the County Highway Authority, in regard to highway safety. It is also considered that the development is at sufficient distance from the nearest residential properties to raise no residential amenity issues.

CONCLUSION

The development is not considered to accord with the Development Plan and is also deemed to be contrary to the aims and objectives of the NPPF, due to it having a detrimental impact on the setting and character of the adjacent listed building and on the general landscape character of the area. As such, the recommendation to Members is to refuse planning permission.

RECOMMENDATION

Refuse permission.

FOR THE FOLLOWING REASON:

1. The proposed solar pv array and associated security fencing, by reason of their siting, form, scale, mass and height, will have an adverse impact on the setting of the adjacent listed building and its contribution to the local scene. It is also considered to have a detrimental impact on the distinctive character and quality of the local landscape and fails to respect and relate to the character of its surroundings and as such is contrary to the aims and objectives of policies 5, 9 and STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5, ST6, EC3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.