

DELEGATED DECISION REPORT

APPLICATION NUMBER

200731

Great House Farm, Dorstone, Hereford, HR3 6BE

CASE OFFICER: Ms Heather Carlisle
DATE OF SITE VISIT: 4th June 2020

**Relevant Development
Plan Policies:**

**Herefordshire Local Plan – Core Strategy
Policies:**

SS4 - Movement and transportation
SS5 - Employment provision
SS6 - Environmental quality and local distinctiveness
SS7- Addressing Climate change
E1 - Employment provision
LD1 - Landscape and townscape
LD2 - Biodiversity and geodiversity
SD1 - Sustainable Design and energy efficiency
SD2 - Renewable and low carbon energy
SD3 - Sustainable water management and water resources

**Dorstone Neighbourhood Development Plan
Policy DNP RE1: Renewable Energy**

To be supported development proposals must:

1. Incorporate measures to reduce the use of fossil fuels
2. Promote the efficient use of natural resources
3. Promote the production and consumption of renewable energy
4. Encourage and where possible facilitate the development of low and zero carbon energy consumption particularly in the case of proposed new housing development.
5. Ensure all new renewable energy proposals take account of landform, layout, building mass and orientation and landscape so as to minimise consumption and be appropriate for both the type and scale of the proposed development and avoids any adverse impacts on the River Wye SAC Catchment.
6. Promote renewable and low carbon technologies in locations where they will not harm the character or appearance of the parish or the surrounding landscape.
7. Incorporate design features in new development

DNP ENV Policy 1– Conservation, Heritage and Landscape

Development proposals will be supported where they;

1. conserve or enhance the character of the Conservation Area, including its listed buildings, archaeological sites, and heritage features; as well as its important open space, main views from locations freely accessible by the general public and landscape features identified in Appendix E.
2. are of a scale and design which ensures new build will merge seamlessly with the existing landscape, the main features of which are identified in Appendix E;
3. reflect heritage features identified in Appendix B;
4. protect ancient woodlands, the River Wye SAC, and the Moccas Park SSSI
5. improve access through the creation of new pathways and opening of green lanes and tracks;
6. propose intensive livestock units that demonstrate no significant adverse landscape, environmental or amenity impact, and with access arrangements that fully satisfy the requirements of the Highway Authority;
7. propose commercial scale polytunnel developments that demonstrate no significant adverse impact on visual and residential amenity, and do not result in significant adverse environmental or landscape impacts either alone or cumulatively with existing developments.

NPPF National Planning Policy Framework 2019

Chapter 14

Chapter 15

Chapter 16

Relevant Site History: 192814/CE

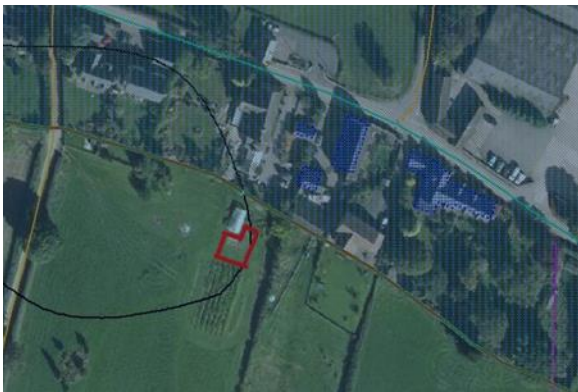
CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Dorstone Parish Council	x		x		
Transportation	x		x		
Ecologist	x		x		
Site Notice	x	x			
Cadent Gas	x	x			
Local Member	x		x		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The proposal site lies to the south of Great House Farm in Dorstone. The host property is a large period property dwelling and the application site is located to the south of the garden area which extends to the south of the dwelling house. The site is located close to the conservation area for Dorstone and also within the defined settlement boundary for the village. The site is served by an entrance off the C1207 road on the side of a Grade II listed barn to the north. A PROW lies circa 120m to the East of the site.

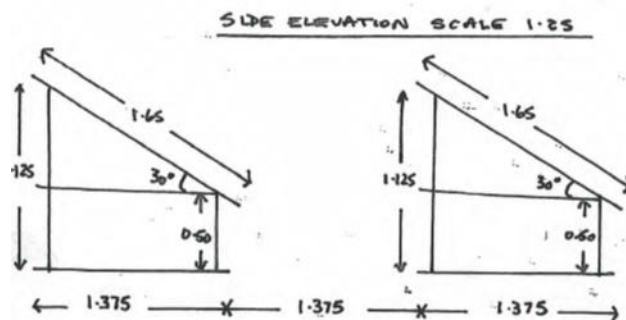
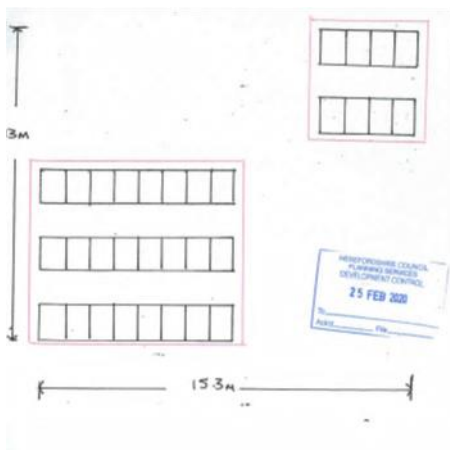


Aerial view



Site Location

The panels are to be located within an area currently used a meadow and it was evident from the site visit existing poly tunnels are located next to the proposal site. The free standing panels would cover two areas one in three sets of 8 panels and one area in 2 sets of 4 panels. This can be seen below. The proposed array will generate approximately 8000kwh's of renewable energy.



The topography is relatively flat but the land falls away to the south east and the landscape character is principally settled farmland. It is noted that there is an established hedge located to the western edge.

Representations:

Dorstone Parish Council: Support

Ward Councillor: Councillor Hewitt: Supports the application following email update from case officer 1/7/2020

Cadent Gas: no comment

Highway Officer: There are no highways objections to the modestly sized solar panel array. In order to ensure that the construction phase is appropriately managed it is recommended that condition CAT is applied relating to the provision of such a plan, paying particular attention to managing deliveries to the site and managing deposits on the highway throughout the construction phase.

Ecology:

Based on the information provided there are no identified ecological features that would require the LPA to include a specific ecological protection condition in relation to the construction processes although there are ponds in the locality that could support Great Crested Newts – which in their extensive terrestrial phase will be wide spread in the locality; there are also extensive records of bat roosting, including species more sensitive to light such as Horseshoe. It is appropriate for the LPA to remind the applicant (and their contractors) of their own legal duty of care towards wildlife protection as afforded by the Wildlife & Countryside Act - any breach of which is investigated and enforced by the local police rather than the LPA. A relevant general advisory note is given below.

Wildlife Protection Informative

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as all Bat species, Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained.

To ensure any nocturnal species are not impacted it is advised that any PV panels be slightly angled such as to direct any potential reflected light (eg the moon or general lighting of the area) away from the wildlife corridor (hedgerow) located to the east of the proposed PV array. There are no other ecology comments and no objection.

Pre-application discussion:

Supportive of the principle, submitted under 192814/CE

Constraints:

Adjacent to conservation area

Adjacent to listed buildings

SSSI Impact Zone

Adjacent NE Priority habitat

Appraisal:

Policy context and Principle of Development

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

“If regard is to be had to the development plan for the purpose 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.”

At the national level, there is a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of planning applications for Solar Energy. The Climate Change Act 2008 commits the UK to an 80% reduction in greenhouse gases by 2050. The Government Renewable Energy Strategy published in July 2009 sets a legally binding target to ensure that 15% of our energy comes from a renewable source by 2020.

The National Planning Policy Framework (NPPF) sets out the national planning policy context for renewable energy. This framework supports a transition to a low carbon future in a changing climate and encourages the use of renewable energy. Paragraph 7 states that at the purpose of the NPPF is to contribute to the achievement of sustainable development. Paragraph 148 - 154 indicate that the planning system has a key role in helping to secure radical reductions in greenhouse gas emissions and providing resilience to the impacts of climate change.

Whilst paragraph 154 states that when determining planning applications for renewable energy developments, local authorities should not require applicants for energy developments to demonstrate the overall need for renewable or low carbon energy and also recognise that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and approve the application if its impacts are (or can be made) acceptable.

The local development plan for the purpose of determining this planning application is the Herefordshire Local Plan – Core Strategy (CS) which was adopted in 2015. Policy SD2 deals directly with Renewable Energy and supports development proposals that would not adversely affect the integrity of sites of international importance or nationally designated sites. Outside of nationally designated sites and areas, proposals are supported where there would not be no significant detrimental effect upon the character of the particular landscape qualities of that location and the built or historic environment; there would not be any

significant impact upon the amenity of neighbouring residents; and the proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.

The application site is within the parish of Dorstone where a neighbourhood development plan (DNDP) was made in February 2017. Within the plan Policy DNP RE1: Renewable Energy offers support and promote renewable and low carbon technologies in locations where they will not harm the character or appearance of the parish or the surrounding landscape.

Principle of development/ Planning considerations

The starting point for the consideration of this application is planning policy, both National and local. As set out above, the NPPF is clearly supportive of proposals which generate renewable energy and it recognises the role which planning must play in reduction in greenhouse gas emissions and renewable energy targets are to be met. Crucially the NPPF advises that applications for renewable energy should be approved if impacts are, or can be made acceptable, unless material considerations indicate otherwise. The wider economic, social and environmental benefits of the proposal should be considered against any significant impacts on the surrounding area. It is clear that the proposal will contribute to meeting the Government's renewable energy targets and contribute towards the reduction in greenhouse gases. It is considered that the proposal in principle is considered to be consistent and in accordance with both National and Local policy with regards to improving sustainability. The key consideration with this proposal is considered to be the impact of the proposal on the landscape and historic environment.

Impact upon the Landscape Character and Heritage Assets

Policy LD1 within the CS deals specifically with issues surrounding landscape and townscape. The policy supports proposals which demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection; incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

Policy LD4 of the CS requires proposals to protect, conserve, and where possible enhance heritage assets and their setting in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.

Policy ENV 1 in the DNDP requires all proposals to conserve or enhance the character of the Conservation Area, including its listed buildings, archaeological sites, and heritage features; as well as its important open space, main views from locations freely accessible by the general public and landscape features. This policy also specifically requires proposals are of a scale and design so they merge seamlessly with the existing landscape,

The site is located on flat ground and located within land associated with the main host property. It is acknowledged that a PROW is located within in the area where glimpses of the site are afforded, however this is within the immediate context. There will also be glimpses from the unclassified highway which runs to the west of the site. However, it is considered that the nature and scale of the development, with its low height will have a minimal impact on the overall landscape character. No conflict with policy EN1 or LD1 of the CS have been identified. The site is located close to the conservation area and it is noted that the nearest listed building (a barn) is located to the north. The proposal would not impact upon the experience of the main views to and from the listed property and would not impact upon the experience of the approach and as such it is not felt the location of an appropriately located solar array would cause significant harm to the listed building and would not cause significant harm to the preservation or enhancement of the nearby conservation area As such there is no conflict the DNDP or LD4 of the CS.

Impacts on highway network

Policy MT1 of the CS requires all development proposals to demonstrate that the strategic and local highway network can absorb the traffic impacts from the development.

The proposal site is located off the C1207 road. As highlighted in the Highway engineer's comments which raise no highways objections, the proposal is for a modestly sized solar panel array. However, to ensure that the construction phase is appropriately managed details relating to the provision of such a construction plan, paying particular attention to managing deliveries to the site and managing deposits on the highway throughout the construction phase has been requested. In accordance with policy MT1 of the CS, the vehicle generation from the proposed development can be accommodated on the local road network and there will not be any adverse impact on the safe and efficient flow of traffic on the local network. A condition is recommended to control the routing and timings of the delivery vehicles as such I am of the opinion there is no conflict with Policy MT1.

Other matters

Noise/amenity. The scale of the proposal is on a domestic level and as such it is not a condition is required to control the hours for which the development will be constructed. Once constructed the development will not generate any significant noise or nuisance to surrounding residents. As such there is no conflict with policy SD1 of the CS with regards to residential amenity.

Ecology/biodiversity. The Councils planning ecologist raises no objection to the proposal and has suggested informative to be added. The proposal has no conflict with policy LD2 of the CS.

Surface water management

The Drainage officer reviewed the application at pre-application stage and advised there are no flooding issues at this location and gave no objection in principle to the proposals. There are no conflicts with policy SD3 of the CS.

Conclusion:

The proposal can be considered to be sustainable in terms of addressing climate change issues and supporting the transition to a low carbon future. The host property is a period attractive property but it is not of significant or architectural merit and as such I am of the viewpoint the solar panels would not impact on this nor the nearby conservation area or listed barn. However, there will be some limited landscape impact but this is outweighed by the support for renewable energy source within the NPPD, the Core Strategy and the neighbourhood plan. I therefore recommend the application for approval subject to the conditions listed below.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1 C01

2 C07 : Proposed Elevations and Location plan

3. Within six months of any of the solar panels/photovoltaic panels hereby permitted becoming redundant, inoperative or permanently unused, those panels and all associated infrastructure shall be removed and re-used, recycled, the materials recovered, or be finally and safely disposed of to an appropriate licensed waste facility, in that order of preference.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

4. CAT

Informatives

1.PP Reason 1

2 The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as all Bat species, Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

3.To ensure any nocturnal species are not impacted it is advised that any PV panels be slightly angled such as to direct any potential reflected light (eg the moon or general lighting of the area) away from the wildlife corridor (hedgerow) located to the east of the proposed PV array.

Signed: *Heather Corrie*

Dated: 1/7/2020

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐

Signed:  Dated: 2nd July 2020